



North Planning Committee

Date: THURSDAY, 3 JANUARY 2013

Time: 7.00 PM

- Venue: COMMITTEE ROOM 5 CIVIC CENTRE HIGH STREET UXBRIDGE UB8 1UW
- MeetingMembers of the Public andDetails:Press are welcome to attend
this meeting

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

Published: Monday, 24 December 2012

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Petitions -Petitions- When a petition of 20 signatures or more of residents that live, work or study in the borough is received they can speak at a Planning Committee in support of or against an application for up to 5 minutes. Where multiple petitions are received against (or in support of) the same planning application, the Chairman of the Planning Committee has the discretion to amend speaking rights so that there is not a duplication of presentations to the meeting. In such

circumstances, it will not be an automatic right that each representative of a petition will get 5 minutes to speak. However, the Chairman may agree a maximum of 10 minutes if one representative is selected to speak on behalf of multiple petitions.

Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes. If an application with a petition is deferred and a petitioner has addressed the meeting a new valid petition will be required to enable a representative to speak at a subsequent meeting on this item. **Ward Councillors** - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

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

How the Committee meeting works

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

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

An agenda is prepared for each meeting, which comprises reports on each application. Reports with petitions will normally be taken at the

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;
- 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 11 December 2012
- 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	Former RAF West Ruislip, High Road, Ickenham 38402/APP/2012/1033	West Ruislip	Erection of 55 tailored care living units (extra care accommodation) with communal facilities and car parking (variation of 38402/APP/2008/2733) and the erection of 25 retirement living (category ii type) sheltered apartments with communal facilities and car parking Recommendation: Approval subject to a S106 Agreement	9 – 38 146 - 157

Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
7	51 The Drive, Ickenham 21977/APP/2012/2194	Ickenham	Two storey building with habitable roofspace to create 5 x self- contained flats with associated parking and landscaping and installation of vehicular crossover, involving demolition of existing detached dwelling Recommendation: Approval	39 – 60 158 - 177
8	101 Victoria Road, Ruislip 19448/APP/2012/2541	Manor	Change of use of ground floor from retail (Use Class A1) to restaurant/cafe (Use Class A3) involving installation of extract duct to rear and new door to rear. Recommendation: Approval	61 – 72 178 - 183
9	39 Copse Wood Way Northwood 11007/APP/2012/2233	Northwood	Two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling. Recommendation: Refusal	73 – 86 184 - 189
10	London School of Theology, Green Lane, Northwood 10112/APP/2012/2057	Northwood	Erection of 3 detached 5/6 bedroom houses incorporating integral garages and roofspace accommodation, with associated vehicular access and amenity space (involving demolition of existing tennis courts). Recommendation: Approval subject to a S106 Agreement	87 – 114 190 - 219

Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
11	8-10 Long Lane, Ickenham 68864/APP/2012/2744	lckenham	Installation at roof level of 6 telecommunications antennae shrouded within 3 replica 'dummy' chimneys and 2 associated equipment cabinets	115 – 126 220 - 228
			Recommendation: Approval	

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.

- 12 Enforcement Report
- 13 Any Items Transferred from Part 1
- 14 Any Other Business in Part 2

Plans for North Planning Committee

145 - 228

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Minutes

NORTH PLANNING COMMITTEE

11 December 2012



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

	MEMBERS PRESENT:
	Councillors: Eddie Lavery (Chairman)
	Allan Kauffman (Vice-Chairman)
	David Allam (Labour Lead) Jazz Dhillon
	John Morgan
	David Payne
	Raymond Graham
	Brian Stead
	OFFICERS PRESENT:
	Matthew Duigan, Planning Services Manager
	Meghji Hirani, Planning Manager
	Manmohan Ranger, Highways
	Anne Gerzon. Legal Advisor
	Nav Johal, Democratic Services
	Others Present:
	Councillor Scott Seaman-Digby (in part)
1.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies for absence were received from Councillor Carol Melvin. Councillor Brian Stead was in attendance as substitute.
2.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
3.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT
	(Agenda Item 3)
	None.
4.	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 (Agenda Item 4)
	It was confirmed that all items marked Part 1 would be considered in public and all items marked Part 2 would be heard in private.
5.	LAND AT HIGH MEADOW CLOSE, PINNER - 196/APP/2012/1776
0.	(Agenda Item 5)
1	

Erection of a 45 Bed Care Home (Use Class C2) with associated landscaping and parking.

Officers introduced the report and outlined the changes made as per the addendum.

Officers confirmed the location of the Council owned lay-by for additional parking, which was located on High Meadow Close. Officers also confirmed the number of beds in the previous car home had been 31.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting. Mr Michael Barrett spoke on behalf of the petitioners and it was noted that Members had received a copy of his speech prior to the start of the meeting:

- A 45 bed care home was substantially larger in bulk and mass than the former building on the site. Although the Council's planning officer agreed with the developer, that a series of 'irregular blocks' diluted the bulk of the building, those that signed the petition strongly disagreed with this and felt the proposed development was too large.
- The building was of significant size and scale seeking to utilise the entire plot to the detriment of outside amenity space and to the neighbouring properties. The proposal hinged on the fact that the developers had reduced the number of beds from 50 to 45. Whilst petitioners agreed this was a step in the right direction they felt developers should be considering a smaller scale commercial operation of fewer bedrooms given how small the site and location was.
- Petitioners believed there was a lack of outdoor amenity space due to the scale of the build. They were concerned that the needs of the care home residents had not been adequately considered due to an over reliance in them being infirm and not being encouraged to venture outdoors. Given the size and scale of the building compared to the plot size, which was an awkward shape, and that it was surrounded by residential rather than commercial properties, the small current outdoor amenity provision exaggerated the scale of the building further and failed to support the built form in the context of the site.
- The petitioner spoke about lack of parking and the concern over emergency access. It was not a sustainable located site. The Council agreed with a 1A rating. A key reason stated by the Council for the closure of Frank Welch Court was due to a lack of public transport. The petitioner stated that it could not be denied that staff, visitors and services to the site would have had no option but to drive.
- Petitioners remained extremely nervous about the validity of the transport surveys that had been completed since the initial proposal. The overwhelming opinion of petitioners was that the care homes audited for parking had better public transport access than the High Meadow site.
- Daymer Gardens was a relatively narrow road. It was imperative that passage for residents and emergency vehicles was ensured and that overflow parking from the care home was avoided.

- Increased volume of traffic and overflow parking could compromise the road safety. The entry and exit from Daymer Gardens to Caitlin's lane was already very dangerous due to the impact of people parking opposite the junction which forced drivers to proceed to turn into Daymer Gardens on the wrong side of the road. An increase in parked cars in Daymer Gardens would further exasperate the safety issue.
- Petitioners were therefore keen for conditions to be imposed which protected against parking impact.
- The Planning Officer's report pointed to the potential for parking within High Meadow, the Council owned lay-by, to be made available for overflow use. Petitioners urged the Council to allow the home to use this but safeguard against irresponsible unsafe parking and also asked the Council to consider a further payment from the home for the maintenance of the area.
- The petitioner spoke about the travel plan which they felt was merely a document of intention that did not live and breathe. Members of staff would be encouraged, but not forced, to reconsider travel to work. Should the proposed development be approved, petitioners asked that the Council applied conditions insisting upon staggered shift patterns to attempt to avoid overflow parking.
- The Care Home would have no control over how many visitors came to the site or when they visited unless restricted and staggered visiting hours were applied. Petitioners asked that in the event that this proposal was approved, that a more rigid and 'policable' condition was applied beyond that which a travel plan offered.
- A number of petitioners had asked the lead petitioner to add that the process had been an unpleasant one due to the tactics the developers had chosen to adopt. This started with a poorly run neighbourhood consultation and led to residents who raised objections to the Council being contacted directly by the developer's representative requesting individual meetings. These were under the guise of being neighbourly when in fact the outcome had been a number of residents feeling under extreme pressure to change their objections and being contacted repeatedly by the developer's representative to do so.
- The petitioners urged Councillors to consider the developer's proposal carefully. There had been a considerable amount of 'spin', selectiveness and in the view of residents with much history and local knowledge of the site, a fair degree of misrepresentation and inaccuracy as the developers' seeked to get the proposal passed at all costs.
- The Care Home proposal was for the vulnerable in the community requiring care and welfare, however the care and welfare of the whole community, which includes residents like the petitioners, should form a key part of the decision making.

Mr Graham Gardner, agent, spoke on behalf of the application submitted:

- It was noted that the Planning and Urban design officer had accepted the design.
- The developers had been working a year with the Council and residents to get the application right.
- Developers had used DWA which was a nationally recognised care

home architect for the development.

- 6 NHS doctors had been consulted and would be working with the care home. This showed that the applicants had a level of quality of care towards the people that would be staying at the care home.
- The proposed building had been carefully designed so not to impact on adjoining properties.
- The windows on the first floor would be located and angled so they did not impact or overlook adjoining properties.
- The foot print and proposed building overall was not to large for the site.
- The outside amenity space was more than adequate. It was almost 50% of the site and this was almost double the Council guidelines requirement.
- The rooms in the proposed application were larger than guidelines, and there were large lounge spaces for residents too.
- The application included a gym and other leisure facilities.
- Efforts had been directed at the elderly and residents, to ensure their health and wellbeing.
- It was noted that the site was not of ecological value.
- There was photo evidence which showed the site clearance was far more modest than suggested.
- The proposal had ample on-site parking, 15 spaces were being provided although guidelines suggested that 10 spaces was adequate.
- Evidence had been collated and agreed with the developer's views on parking and traffic management. The application would not have a huge impact on traffic flow in the area.
- Developers had accepted that public transport was limited but it was not a zero level. The closest bus stop was an 8 minute walk from the site.

Members commented on the good quality design of the application and felt that it was not overdevelopment of the site. Some Members felt that concerns had been met and the old care home would be replaced by a much improved care home.

Some Members felt the area would get congested during certain periods and the parking allocated was not sufficient for visitors. It was noted by the Highways Officer that surveys suggested that there would be approximately 3 additional cars on the road per hour as a result of the application being developed. It was further noted that this application provided more parking than similar applications which had been approved in the Borough.

Emergency access was discussed and it was noted that the developer had provided plans on emergency access and there was a dedicated ambulance lay-by on the site. Members clarified that CCTV would be secure by design.

Members also discussed the large site in a residential area and whether this was suitable. Members discussed the possibility of a site visit and whether this would be beneficial before reaching a decision on the application.

The recommendation for approval was moved, seconded and on being put to vote was agreed by a majority. 4 Members voted in favour and 3

Members, Councillors' Graham, Morgan and Payne voted against.	
Resolved –	
That the application be approved as per the agenda and the changes set out in the addendum.	
138 LINDEN AVENUE, RUISLIP - 11121/APP/2012/1922 (Agenda Item 6)	6.
Erection of $1 \ge 3$ bedroom and $1 \ge 4$ bedroom two storey detached dwellings with associated parking and amenity space involving the demolition of existing bungalow.	
Officers introduced the report and outlined the changes made as per the addendum.	
In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting. Mr Ashby spoke on behalf of the petitioners:	
 Petitioners felt the application would ruin the area. The lead petitioner questions the accuracy of the plans submitted and that plans focused on no.38 when in fact it was no.36 that would be overlooked if the application was approved. The road was private and any new people moving in would have no right to park on the road. The petitioner stated that no one had looked at no.140, that side of the application would mean that there was no privacy to no.140. It was an elderly person area and an application for two bungalows would be acceptable. There was enough housing for families in the area and two 2 storey houses were not required in the area. Families moving in the area would upset neighbours by causing noise and it was stated there were no schools nearby. The petitioner stated that the residents had not been consulted on this application. 	
The agent/applicant was not present.	
Members asked officers to comment on the inaccuracies that petitioners mentioned. Officers clarified that it would be no.38 where there would be main impact, and there was not a material impact on no.36 as was indicated by petitioners.	
Officers further clarified the impact on no.140 and stated the new property would be closer to no.140 than it currently was. This would be 1 metre, which was the minimum distance required. Any potential overshadowing on no.140 was discussed and officers stated that experts advised overshadowing diagrams would not assist in this instance as there would not be overshadowing on the property and any overshadowing would occur out onto the road.	
Members asked officer clarification on parking and officers stated if the road	

	was private then the parking issues would be a private matter rather than for Council restriction. The application provided sufficient parking as per Council guidelines.
	Members felt this application was suitable for the area and were happy with the officer's report and recommendations.
	The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.
	Resolved –
	That the application be approved as per the agenda and the changes set out in the addendum,
7.	BREAKSPEAR HOUSE, BREAKSPEAR ROAD NORTH, HAREFIELD - 7610/APP/2012/2637 (Agenda Item 7)
	Proposal to enclose the lightwell between the original manor house and the 2 storey car park to create 2 rooms to serve 2 individual flats within the original manor house.
	Officers introduced the report. Members noted this application was fully supported by the Council's Conservation Officer and were happy with the officer report and recommendations.
	The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.
	Resolved –
	That the application be approved as per the agenda.
8.	BREAKSPEAR HOUSE, BREAKSPEAR ROAD NORTH, HAREFIELD - 7610/APP/2012/2638 (Agenda Item 8)
	Proposal to enclose the lightwell between the original manor house and the 2 storey car park to create 2 rooms to serve 2 individual flats within the original manor house (Application for Listed building Consent)
	Officers introduced the report. Members noted this application was fully supported by the Council's Conservation Officer and were happy with the officer report and recommendations.
	The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.
	Resolved –
	That the application be approved as per the agenda.
9.	HOLLAND AND HOLLAND SHOOTING GROUND, DUCKS HILL ROAD, NORTHWOOD - 16568/APP/2012/1423 (Agenda Item 9) Page 6

Single storey building for use as a corporate facility involving demolition of existing building.

Officers introduced the report and outlined the changes made as per the addendum. It was noted that the application would be on the existing hard surface, and existing second building and car park would not be affected.

A Ward Councillor was present and spoke on behalf of the application submitted to the Council:

- The Ward Councillor was speaking on behalf of residents and had spoken to the Northwood Residents Association who were in support of the application.
- The application would bring economic benefits to the area, including employment.
- The current building was not fit for purpose.
- Other Ward Councillors had showed their support for the application.
- There was a high level of corporate business use for this site, for example, team building activities.
- It was noted that officers had done a remarkable job and had worked with the applicant in producing an acceptable proposal.
- The application would be of a real benefit to the Borough.
- It was a beautiful site with so many wildlife on the site.
- The Ward Councillor asked the Committee to approve this application.

Members discussed the application and agreed with the officer's recommendation. Members felt that this was an appropriate use of Green Belt land and were in total support of the application. This would not take anything away from the Green Belt land and should assist in enhancing the site.

Members discussed any possible noise increase from the discharge of weapons and officers advised that there would not be a noticeable increase in noise or parking on the site. That the site currently erected a marquee for busy periods and this accommodation was to be in place of the marquee. It was noted there had been no noise complaints regarding the site.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved –

That the application be approved as per the agenda and the changes set out in the addendum.

10.	ENFORCEMENT REPORT	(Agenda Item 10	<u>)</u>
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The recommendation set out in the officer's report and changes as per the addendum was moved, seconded and on being put to the vote was agreed.

Resolved:

1. That the enforcement actions as recommended in the officer's report and changes as per the addendum be agreed.

2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.

The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

The meeting, which commenced at 7.00 pm, closed at 8.22 pm.

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

Agenda Item 6

Report of the Head of Planning & Enforcement Services

Address FORMER RAF WEST RUISLIP HIGH ROAD ICKENHAM

- **Development:** Erection of 55 tailored care living units (extra care accommodation) with communal facilities and car parking (variation of 38402/APP/2008/2733) and the erection of 25 retirement living (category ii type) sheltered apartments with communal facilities and car parking.
- LBH Ref Nos: 38402/APP/2012/1033

Drawing Nos: 10-1666-101 10-1666-05 LLD397-01 Rev. 06 31042-01 Rev. A Refuse and Waste Minimisation and Management Plan Site Investigation Report, Volume 1 Statement on Amenity Space Provision Transport Report, October 2011 Utilities Statement, Part 1 Energy/Sustainability Statement, January 2012 6909/02 Design, Access and Sustainability Statement Arboricultural Report Extended Phase I Habitat Survey Statement of Community Involvement, February 2012 Landscape Design Strategy and Outline Plant Specification, Rev. 00 dated 24/10/11 Planning Statement, April 2012 Site Noise Level Survey and PPG24 Assessment Assisted Living/Tailored Care Living 2012 Range Typical Service Core with Assissted and Communal Bathrooms Plan Agent's covering letter dated 11/10/12 10-1666-100 Rev. B 10-1666-104 Rev. B 10-1666-103 Rev. B 10-1666-107 Rev. C Agent's second covering email dated 7/12/12 Agent's covering email dated 11/12/12 10-1666-101 Rev. C 10-1666-105 Rev. D 10-1666-106 Rev. D Agent's first covering email dated 7/12/12 4/0040

Date Plans Received:	20/04/2012	Date(s) of Amendment(s):	30/04/2012
Date Application Valid:	30/04/2012		21/05/2012
Date Application Valid.			07/12/2012
			17/10/2012
			11/10/2012
			29/06/2012
			11/12/2012

1. SUMMARY

This site previously formed part of the larger former RAF West Ruislip site which has now largely been re-developed for a mixed use development comprising 415 dwellings (Class C3), playing fields and open space with associated car parking and access arrangements (incorporating junction improvements to existing highways). The re-development scheme also included an 80 unit care home which was shown on this site.

This application seeks permission for a similar building comprising a total of 80 units, comprising 55 tailored care living units and 25 retirement living units.

This proposal would be for a very similar building in terms of its siting, scale and massing. The internal layout of the building and external layout of the site has altered to accommodate the new mix of uses. The other main change has been to the elevations of the building.

The proposed building would present an acceptable appearance within the street scene. The proposed mix of units is acceptable and the proposal would provide an acceptable standard of accommodation. Amenity space is considered to be adequate given the mix of uses proposed and the off-street car parking provision is also considered to be acceptable. The S106 Officer also advises that there is no requirement to provide a proportion of the retirement flats as affordable housing and the overall package of benefits sought is considered appropriate, given the findings of the Financial Viability Appraisal.

The scheme 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) Health contribution: a financial contribution to the sum of £6,103, and

(ii) Construction training in line with SPD or an in-kind scheme delivered during the construction phase of the development.

2. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by 21/06/13, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse the application for the following reason:

'The applicant has failed to provide a commensurate package of planning benefits to maximise the health and social benefits of the scheme to the community. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan (November 2012)'

3. 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.

4. 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.

5. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

6. 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.

7. That if the application is approved, the following conditions be attached

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 10-1666-101, 10-1666-05, LLD397-01 Rev. 06, 31042-01 Rev. A, 6909/02, 10-1666-100 Rev. B, 10-1666-04 Rev. B, 10-666-103 Rev. B, 10-1666-107 Rev. C, 10-1666-101 Rev. C, 10-1666-105 Rev. D and 10-1666-106 Rev. D 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 Local Plan (2012) and the London Plan (July 2011).

3 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (2012).

4 COM7 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 Local Plan: Part Two - Unitary Development Plan Saved

Policies (2012).

5 NONSC Non Standard Condition

Notwithstanding the details of materials included on Drw. Nos. 10-1666-103 Rev. B and 104 Rev. B, revised details of the colour of the decorative fireborn block brick shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development achieves a satisfactory appearance, in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (2012).

6 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. No site clearance works or development shall be commenced until the protective 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (2012).

7 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

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. 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

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 Local Plan: Part Two - Unitary Development Plan Saved Policies (2012).

8 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 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 Local Plan: Part

Two - Unitary Development Plan Saved Policies (2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 NONSC Non Standard Condition

Details of secure and covered cycle storage shall be submitted to and approved in writing by the LOcal Planning Authority. The cycle parking shall be provided before the development is brought into use and thereafter permanently maintained.

REASON

To ensure that adequate cycle parking is provided in accordance with Policy AM9 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (2012).

10 NONSC Non Standard Condition

Prior to the commencement of a development, an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

1. The calculation of the energy demand and carbon dioxide emissions covered by Building Regulations and, separately:

2. Proposals to reduce carbon dioxide emissions through the energy efficient design of the site, buildings and services;

3. Proposals to further reduce carbon dioxide emissions through the use of decentralised energy where feasible, such as district heating and cooling and combined heat and power (CHP);

4. Proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

The assessment shall demonstrate that the measures proposed to meet steps 2 -4 above will reduce the CO2 emissions by a minimum of 25% from 2010 Building Regulations (Part L). At all stages the report must clearly show the energy demand (kwhr) and the carbon emissions (KgCO2). The conclusions must present a clear solution which is reflected in the relative plans (e.g. roof plan must shown photovoltaic panels if proposed). The development shall then proceed in accordance with the approved assessment.

Reason

To ensure the development reduces its impact on climate change in accordance with Policy 5.2 of the London Plan.

11 NONSC Non Standard Condition

Prior to the commencement of development, details of the inclusion of ecological enhancement measures within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate the number and location of bat and bird boxes to be installed in the fabric of the development, and how the landscaping scheme incorporates areas of high ecological value. The proposed development must be completed in accordance with the approved scheme.

Reason

To ensure that the development improves the ecological value of the site in accordance with Policy 7.19 of the London Plan.

12 NONSC Non Standard Condition

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and reuse of rainwater as well as the recycling and reuse of grey shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The scheme shall also demonstrate how collected rainwater will be treated appropriately for reuse in the building. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

13 NONSC Non Standard Condition

The acoustic specification for glazing shall be as set out in Appendix C of the site noise level survey and PPG assessment undertaken for the applicant by Applied Acoustic Design reference 11501/001/pc and maintained for so long as the approved use may endure.

REASON:

To protect the amenity of the surrounding area in accordance with Policu OE1 of the Hillingdon Local Plan (November 2012).

14 NONSC Non Standard Condition

Deliveries and collection, including waste collections, shall be restricted to the following hours:

0800 hrs to 1800 hrs Monday to Saturday 1000 hrs to 1600 hrs on Bank/Public Holidays and not at all on Sundays.

REASON:

To protect the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012).

15 NONSC Non Standard Condition

Prior to the development of the site, a car parking Management Strategy, which seeks to ensure that the development does not result in any on street parking in neighbouring streets, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented for as long as the development remains in existence.

REASON

To ensure that an adequate level of parking provision is provided for the proposed use and to prevent inappropriate parking of vehicles associated with the use hereby approved in surrounding streets, and to accord with policy AM7 and AM14 of the adopted Hillingdon Local Plan (November 2012).

16 NONSC Non Standard Condition

None of the dwelling units hereby approved shall be occupied at any time by any person other than:

(a) A person or persons aged 55 years of age or over; or

(b) A person aged 45 years of age or over residing in the same unit with their spouse or partner aged 55 years or over, as "a couple"; or

(c) A person falling wholly within the scope of (b) above who continues to reside in the same unit upon and following the demise of such older spouse or partner.

REASON

To safeguard the residential amenities of the occupiers of the units and surrounding area, to safeguard the adequacy of ancillary vehicular parking provision at the site and to mitigate the impacts of the development on local educational facilities and to accord with policies BE19, AM14 and R17 of the London Borough of Hillingdon Local Plan (November 2012).

17 NONSC Non Standard Condition

Notwithstanding the provisions of Schedule 2, Part 25 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 satellite dishes shall be installed on the building hereby approved.

REASON

To enable the Local Planning Authority to assess all the implications of the development and in accordance with policy BE13 of the Hillingdon Local Plan (November 2012).

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).

2 153 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.

NPPF1 NPPF4 NPPF6 NPPF7 NPPF8	
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 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage

LPP 5.1 LPP 5.1 LPP 6.3 LPP 6.9 LPP 6.1 LPP 7.1 LPP 7.2 LPP 7.2 LPP 7.3 LPP 7.4 LPP 7.6 LPP 7.1 LPP 7.2 BE13 BE18	5 0 3 9	 (2011) Water quality and wastewater infrastructure (2011) Water use and supplies (2011) Assessing effects of development on transport capacity (2011) Cycling (2011) Walking (2011) Parking (2011) Building London's neighbourhoods and communities (2011) An inclusive environment (2011) Designing out crime (2011) Local character (2011) Architecture (2011) Biodiversity and access to nature (2011) Trees and woodland New development must harmonise with the existing street scene. Design considerations - pedestrian security and safety
BE19		New development must improve or complement the character of the area.
BE20		Daylight and sunlight considerations.
BE21		Siting, bulk and proximity of new buildings/extensions.
BE22		Residential extensions/buildings of two or more storeys.
BE23		Requires the provision of adequate amenity space.
BE24		Requires new development to ensure adequate levels of privacy to
		neighbours.
BE38		Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1		Protection of the character and amenities of surrounding properties and the local area
OE8		Development likely to result in increased flood risk due to additional
1110		surface water run-off - requirement for attenuation measures
H10		Proposals for hostels or other accommodation for people in need of care
R17		Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2		Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7		Consideration of traffic generated by proposed developments.
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
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
SPG-CS		Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-PC)	Planning Obligations Supplementary Planning Document, adopted July 2008
3	13	Building Regulations - Demolition and Building Works

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

4 115 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 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

5 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

6

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738"

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south eastern side of High Road, Ickenham, immediately to the north east of its junction with Aylsham Drive. The site is roughly rectangular and has a 76m wide frontage onto the High Road and a 83m wide frontage onto Aylsham Drive. The site is currently vacant and has been cleared and previously formed part of a larger 8.5 ha site known as RAF West Ruislip which is currently being redeveloped for a mixed use development, the remainder of the site mainly being developed for housing, playing fields and open space.

The site is located within an established residential area.

3.2 Proposed Scheme

This application seeks permission for the erection of a part three storey, part four storey building, comprising 55 tailored care living units (extra care accommodation) and the erection of 25 retirement living (category ii type) sheltered apartments with communal facilities and car parking.

The proposed building would be 'U'- shaped with the main building fronting High Street to the north west, Aylsham Drive to the south west and Josiah Drive to the south east, with car parking mainly being provided along the north western frontage, accessed from Josiah Drive and which would adjoin a public footpath.

The building would be four storey on the High Street frontage, although for much of its length the fourth storey would be set back from the main elevation, only presenting its full four storey height on the corner with Aylsham Drive, with the recessed fourth floor continuing along Aylsham Drive before stepping down to three stories at the south eastern end of this frontage. The building would return along Josiah Drive at three stories. A recessed roof level plant room would also be provided on the four storied corner element of the building.

The overall mass of the building would be further broken up with the staggering of its elevations, incorporating projecting elements and the use of contrasting materials with a stuccoed ground floor. The corners of the building would provide recessed balconies and juliette balconies feature on the elevations. Landscaped areas would be provided around the building and within the internal courtyard.

The building would be sub-divided, with the tailored care units occupying the front half of the building, and the retirement flats the rear. Each half of the building would have a separate main entrance, accessed from the internal courtyard. The main communal uses would be provided on the ground floor.

The tailored care living units would comprise 41 one-bedroom units and 14 two-bedroom units and the retirement living flats would comprise 15 one-bedroom and 10 two-bedroom units.

Off-street car parking for 28 cars would be provided, at the rear of the site, accessed from Josiah Drive including 8 disabled spaces. Four of these spaces would be provided within a small undercroft. A cycle/buggy and refuse stores would also be provided adjacent to the undercroft parking area.

The application is supported by the following documents:

Design, Access and Sustainability Statement:

This provides an introduction to the development, describes the site and its historical context. Land use and the character of the wider area is then assessed and then the statement focuses upon the character of the site and its immediate area. Relevant planning policies and design guides are then discussed and opportunities and constraints of the site are evaluated. The planning background is described and the evolution of the layout, height, scale, massing and design of the scheme. Accessibility and sustainability issues are then discussed.

Planning Statement:

This provides the background to the development. National and local population trends are then assessed which show an ageing population. The nature and concept of retirement housing and total care living accommodation is then described, the former is known as sheltered housing and allows older people to remain in the community and out of institutions, whilst still receiving care and support, with the latter equating to a more traditional care home where greater care and support are provided. The planning statement then goes on to describe the need for the accommodation and its planning and social benefits, including better use of housing and health resources. The suitability of the site is discussed and then the statement assesses national, regional and local planning policies and guidance.

Transport Report:

This provides the background to the study and then assesses the characteristics of retirement housing for the elderly and typical car ownership levels against age of residents. It advises that very few residents would be in the youngest age group (55-60) with the majority being over the age of 75 with relatively low car ownership levels. Traffic generation is then assessed, having regard to the permitted 80 bed care home scheme and taking traffic levels generated at other similar sites. The report concludes that traffic generation levels would be comparable to the approved scheme. Car parking is then assessed and again comparisons are made with similar sites. Taking the peak parking demand between 9 and 10am, when 0.35 vehicles per apartment are generated, the proposed 25 retirement flats would require 8.75 spaces. This, taken together with the traffic generated by the total tailored care development using the approved ratio on the previously approved care home scheme 27 x 55/80 = 18.56), would generate a typical maximum peak demand of 27.31 spaces.

The report then goes on to advise that it is increasingly common practice of the applicant to sell parking permits for the number of spaces allocated to residents. This allows perspective residents to know in advance whether there would be a space available at the site before purchasing the unit. The report then describes the site access and sustainability. The report concludes by stating that the proposal would be very unlikely to generate more traffic than the approved scheme, car parking provision is adequate to meet peak demand by residents, staff and visitors and the site is in an accessible location and guidance will be provided to assist with more sustainable means of travel.

Arboricultural Report:

This assesses the impact of the development on existing trees on site. It concludes that

the existing trees are all young, being of a size contemporaneous with the existing redevelopment of the larger former RAF West Ruislip site and are mainly of low quality. There are three trees of medium quality on the prominent High Road frontage that would be retained. These will be adequately protected during the construction phase and a landscape strategy master plan will add 37 new trees around the periphery of the site. As such, the report considers that there are no arboricultural or landscape reasons to prevent permission being granted.

Site Noise Level Survey and PPG24 Assessment:

This describes the background to the study and a description of the site. Details of the assessment are provided, together with relevant noise criteria. Results are presented and assessed. The report concludes that the site falls into NEC C in accordance with PPG24: Planning and Noise which suggests that permission should not be granted, but the assessment shows that through using building envelope elements and appropriate sound insulation, internal noise levels would accord relevant British standards (BS8233:1999).

Energy/Sustainability Statement:

This provides the background to the study and advises that all dwellings will be designed to achieve Level 3 of the Code for Sustainable Homes and the energy efficiency technologies that will be employed.

Refuse and Waste Minimisation and Management Plan:

This specifies the measures that will be employed to ensure that construction methods and materials will be sustainable.

Statement on Amenity Space Provision:

This provides an introduction to the study, and advises that the use of arbitrary amenity space standards prevent each application being assessed on its individual merits. Sheltered housing schemes, by their very nature, tend to be located with or very close to town or local centres where conventional housing often has no or little amenity space and such housing also is unlikely to have the communal facilities within the building which are a feature of sheltered schemes. The statement then goes on to assess government guidance and recounts the experience of the applicant and points to a study that suggests external amenity space is not a factor that influences the decision to move to sheltered housing and occupants of sheltered housing rarely use communal gardens. The statement goes on to advise that there is sufficient space around the building for residents to sit outside and this situation is no different to many other similar developments. The report goes on to advise that similar schemes have won many prestigious awards. Townscape considerations are then considered and the statement advises that amenity space is often utilised in a passive manner, with landscaped areas providing privacy but at same time allowing opportunity to view daily life in the surrounding area. Residents experience is then assessed, which suggests the low importance placed on external amenity space and activities associated with it, with indoor activities being the most popular. The statement then contains various extracts from appeal decisions which deal with amenity space and the response of Inspectors when S106 Agreements have sought contributions in lieu of it. The statement concludes that amenity space standards are crude and inappropriate when assessing sheltered housing schemes and not appropriate with the increased emphasis on making effective and efficient use of previously developed land.

Extended Phase I Habitat Survey:

This describes the site and relevant legislation. The methodology is described, including a desktop study and a field survey. The report advises that the site is of low value for protected species, no protected species were recorded on site and no further survey work is recommended. The report concludes by recommending ecological enhancements in the form of bat and bird boxes to be included within the building design.

Site Investigation Report, Volume 1:

This assesses the ground condition on site.

Landscape Design Strategy and Outline Plant Specification:

Utilities Statement, Part 1:

Statement of Community Involvement:

3.3 Relevant Planning History

Comment on Relevant Planning History

Outline planning permission (38402/APP/2007/1072) was granted on the 10th July 2007 for the redevelopment of the larger RAF West Ruislip site for a mixed use development comprising 415 dwellings (Class C3), an 80 unit elderly care home (Class C2), playing field and open space with associated car parking (468 spaces) and access arrangements (incorporating junction improvements to existing highways) of which the care home was shown on this site. This was followed by the approval on the 5th January 2009 of a reserved matters application (38402/APP/2008/2733) which also sought the discharge of various other conditions attached to the outline permission and this included full details of the care home.

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. Replaced by PT1.BE1 (2012)
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- 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. Replaced with PT1.E5, PT1.CI1, PT1.CI2 & PT1.CI3 (2012)
- 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:

NPPF1	
NPPF4	
NPPF6	
NPPF7	
NPPF8	
LPP 3.4	(2011) Optimizing housing potential
LPP 3.4 LPP 3.5	(2011) Optimising housing potential
LPP 3.5 LPP 3.8	(2011) Quality and design of housing developments
	(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 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE1 Protection of the character and amenities of surrounding properties and the local area OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures H10 Proposals for hostels or other accommodation for people in need of care R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities Development proposals - assessment of traffic generation, impact on congestion AM₂ and public transport availability and capacity AM7 Consideration of traffic generated by proposed developments. AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities AM14 New development and car parking standards. AM15 Provision of reserved parking spaces for disabled persons 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 SPG-CS Community Safety by Design, Supplementary Planning Guidance, adopted July 2004 SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

20 neighbouring properties have been consulted on this application and a site notice has been displayed. 1 response has been received, raising the following concern:-

(i) The development does not appear to have been designed to take into account the local area. It is too tall and too imposing on the street scene. These are the same issues which can be found with the separate developments currently ongoing. The entire site will be too densely developed once complete, and the current conditions around Aylsham Drive and the smaller adjoining roads should be taken into account.

Ickenham Residents' Association:

We would like to submit the following points of concern:

1) Reduction of plans to reduce the number of tailored care dwellings from 80 to 55 and substituting retirement living apartments. Since this will almost certainly result in greater car ownership, this is currently assessed at 0.33 - 1.00, but takes no account of staff parking or medical visiting. This must be accommodated within the site as street parking is now impossible in this area.

2) In the current proposals parking needs to be provided as follows:

- (i) Tailored care dwellings 55 spaces
- (ii) Retirement living apartments 25 spaces
- (iii) Staff parking Estimated 4 6 spaces
- (iv) Visiting medical staff, doctors, nurses, care assistants Unknown
- (v) Normal visitors Unknown

3) The footpath shown on the plans, as earlier approved, running from Josiah Drive to the High Road will be essential to meet the requirement of the elderly and infirm in assessing West Ruislip Station, buses and neighbourhood shops (see page 51 AM13).

4) The set back from both Aylsham Drive and the High Road should be maintained.

In this present form, the Association has to object to the above planning application.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

COMMENTS: The drawings are now as discussed and whilst not ideal, there are no objections in principle to the revisions. The one point that has arisen is the use of a blue decorative brick, Fireborn Block, on the elevations, as this did not appear on the previously submitted materials board. Could this be conditioned to reconsider the proposed colour, not the material. It is assumed that the parapet will be finished with a white render to match the facade. Details of the design and materials of the balconies, external doors and windows will be required.

CONCLUSION: On balance, no objection.

TREE/LANDSCAPE OFFICER:

The approved (2009) scheme for this site retained three existing trees on the High Road frontage and included a detailed landscaping scheme with trees lining the four sides of the site and complementing the large-scale tree planting on the rest of the former RAF site.

This revised scheme retains and protects the existing trees on the High Road frontage, and includes a revised Landscape Masterplan (Dwg. No. LLD397-01 Rev. 06), which is similar to, but not the same as, the 2009 scheme, allied to a Landscape Design Strategy and Outline Plant Specification. The choice of tree species should NOT include Oak, to minimise the risk of an outbreak of Oak Processionary Moth, and should reflect the tree planting on the wider site. The scheme should include two large, feature trees (rather than ornamental trees) on the two corners on Aylsham Drive, in particular the corner on the junction with the High Road. Ideally, the scheme should also include more planting in the car park and entrance to it (off Josiah Drive) and make provision for the protection of the two parking spaces adjacent to the entrance to the under-croft.

The implementation of the tree protection measures should be required by condition, as should the submission, approval, implementation and maintenance of a detailed landscaping scheme (with hard and soft landscaping plans and specifications).

Subject to conditions RES8 [Modified to require that the protective fencing be erected in accordance with the approved details], RES9 [1, 2, 4, 5 and 6 ONLY] and RES10, the revised application is acceptable in terms of Saved Policy BE38 of the UDP.

HIGHWAY ENGINEER:

The site is located within walking distance of public transport including west Ruislip underground station and is accessed from Aylsham Drive off Ickenham Road, and is within easy reach Ickenham village centre and Ruislip town centre.

The application site is part of a larger development site that has received an outlined planning approval in July 2007 under planning application ref. number 38402/APP/2007/1072, for a mixed use development comprising 415 (class C3) dwellings and 80 elderly care home (Class C2) with total of 468 associated car parking spaces.

The principal elements of this application compared to that of previously granted permission is replacing 25 of those 80 elderly care homes with retirement apartment, including increasing the number of car parking spaces from 27 to 31.

TRICS data indicates a trip generation of 1.79 vehicles per retirement apartment per day, which suggests that 25 retirement apartments will generate 45 vehicle movements per day. This is insignificant compared to the vehicle movement for the entire development.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The Council's minimum car parking standard for C3 use stipulates one space per four dwelling units plus one space for wardens, whereas parking standards for class C2 use is on an individual basis by referring to a transport assessment.

Considering the UDP requirement, a total of 33 car parking spaces should have been proposed for the combined development. The shortage of two car parking spaces will not have an adverse effect on the proposal particularly as the statistics of a recent survey of car ownership level of this form of housing indicates the car ownership within the retirement age group is likely to be in the order of 80% and steadily declines as residents get older.

However, proposal fails to comply with policy AM15 of the council's adopted car parking standards for disabled parking spaces to the mobility standard of 3.6 x 4.8m.

The proposed changes outlined above are therefore considered to be acceptable and no objection is raised on the highways and transportation aspect of the development subject to following condition being applied:

1) a revised plan of the development providing disabled parking spaces in accordance to Policy AM15 of the Council's car parking standard.

2) a plan showing sufficient number of covered and secured cycle parking in accordance to the annex 1 of the car parking standard for their proposed number of full time employee.

Case Officer's comment:

The scheme has now been revised, one of the reasons of which was to increase the number of disabled person spaces. These have now increased to 8 and the Access Officer is satisfied with this level of provision, but the overall level of parking has decreased to 28. However, the overall shortfall is not considered to be so significant as to justify a refusal of the application.

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 scheme should be revised and compliance with all relevant 16 Lifetime Home standard should

be shown on plan. In addition, 10% of new housing, in accordance with the above policy requirements, should be built to wheelchair home standards.

Observations:

The proposal seeks to construct what would essentially be two separate blocks comprising 55 tailored care living units and 25 retirement living sheltered apartments. The former would house self-contained apartments designed for older persons and an assisted bathroom on each floor. The building would also contain laundry facilities, a refuse room, storage for mobility scooters, a guest suite, resident's lounge, restaurant, functions room and a hobby room. Additionally, the ground floor would feature a well-being facility intended for hairdressing and similar grooming services.

The Design & Access Statement states that the retirement sheltered apartments would provide the same facilities and services, except for assisted bathrooms, a restaurant, functions and hobby room, and a well-being suite.

Plans indicate that the proposed extra care accommodation would provide seamless level access between the external environment and the proposed internal layout. Two large passenger lists would be provided to the upper floors, which would increase the reliability of lift access at all times. Whilst the extra care apartments seek to offer spacious accommodation that is accessible to older people with care support needs, the layout, particularly within the units identified for wheelchair users, appears lack the refinement necessary to achieve accessible accommodation. The plan should be revised in accordance with the points set out below.

The retirement apartment block appears not to have incorporated the Lifetime Home Standards and, Wheelchair Home Standards or the specifications in the above-mentioned SPD, which would be contrary to the above policy requirements. This element of the proposal should similarly be revised.

Design Revisions:

1. In accordance with the above policy requirements, The Greater London Authority's Wheelchair Housing BPG, and the Council's Accessible Hillingdon SPD, an accessible parking space should be provided for each of the eight required Wheelchair Standard Homes. The parking spaces should allocated to the individual dwellings, designed in accordance with the specification detailed in BS 8300:2009, and shown on plan.

2. In line with the GLA Wheelchair Housing BPG, the wheelchair accessible flats should be evenly distributed between the proposed blocks. Six flats should be provided within the tailored care units block, with an additional two provided within the retirement apartment block.

3. From the internal face of the front door, all wheelchair standard flats should feature an obstruction free area not less than 1500mm wide and 1800mm to any door or wall opposite.

4. The bathroom design within the Wheelchair Home standard units should be designed to ensure that the hand basin can be reached from the toilet pan. Additionally, confirmation is needed to ensure that level access showers would be provided within the same units. It is a policy requirement to ensure that a 1500mm turning circle is provided within all Wheelchair Standards Home bathrooms. Plans should be amended accordingly.

5. Details in respect of the Assisted Bathroom Facilities, and particularly to what standards they would be designed, should be submitted.

6. As the proposed retirement apartment block would contain more than 15 flats, the design should

be amended to incorporate two passenger lifts in line with the Council's adopted Supplementary Planning Document Accessible Hillingdon.

7. The remaining 23 flats within the retirement apartment block should be designed to meet all 16 Lifetime Home Standards. Particular attention should be paid to the design of bathrooms, and at least one bathroom within each flat should be designed to provide at least 700mm to one side of the WC, with 1100mm between the front edge of the toilet pan and a door or wall opposite. The handbasin should be reachable and usable whilst a user is seated on the toilet.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home and Wheelchair Housing standards as per London Plan policy 3.8.

Conclusion:

On the understanding that the above observations would be incorporated into revised plans, no objection would be raised from an accessibility viewpoint.

Comments on revised plans:

The revised plans bring the proposed design to an acceptable standard.

I have no further objections.

SUSTAINABILITY OFFICER:

Energy Comments

The submitted Energy/Sustainability Statement does not constitute an energy assessment required by London Plan Policy 5.2. There is no clear understanding of the baseline carbon emissions, nor the measures to reduce the emissions by 25% in accordance with Policy 5.2.

Furthermore, there are contradictory and unsupported statements. The statement includes acknowledgement that the proposals will achieve a 10% reduction in emissions from low or zero carbon energy sources; the statement also suggests that the development can achieve a 46.3.6% CO2 saving which it wrongly claims is Code Level 5.

In summary the report fails to demonstrate that the development will be London Plan Policy 5.2 Compliant.

However, it is not impossible for the development to reach this level. Therefore the following condition is necessary:

Condition

Prior to the commencement of a development, an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

1. the calculation of the energy demand and carbon dioxide emissions covered by Building Regulations and, separately:

2. proposals to reduce carbon dioxide emissions through the energy efficient design of the site, buildings and services;

3. proposals to further reduce carbon dioxide emissions through the use of decentralised energy where feasible, such as district heating and cooling and combined heat and power (CHP);

4. proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

The assessment shall demonstrate that the measures proposed to meet steps 2 -4 above will reduce the CO2 emissions by a minimum of 25% from 2010 Building Regulations (Part L). At all stages the report must clearly show the energy demand (kwhr) and the carbon emissions (KgCO2). The conclusions must present a clear solution which is reflected in the relative plans (e.g. roof plan must shown photovoltaic panels if proposed). The development shall then proceed in accordance with the approved assessment.

Reason

To ensure the development reduces its impact on climate change in accordance with Policy 5.2 of the London Plan.

Ecology Comments

I have no objections to the proposed development subject to the final scheme clearly demonstrating ecological improvements within the fabric of the building (bat and bird boxes) and in the landscaping plans. The following condition is necessary:

Condition

Prior to the commencement of development, details of the inclusion of ecological enhancement measures within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate the number and location of bat and bird boxes to be installed in the fabric of the development, and how the landscaping scheme incorporates areas of high ecological value. The proposed development must be completed in accordance with the approved scheme.

Reason

To ensure that the development improves the ecological value of the site in accordance with Policy 7.19 of the London Plan.

Water Comments

The site is in a severely water stressed area. The development is likely to have a high potable water demand through the extensive use of showers and wash basins. It is therefore necessary to reduce the pressure on existing water demands through the following condition:

Condition

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and reuse of rainwater as well as the recycling and reuse of grey shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The scheme shall also demonstrate how collected rainwater will be treated appropriately for reuse in the building. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

ENVIRONMENTAL PROTECTION OFFICER:

I do not wish to object to this proposal.

Noise

I have reviewed the noise assessment undertaken for the applicant by Applied Acoustic Design reference 11501/001/pc.

Day and night average noise levels place the site in NEC C.

I would therefore recommend a condition which requires that the glazing specification set out in Appendix C is implemented, since the building will benefit from mechanical ventilation and therefore the windows will not have trickle ventilators;

Condition 1

The acoustic specification for glazing shall be as set out in Appendix C of the site noise level survey and PPG assessment undertaken for the applicant by Applied Acoustic Design reference 11501/001/pc and maintained for so long as the approved use may endure.

Condition 2

Deliveries and collection, including waste collections, shall be restricted to the following hours: 0800 hrs to 1800 hrs Monday to Saturday 1000 hrs to 1600 hrs on Bank/Public Holidays and not at all on Sundays.

REASON: To protect the amenity of the surrounding area.

ENVIRONMENTAL PROTECTION OFFICER (LAND CONTAMINATION):

The following information was submitted with the application:

•RAF West Ruislip, High Road, Ickenham Site Investigation Report Volume 1 by Crossfield Consulting Limited for McCarthy & Stone (Developments) Limited, Report No. CCL01648.BH77, October 2008

The Summary Geo-Environmental Report & Construction Phase Remediation Action Plan, RAF West Ruislip by RSK Group plc for CALA Ventures Limited (October 2008) submitted previously for the whole retained RAF site indicated some remedial works may still be required to be carried out at the site.

Verification information for the remedial works will need to be submitted before condition 36 can be discharged. I have no objections to development works commencing on site with regard to land contamination. It is advisable that a watching brief is maintained during development.

Soil Contamination

There may be some slightly elevated nickel at depth (1.0-1.2 metres) most likely in the made ground. This should not present a significant risk due to a lack of a pathway. Some areas of the site have been remediated however, it is possible some previously unidentified contamination remains at the site. Asbestos containing materials (ACM) and hydrocarbon contamination have been previously identified and remediated in parts of the application site and adjacent to it. The Crossfield report also refers to the possibility of slightly elevated PAHs (polycyclic aromatic hydrocarbons), particularly benzo(a)pyrene in the made ground, where ashy material is evident. Slightly elevated heavy metals are also a possibility where ash is present.

Remediation Proposals

The risk from soils in the made ground will be addressed by ensuring a clean capping layer of 450mm of soil in areas of planting and 300mm soil below grassed areas. It is indicated information to demonstrate the imported (or site derived) soil used for landscaping is suitable for use and

verification of the depth of soil will be provided. The Crossfield report in line with the RSK report concludes that no gas protection is required for the buildings and identifies the need for the use of contamination resistant drinking water supply pipes.

Remedial Verification Requirements

The following information needs to be submitted in due course before condition 36 on contamination levels can be discharged:

 \cdot Details of the GACs to be used to determine the suitability of garden and landscaping soils (some of the GACs submitted in the report may need to be reviewed with regard to phytotoxicity, and visual evidence of hydrocarbon contamination)

· Details of the final foundation designs for the buildings would be useful

 \cdot Information gathered as part of the watching brief (unidentified tanks, residual hydrocarbon contamination, asbestos containing materials etc.) and any additional remedial verification works that had to be undertaken

 \cdot Soil contamination testing and details of the depth of clean soil

· Materials/waste transfer notes for materials/waste imported/exported

 \cdot Verification of the use of contamination resistant water pipes

The SPG on land contamination can be referred to for further information on what is required to satisfy the contaminated land condition.

S106 OFFICER:

1. Affordable Housing: Further to recent discussions please note that we can accept their Financial Viability Appraisal (FVA) demonstrating that the scheme is unable to deliver any affordable housing on the retirement flat component of the scheme.

2. Health: Applying the SPD, a health contribution in the sum of £17,333.60 would be required as a result of the 55 bed care home and the 25 retirement flats (assuming single occupancy). At this time the FVA shows that there is a surplus that could be apportioned to health in the sum of £6,103.

3. Construction Training: I note that if the scheme has an estimated construction time of over 3 months and a cost in excess of £2 million then either a financial contribution in line with the SPD or an in-kind scheme delivered during the construction phase of the development. Given the FVA matters then an in-kind scheme is the only possibility and prior to committee the applicant needs to confirm that the are willing to deliver this.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The acceptability of the principle of a 80 unit care home use on this site has already been established by the granting of the original permissions (38402/APP/2007/1072 and 38402/APP/2008/2733).

7.02 Density of the proposed development

An 80 unit care home has already been agreed on this site, involving a building of similar height and massing. The Mayor's density guidelines are also not directly applicable to care homes.

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

The application site is not within an archaeological priority area and the proposal would not be likely to affect any archaeological remains. The proposal would also not be sited close to a conservation area or area of special local character or affect the setting of a

listed building.

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

The application site does not lie within nor is it sited close to the Green Belt.

7.07 Impact on the character & appearance of the area

The design detail of the building has been revised in the light of officer advice.

The general siting, bulk and massing of a very similar building was approved as part of the reserved matters application (38402/APP/2008/2733). There has been no change in planning policy or circumstances on site to suggest that the scale and height of the building is no longer appropriate.

This scheme is considered to break up the elevations further with more pronounced staggering of the elevations and elevation heights, use of contrasting finishing materials and curved roof features above the projecting bay elements which is considered to improve the overall appearance of the building. On this basis, the Council's Urban Design/Conservation Officer does not object to the proposal, subject to a change to the colour of a blue decorative brick.

7.08 Impact on neighbours

As the general siting, bulk and massing of a very similar building has already been agreed, and there has been no change in planning policy, design guidance or on site to suggest that the building would now have an unacceptable impact on surrounding properties.

7.09 Living conditions for future occupiers

All habitable rooms would have windows that would afford an adequate outlook and natural lighting.

The proposed 1 bedroom and 2 bedroom retirement living flats would have internal floor areas ranging from 52 to 62 sqm and 75 to 91 sqm respectively which satisfies the Mayor's residential floor space standards.

As regards privacy, the design of the building has been revised so that windows close to the internal corners of the building are angled so that they face away from neighbouring windows to afford greater privacy. The ground floor habitable rooms also have adjoining private 'patio' areas of at least 1.3m depth to provide some privacy to the ground floor units.

This scheme would provide over 500sqm of shared amenity space within the internal courtyard and landscaped space around the building that would be usable by residents. Some of the corner units have balconies and the recessed roof level units in the tailored care living scheme also have roof terraces. A similar layout and quantum of shared amenity space was previously approved. This scheme now proposes 25 units as retirement flats. Although it could be argued that as these units are more self-contained, the scheme should make greater provision for amenity space.

However, a statement on amenity space provision has been submitted with this application which provides circumstantial evidence, including surveys of the applicants homes, resident behaviour and leisure preferences which suggests that the provision of amenity space is not a main factor in selecting a home and such space is not that well used. The statement also cites various appeal decisions where Inspector's have not

advocating strict adherence to planning standards. In the light of this statement, and given that the general layout and quantum of amenity space has already been approved, it is not considered that a reason for refusal could be justified due to 25 of the units would now be more self-contained.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Highway Engineer advises that the site is located within walking distance of public transport including West Ruislip underground station and is accessed from Aylsham Drive off Ickenham Road, and is within easy reach Ickenham village centre and Ruislip town centre.

The application site is part of a larger development site that has received an outlined planning approval in July 2007 under planning application ref. number 38402/APP/2007/1072, for a mixed use development comprising 415 (class C3) dwellings and 80 elderly care home (Class C2) with total of 468 associated car parking spaces.

The Highway Engineer advised on the originally submitted plans that the principal elements of this application compared to that of previously granted permission is replacing 25 of those 80 elderly care homes with retirement apartments, including increasing the number of car parking spaces from 27 to 31.

TRICS data indicates a trip generation of 1.79 vehicles per retirement apartment per day, which suggests that 25 retirement apartment, will generate 45 vehicle movements per day. This is insignificant compared to the vehicle movement for entire development.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The Council's minimum car parking standard for C3 use stipulates one space per four dwelling units plus one space for wardens, whereas parking standards for class C2 use is on an individual basis by referring to transport assessment.

The Highway Engineer considered that a total of 33 car parking space should have been proposed for the combined development, but the shortage of two car parking spaces will not have an adverse effect on the proposal particularly the statistics of a recent survey of car ownership level of this form of housing indicates the car ownership within the retirement age group is likely to be in the order of 80% and steadily declines as residents get older.

However, the Highway Engineer did consider that the proposal failed to comply with policy AM15 of the Council's adopted car parking standards for disabled parking spaces.

The scheme has been revised and a total of 8 disabled parking spaces are now proposed, which the Council's Access Officer has confirmed is acceptable, although the overall provision of spaces has reduced to 28 spaces. The Highway Engineer has confirmed that this overall level of car parking provision would not justify a refusal of permission, particularly as the submitted Transport Study identified a maximum peak demand of 28 spaces.

The revised plans do show a cycle and buggy store at the vehicular entrance into the site.

The proposal is therefore acceptable, subject to a condition requiring details of cycle parking spaces to be submitted.

7.11 Urban design, access and security

A condition has been added that would ensure that adequate security measures would be put in place on site.

7.12 Disabled access

The proposal has been assessed by the Council's Access Officer and in the light of advice given, various amendments have been made to the scheme. The officer considers that the revised plans would provide an acceptable standard of access and no further objections/concerns are raised.

7.13 Provision of affordable & special needs housing

Although the provision of 25 retirement flats would normally require a contribution towards affordable housing, a financial viability appraisal has been submitted which has been assessed and demonstrates that the scheme would not be viable if a proportion of the retirement flats were affordable.

7.14 Trees, Landscaping and Ecology

The Tree Officer advises that the revised scheme retains and protects the existing trees on the High Road frontage, and includes a revised Landscape Masterplan (Dwg. No. LLD397-01 Rev. 06), which is similar to, but not the same as, the 2009 scheme, allied to a Landscape Design Strategy and Outline Plant Specification. The choice of tree species should NOT include Oak, to minimise the risk of an outbreak of Oak Processionary Moth, and should reflect the tree planting on the wider site. The scheme should include two large, feature trees (rather than ornamental trees) on the two corners on Aylsham Drive, in particular the corner on the junction with the High Road. Ideally, the scheme should also include more planting in the car park and entrance to it (off Josiah Drive) and make provision for the protection of the two parking spaces adjacent to the entrance to the under-croft.

The implementation of the tree protection measures should be required by condition, as should the submission, approval, implementation and maintenance of a detailed landscaping scheme (with hard and soft landscaping plans and specifications).

Subject to conditions, the Tree Officer raises no objections to the scheme.

7.15 Sustainable waste management

The scheme makes provision for secure and covered refuse/recycling storage within the building at the vehicular entrance into the site.

7.16 Renewable energy / Sustainability

The Council's Sustainability Officer advises that the submitted Energy Statement is inadequate, but there is no reason why this scheme could not make a suitable contribution towards carbon reduction in line with the Mayor's guidance, and advises that this could be achieved through condition.

7.17 Flooding or Drainage Issues

The application site is not within an area prone to flooding and a sustainable drainage condition has been added.

7.18 Noise or Air Quality Issues

The Council's Environmental Health Officer has assessed the submitted noise report and concludes that the scheme would provide adequate safeguards against noise and provide a suitable environment, subject to conditions.

7.19 Comments on Public Consultations

The comments received from the public consultation undertaken on the application are dealt with in the main report.

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open

space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Should the application be approved, a number of planning obligations would be sought to mitigate the impact of the development. Given the findings of the Financial Viability Assessment, these should include a health contribution of $\pounds 6,103$ and construction training in line with SPD or an in-kind scheme delivered during the construction phase of the development.

The applicant has not yet agreed to these proposed Heads of Terms, which are to be secured by way of a S106 Agreement/Unilateral Undertaking. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the UDP and relevant supplementary planning guidance.

7.21 Expediency of enforcement action

No enforcement issues are raised by this application.

7.22 Other Issues

There are no other 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

Not applicable to this application.

10. CONCLUSION

This proposal would be for a very similar building in terms of its siting, scale and massing. The internal layout of the building and external layout of the site has altered to accommodate the new mix of uses. The other main change has been to the elevations of the building.

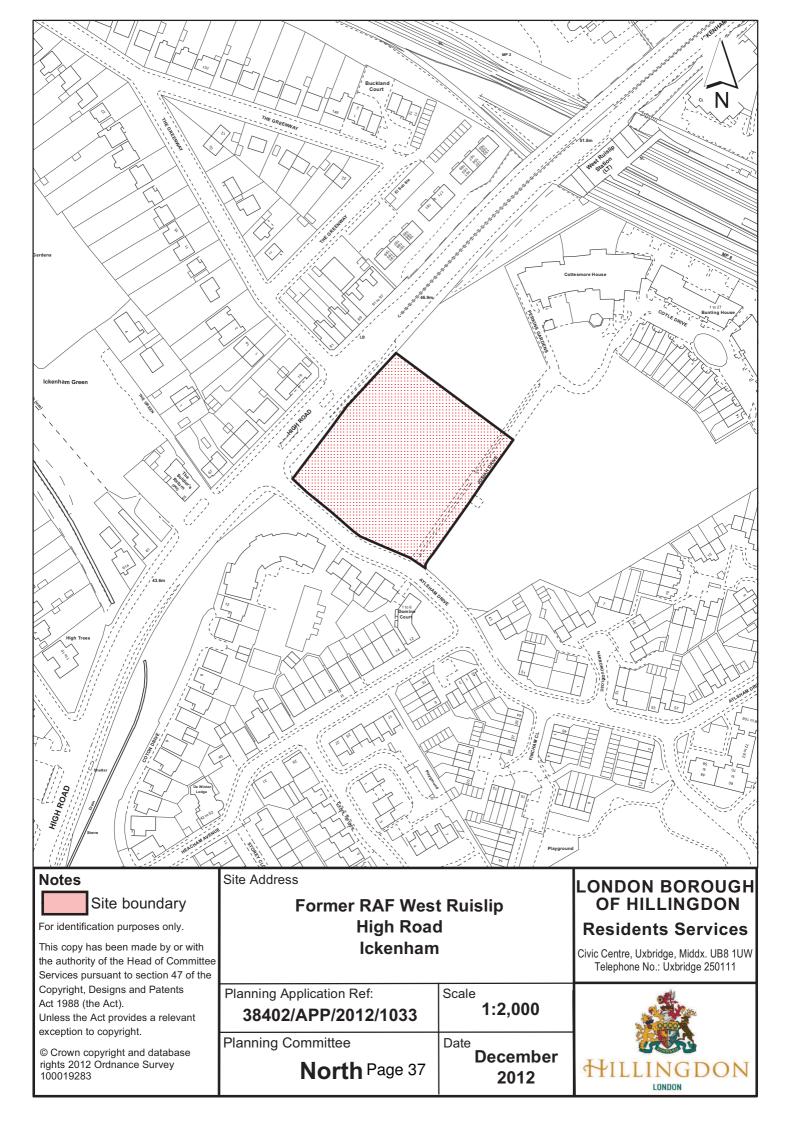
The proposed building would present an acceptable appearance within the street scene. The proposed mix of units is acceptable and the proposal would provide an acceptable standard of accommodation. Amenity space is considered to be adequate given the mix of uses proposed and the off-street car parking provision is also considered to be acceptable. The S106 Officer also advises that there is no requirement to provide a proportion of the retirement flats as affordable housing and the overall package of benefits sought is considered appropriate, given the findings of the Financial Viability Appraisal.

11. Reference Documents

National Planning Policy Framework (March 2012) London Plan (July 2011) Hillingdon Local Plan (November 2012) HDAS: Residential Layouts' and 'Accessible Hillingdon' Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



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Agenda Item 7

Report of the Head of Planning & Enforcement Services

Address 51 THE DRIVE ICKENHAM

Development: Two storey building with habitable roofspace to create 5 x self-contained flats with associated parking and landscaping and installation of vehicular crossover, involving demolition of existing detached dwelling

LBH Ref Nos: 21977/APP/2012/2194

Drawing Nos: 99315.P01 Rev. A 99315.P11.2 99315.P100 99315.P101 99315.P111 Tree Survey and Arboricultural Constraints Report 99315.P10 Rev. A 99315.P02 Rev. A 99315.P11 Rev. A **Design & Access Statement** Preliminary Arboricultural Impact Plan Tree Location and Constraints Plan 99315.P06 99315.P07 99315.P21 99315.P20 Extended Phase 1 Habitat Survey Rev.1 99315.P31 Rev. B 99315.P30 Rev. B 99315.P110 Rev. A

Date Plans Received:	06/09/2012	Date(s) of Amendment(s):	21/09/2012
Date Application Valid:	24/09/2012		06/09/2012
			20/12/2012 30/11/2012

1. SUMMARY

The application proposes to demolish the existing house and erect a two storey building with accommodation in the roof space to provide 5 x self-contained flats, together with 8 parking spaces landscaping, installation of vehicular crossover and bin and recycling store. There is no in principle objection to the proposal.

It is considered that the design of the proposal would be in keeping with the character and appearance of the surrounding area and that it would not be harmful to the amenity of nearby residents or future occupiers. The proposal would provide adequate off-street parking and a cycling store, refuse and recycle store. The proposal would be of low density and the internal floor space required for new flats would provide an adequate level of amenity for future occupants. As such, the proposal is considered acceptable and is recommended for approval subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 **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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 99315.P01 Rev. A, 99315.P02 Rev. A, 99315.P06, 99315.P07, 99315.P10 Rev. A, 99315.P11 Rev. A, 99315.P11.2, 99315.P20, 99315.P21, 99315.P31 Rev. B, 99315.P30 Rev. B, 99315.P100, 99315.P101, 99315.P110 Rev. A, 99315.P111, Tree Survey and Arboricultural Constraints Report, Preliminary Arboricultural Impact Plan, Tree Location and Constraints Plan, Extended Phase 1 Habitat Survey Rev.1 and Design & Access Statement.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (July 2011).

3 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

4 HO5 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 49b and 51a.

REASON

To prevent overlooking to adjoining properties in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

5 HO6 Obscure Glazing

The windows facing 49b and 51a 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

6 RES8 Tree Protection

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:

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

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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

7 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
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts
- 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 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

- 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan.

8 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 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 NONSC Non Standard Condition

Level access shall be provided to and into the building, including into all five dwellings, via the communal entrance.

REASON: to ensure adequate access for all is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with policy 3.8 of the London Plan (2011).

10 NONSC Non Standard Condition

Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

11 RES18 **Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with Lifetime Homes Standards as set out in the Council's Supplementary Planning Document Accessible Hillingdon.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2.

12 RES24 **Secured by Design**

The flats 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 flats 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.

13MRD8Education Contributions

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing how additional or improved educational facilities will be provided within a 3 miles radius of the site to accommodate the nursery, primary and secondary school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the Council's Supplementary Planning Guidance on Educational Facilities.

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 Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and London Plan (July 2011) Policy 5.12.

15 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.

16 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and Chapter 6 of 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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM3 AM7 AM14	Proposals for new roads or widening of existing roads Consideration of traffic generated by proposed developments. New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16	Accessibility for elderly people, people with disabilities, women and children
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.4	(2011) Optimising housing potential
LPP 5.13	(2011) Sustainable drainage
LPP 5.7	(2011) Renewable energy
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 3.3	(2011) Increasing housing supply
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old

Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 11 Building to Approved Drawing

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

5 l2 Encroachment

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

6 I5 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.

7 I6 Property Rights/Rights of Light

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

8 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank 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.

9 154 Section 106 Agreement for educational facilities

In respect of condition No. 15, you are advised that the Council considers that one way to ensure compliance with the condition is to enter into an agreement with the Council to ensure the provision of additional/improved educational facilities locally, proportionate to the child yield arising from the development.

10

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £21,317 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the west side of The Drive and comprises a 1930's detached 4-bed, two-storey house with a detached garage forward of the main house. To the front of the propety is hardstanding with ample parking for cars. To the rear is a single storey rear element with a roof terrace above. The house is set back from the highway and sits on a spacious plot and comprises white painted brick elevations with a green pantile roof. The site is on a gentle slope with the land to the rear sloping downwards. There are a number of small trees and shrubs along the site's front boundary which form an effective green screen. There is a large, protected Scots Pine and a protected Blue Spruce in the rear garden (T9 and T8 on TPO 287). To the north of the site lies 51a The Drive, a two storey detached house and to the south of the site lies 49b The Drive, also a two storey detached house with a single storey rear extension and conservatory. To the rear of the site is Uxbridge Golf Course.

The street scene is residential in character and appearance comprising single and two storey, individually designed detached houses. The application site lies within the developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

3.2 Proposed Scheme

The application proposes to demolish the existing house and erect a two storey building with accommodation in the roof space to provide 5 self-contained flats, together with 8 parking spaces, landscaping, installation of vehicular crossover and bin and recycling store.

The proposed building would be 21.40m wide, 20m deep and 9.80m high increasing to 10.20m high as the ground slopes downwards east to west. The building would have a crown roof measuring 11m by 9m with solar panels above and windows to the front and rear of the roof and rooflights to the side. There would be a covered projecting porch centrally located to the front of the property leading to an entrance hallway. To the rear of the property, there would be recessed balconies on the ground, first floor and the roof space. The building would maintain a minimum 3m distance from the side boundaries and would be set back from the highway by 24m and in line with the building line of the adjacent properties. The property would retain approximately 1170sg. metres of private amenity space. A communal parking area would also be provided within the front of the building allowing for 8 car parking spaces. Additionally, 5 cycle parking spaces will be provided within the site, secured and undercover. The existing vehicle crossovers would be stopped up and a new crossover provided centrally along the front of the site. The new access would be 5.0m wide, which would enable two vehicles to pass side by side. A bin storage area would be provided to allow for seperate storage of general and recycable refuse.

There would be two flats on the ground floor, two flats on the first floor and one flat in the roof space. The floor areas would be as follows:

Flat 1 = Two bedroom flat of 125 sq.m. Flat 2 = Two bedroom flat of 125 sq.m. Flat 3 = Two/three bedroom flat of 147 sq.m. Flat 4 = Two/three bedroom flat of 147 sq.m. Flat 5 = Two bedroom flat of 182 sq.m.

The elevations of the building would comprise red brick with reconstituted stone features, and the roof would be of slate. Windows would be of a traditional sash pattern in painted aluminium and double glazed.

3.3 Relevant Planning History

21977/C/81/1696 51 The Drive Ickenham

Householder dev. (small extension, garage etc) (P)

Decision: 02-12-1981 Approved

21977/E/83/0812 51 The Drive Ickenham

Householder dev. (small extension, garage etc) (P)

Decision: 14-07-1983 Approved

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

- AM3 Proposals for new roads or widening of existing roads AM7 Consideration of traffic generated by proposed developments. AM14 New development and car parking standards. **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. OE5 Siting of noise-sensitive developments **OE11** Development involving hazardous substances and contaminated land requirement for ameliorative measures R16 Accessibility for elderly people, people with disabilities, women and children H4 Mix of housing units HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 LPP 3.1 (2011) Ensuring equal life chances for all LPP 3.4 (2011) Optimising housing potential LPP 5.13 (2011) Sustainable drainage LPP 5.7 (2011) Renewable energy LPP 7.2 (2011) An inclusive environment LPP 7.4 (2011) Local character LPP 3.3 (2011) Increasing housing supply LPP 3.5 (2011) Quality and design of housing developments LPP 5.3 (2011) Sustainable design and construction PO-EDU Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010
- 5. Advertisement and Site Notice

Not applicable

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

6. Consultations

External Consultees

32 neighbouring properties were consulted by letter on 27th September 2012 and a site notice was posted on 1st October 2012. 22 letters of representation have been received with 1 letter supporting the application, 18 against the application and 3 making comments. A petition with 41 signatories has also been received opposing the proposed scheme. The comments can be summarised as:

1. Excellent use of plot, making maximum and sensitive use of available land;

2. Pleasant design and great improvement on some recent developments in The Drive;

3. Increase in traffic and noise;

4. Safety of road users could be compromised due to there being no street lighting;

5. Parking would be a problem as visitor parking would have to park on the road and cause access and egress of vehicles difficult at No.49b.

6. The street consists of single family homes and the proposed scheme would be out of character and appearance with the surrounding properties and set a precedence;

7. The number of recent examples of older houses being demolished and replaced by new, larger buildings has already eroded the traditional residential character of the road and therefore object to more of the same;

8. The proposed 350% increase in gross internal floor area of the house from 244sq. metres to 849 sq. metres is excessive and clearly refutes the claims made in the Design and Access Statement;

9. The proposal would bring down the value of the properties in the street;

10. The noise and pollution would increase enormously in what is at present a delightful 4/5-bed house with one kitchen. It would become a large ugly 13-bed building with five kitchens and numerous bathrooms, all of which would add many problems to the present drain and sewerage system;

11. The proposed footprint of the new building would be twice the size of the present house and would move much closer to the side boundary adjoining No.49b and would be the full length of the neighbouring property.

12. No. 49b is a two storey property with a single storey rear element. The proposed three storey building would result in a loss of light to this property.

13. The proposal would overlook No.49b house and garden as the plot sits about a foot higher;

14. Planning applications for flats/apartments have been turned down on the road because they do not suit the street scene;

15. Rubbish and recycling would be a problem as the bins would need to be very large and housed in a wooden enclosure, which would smell and an eye sore to neighbours;

16. The site is located in a predominantly low-density residential area where occupiers could reasonably expect a level of amenity concurrent with a detached house. The use of the property as flats introduces a diverse element that by reason of the use is likely to result in noise, disturbance and nuisance to the detriment of neighbouring homeowners amenity;

17. The kitchen window on the flank should be made smaller and non-opening as this would have an impact on No.51a;

18. No.51a at present share the same drain. A new run should be installed.

ICKENHAM RESIDENTS ASSOCIATION:

The proposed conversion of an existing large family home into 5 self-contained flats would create an undesirable precedent in The Drive, and would cause harm to the residential amenities and

character of the area and the amenity of adjoining occupiers in accordance with section H7 of the UDP. The 5 x self-contained flats would be 2-bedroom apartments, indicating mainly professional single person or young couples occupancy within the commuter belt of London. The front garden would be turned into a substantial car-park, reminiscent of medical clinics car park facilities, unlike the generous, suburban landscaping of the rest of The Drive. This is a huge and massive development, more than doubling the existing footprint, which will create an excessive bulk and appear overbearing on adjacent properties, which in accordance with BE21 by reason of the proposed siting would result in a significant loss of residential amenity. We have been approached by a number of anxious residents in The Drive, who, no doubt, will be contacting you shortly, and we understand a petition is being raised at the moment. The Association objects to this application.

(Officer comment: The comments raised are considered in the main body of the report).

NATURAL ENGLAND:

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.

Natural England's advice is as follows:

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected

by this application.

Using Nature on the Map we determined that the application is not within/close to a SSSI or SAC notified for bats. We looked at the survey report and determined that it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. We determined that detailed visual inspections (internal and external where appropriate) had not been undertaken and no evidence of a roost was found. We determined that the application does not involve a medium or high risk building as

defined in our standing advice. Permission could be granted (subject to other constraints) and that the authority should consider requesting enhancements.

METROPOLITAN POLICE:

No response received.

Internal Consultees

HIGHWAYS:

It is considered that the development proposals would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan and an objection in relation to the highway aspect of the proposals is not raised in this instance. However, a suitably worded condition should be imposed in the planning consent, stating that the proposed access gates shall not open out over the adjacent highway.

URBAN DESIGN:

The loss of the existing house is regrettable as it has significant architectural value and is a good example of its style and period. However, there is no control over demolition within non-designated areas and as such we do not wish to comment on the same.

New development:

Setting: The new block would be set back from the main street frontage and would be in line with the neighbouring houses. The scheme proposes planting to the front to mitigate the impact of the parking and hard-standing to the front. This would also ensure to preserve the street suburban scene of the area. There are, therefore, no objections regarding the setting and positioning of the new building.

Design: There have been several discussions during the pre-application process regarding the design of the new block to create 5 flats. The new building would be in a Neo-Georgian style and as such given the other new houses in the street, there would be no objections to the same from a design point of view. Whilst not ideal, the crown roof would be acceptable in this instance as it has been allowed in other schemes on the street. The concerns raised previously regarding the proportions of the windows, dormers and the roof have been addressed and there are no further objections.

Conclusion: Acceptable. Materials to be conditioned.

EPU:

External Amenity Space: In addition to the private external amenity space for each apartment described above (terraces for apartments 1 & 2, balconies for Apartments 3-5) there is also a large communal garden area to the rear. This can be accessed either via the enclosed link from the entrance hall a or via the perimeter of the building which offers full disabled access. Any ramped sections of the path will not exceed a gradient of 1.20.

We are conscious of the need to adequately separate individual private external amenity space from communal external space.

Around the perimeter of the building a 1.8m deep planting bed will be created between the perimeter path and the building to create adequate privacy and security to ground floor windows.

The site appears to have been built on farmers fields. No former contaminative uses have been identified based on Ordnance Survey historical maps. However, as an additional number of sensitive receptors are being introduced to the site as a minimum a condition to ensure the soil is free of contamination and suitable for use is advised.

Also the construction site informative is advised on any planning permission that may be given.

TREES AND LANDSCAPE:

Acceptable, subject to conditions RES8 (implementation of tree protection); RES9 (1, 2, 4, 5 and 6) and RES10.

S106 OFFICER:

The education would be the only obligation arising from this proposal. I note that you have already undertaken the education calculation and have sought agreement from the applicant to meet the contribution in the sum of £23,599.

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. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Level access should be achieved. Contrary to and the advice within the submitted Design & Access Statement, the communal entrance shown on plan appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, a gentle slope (maximum gradient 1:21) to the entrance door should form an integral component of the landscaping design.

2. A minimum of one bathrooms/ensuite facility within each flat should be designed in accordance with Lifetime Home Standards as defined in the above Supplementary Planning Document. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.

3. To allow a minimum of one bathroom in every flat to be used as wet rooms in future, plans should include the position of floor gulley drainage, including the type to be installed.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

ADDITIONAL CONDITION

Level access shall be provided to and into the building, including into all five dwellings, via the communal entrance. Level thresholds shall be designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (2004 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007). The site is not located in a conservation area and the building is not listed. There are no policies which prevent the demolition of the existing building, in principle.

The Supplementary Planning Document (SPD) HDAS: Residential Layouts, at paragraph 3.3 states that in relation to the redevelopment of large plots and infill sites currently used for individual dwellings into flats, the redevelopment of more than 10% of properties on a residential street is unlikely to be acceptable, including the houses which have been converted into flats or other forms of housing.

The above document underpins and supports Policies BE13 and BE19 of the Unitary Development Plan, which seek to protect the impacts of flatted development on the character and amenity of established residential areas. There are currently no new flats/apartments on The Drive, therefore the erection of flats is acceptable in principle.

7.02 Density of the proposed development

The London Plan 2011 requires that new housing within a suburban setting and a PTAL score of 1a to generally be in the range of 150-200 habitable rooms per hectare (hr/ha) and 35-55 units per hectare (u/ha). The residential density of the proposed development equates to 14 hr/ha and 2.5 u/ha. As such, the proposed scheme is considerably below the minimum range, but given the spacious layout and large plots within the vicinity of the site and the density of development of the surrounding area, it is considered that a density below the London Plan requirements is acceptable in this instance. However, density is only one consideration and the proposal still needs to comply with other Council and London Plan policies and standards and these issues are considered elsewhere in the report.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The site is located within a Developed Area where there is no objection in principle to flats on the site subject to the proposal satisfying other policies in the plan and supplementary planning documents.

UDP Policies BE13 and BE14 resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The street scene is characterised by large detached properties individually designed. The proposed building would be well designed, rectangular in shape with a hipped crown roof with solar panels. It is proposed that the building would follow the existing front building line of the adjacent properties and it would retain a large front garden which would entail soft landscaping and the refuse store planted up with climbing plants. This would ensure that the building would integrate well into its surroundings and that the front garden would not have the appearance of a car park.

The urban design officer has commented the new building would be in a neo-georgian style, which would reflect the design of the other new houses in the street. The crown roof would be acceptable in this instance as it has been allowed in other schemes on the street.

Overall, it is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with Policies BE13 and BE19 of the UDP Saved Policies September 2007.

7.08 Impact on neighbours

UDP Policy BE21 of the adopted Hillingdon Unitary Development Plan states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss in residential amenity. Likewise UDP Policies BE22 and BE24 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

The proposed development would extend approximately the same depth as the adjacent properties and would be a minimum 3m from the side boundaries. As a result it is

considered that the proposal would not impede upon the daylight serving these properties or result in loss of outlook. The building would be a sufficient distance from the side boundary and the neighbouring properties to not result in an overbearing impact. The balconies on the upper floors are set back within the footprint of the building to prevent angular views into neighbouring properties gardens. The first floor side windows serving en-suites, utility and kitchens can be conditioned to be obscure glazed and fixed shut below 1.8m to prevent any unacceptable overlooking to the neighbouring properties. The roof space would have rooflights on the side elevation, however due to the angle of these windows, they would not directly overlook the adjacent properties.

As a result it is considered that the proposal would not be harmful to the amenity of nearby residents through loss of privacy, loss of light and overbearing impact. It would be in compliance with UDP Policies BE21, BE22 and BE24 in this respect.

7.09 Living conditions for future occupiers

London Plan Policy 3.5 seeks to ensure that all new housing development is of the highest quality, both internally and externally and in relation to their context.

The London Plan sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. The London Plan recommends that for a three bed, five person flat a minimum of 86sq.m should be provided and for a 2 bed 4 person flat a minimum of 70sq.m. The total internal floor area for each of the proposed flats would exceed these standards and therefore they are in accordance with the London Plan.

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The minimum level of amenity space required for a 2 bed flat is 25sq.m and 3 bed flat is 30sq.m. The gardens proposed for all five flats would far exceed these standards and would be in accordance with the HDAS.

The proposed bedrooms would have windows that face the front and rear of the property and would therefore not be overlooked by adjoining properties.

It is also considered, that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy 5.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport.

A communal parking area would be provided within the front of the building to provide 8 car parking spaces. Additionally, 5 cycle parking spaces would be provided within the site, secured and undercover. The existing vehicle crossovers would be stopped up and a new crossover provided centrally along the boundary of the site, fronting on to the adjacent highway. Access to the site would be provided at 5.0m wide, which would enable two vehicles to pass side by side.

The Drive does not form part of the adopted highway network and is under private ownership. Additionally, it is noted that the PTAL index within the area is 1a, which is

classified as very poor. As a result, the maximum parking provision of 1.5 parking spaces per flat is acceptable.

Therefore, it is considered that the development proposals would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan and an objection in relation to the highway aspect of the proposals is not raised in this instance.

7.11 Urban design, access and security

ACCESS

The London Plan Policy 3.8 and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon require all new housing to be built to Lifetime Homes standards. This can be secured by means of a condition. The Access Officer has recommended a condition which requires level access into the building and this is incorporated.

SECURITY

Should the application be approved, a condition is also recommended to ensure that the scheme meets all Secured By Design Criteria.

7.12 Disabled access

See section 7.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are a number of small trees and shrubs along the front boundary to the site which form an effective green screen. The majority of these trees are to be retained. There is a large, protected Scots Pine and a protected Blue Spruce in the rear garden (T9 and T8 on TPO 287). The trees have a high amenity value and are to be retained. The submitted Tree Report recommends adequate protection for the high value trees on-site. There is a large, mature, protected Oak (T2 on TPO 297) in the front garden of the neighbouring front garden. The tree is situated far enough away to not be affected by the proposals.

It is considered that the proposal would comply with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), subject to approriate conditions being imposed.

The site and adjacent land are given over to buildings, hard-standing and well maintained gardens. The proposed works would therefore not impact upon any habitats of ecological interest or conservation concerns.

7.15 Sustainable waste management

In the case of five or more households in a block of flats, the Council requires bulk bins to be provided with a 1,100 litre capacity. In this case, a communal covered refuse store is provided in close proximity to the car parking area and site entrance. Two Eurobins would be provided within a well ventilated weather protected enclosure (1 for general waste and 1 for recycling). This would be acceptable.

7.16 Renewable energy / Sustainability

The redevelopment of the site allows the opportunity to significantly improve the efficiency of the property and accordingly reduce energy demand and CO2 emissions. The application proposes solar panels to the roof with the possibility of increasing the number of solar panels in the future, subject to securing the appropriate planning permissions. A condition requiring that the development meets Level 4 of the Code for Sustainable Homes is recommended.

7.17 Flooding or Drainage Issues

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concerns relating to drainage and value of properties are not material planning considerations. Matters relating to drains would be addressed through the Building Regulations as appropriate.

Concerns raised over traffic, parking, character and appearance of the area, density, pollution, noise, the amenities of adjoining properties, and refuse are considered elsewhere in this report.

7.20 Planning Obligations

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

The proposed scheme has more than six habitable rooms and would result in a requirement for an education contribution of £23,599 if the application is recommended for approval. The applicant has agreed to pay this financial contribution.

The proposed development would exceed 100sq.m, therefore there would also be a requirement to make a CIL contribution.

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

It is considered that the principle of flats on this site is acceptable, and that the proposed building and use would not be harmful to the character and appearance of the street scene, nor the amenities of nearby residents. Parking and highway safety matters are also satisfactory. The application accords with the Council's planning policies and is therefore recommended for approval, subject to appropriate conditions.

11. Reference Documents

Hillingdon Local Plan (November 2012) London Plan (July 2011) National Planning Policy Framework HDAS: Residential Layouts Council's Supplementary Planning Guidance - Community Safety by Design Council's Supplementary Planning Guidance - Noise Council's Supplementary Planning Guidance - Air Quality HDAS: Accessible Hillingdon Hillingdon Planning Obligations Supplementary Planning Document July(2008) and updated chapter 4 Education (August 2010).

Contact Officer: Mandeep Chaggar

Telephone No: 01895 250230

Golf Course			ITHE DRIVE
Notes Site boundary For identification purposes only.	Site Address 51 The Driv Ickenham		LONDON BOROUGH OF HILLINGDON Residents Services
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		Scale	Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111
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© Crown copyright and database rights 2012 Ordnance Survey 100019283	Planning Committee North Page 59	Date November 2012	HILLINGDON LONDON

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Agenda Item 8

Report of the Head of Planning & Enforcement Services

Address 101 VICTORIA ROAD RUISLIP

Development: Change of use of ground floor from retail (Use Class A1) to restaurant/cafe (Use Class A3) involving installation of extract duct to rear and new door to rear

LBH Ref Nos: 19448/APP/2012/2541

Drawing Nos: Design and Access Statement 6513/P/01/A HS/RM/001 6513/P/02 6513/P/03

Date Plans Received:	16/10/2012	Date(s) of Amendment(s):
	10/10/00 10	

Date Application Valid: 16/10/2012

1. SUMMARY

Planning permission is sought for a change of use from retail (Use Class A1) to restaurant (Use Class A3) for use as a Lebanese restaurant. No changes are proposed to the external appearance of the front of the building. At the rear a new entrance is proposed, together with the installation of extract ducting associated with the proposed use.

A previous application for a change of use of the premises was refused earlier in 2012, although it is considered that the applicant has now addressed the previous reasons for refusal.

The proposed change of use would not adversely affect the vitality and viability of the shopping parade and there would be no adverse harm arising from the proposed use.

Subject to appropriate planning conditions it is therefore considered that the application would comply with Policies S6, OE1, OE3, BE13, BE15 and BE19 of the of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012). The application is thus recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 6513 P 01 A, 6513 P

02, 6513 P 03, HS/RM/001, and the Design and Access Statement, 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 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) and the London Plan (July 2011).

3 NONSC Non Standard Condition

No air extraction system shall be used on the premises until a scheme for the control of noise and vibration emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

4 NONSC Non Standard Condition

The premises shall only be used for the preparation, sale of food and drink and clearing up between the hours of 08:00 and 23:00 Monday to Saturdays, and 1000 to 1800hrs on Sunday, and Bank/Public Holidays. There shall be no staff allowed on the premises outside these hours.

REASON

To safeguard the residential amenity of the occupiers and nearby properties, in accordance with Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

5 NONSC Non Standard Condition

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

REASON

To safeguard the amenity of surrounding areas, in accordance with Policy OE1 of the of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

6 NONSC Non Standard Condition

The development shall not begin until a sound insulation scheme for the control of noise transmission to the adjoining dwellings/premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

NONSC

Prior to the commence Norm Standakel Considition details of the provision to be made for the secure and covered storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided on site prior to the premises being brought into use and thereafter maintained.

REASON

To ensure satisfactory provision is made for the storage of waste and recycling, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

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).

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon of the Hillingdon Local Plan (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 2.15	(2011) Town Centres
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
c 14.0	

3 118 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot -Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

4 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

5

The proposed lobby as indicated on the submitted plan should be designed in accordance with 8300:2009. A minimum of 1570 mm, clear of doors swing areas, should be provided between the internal and external lobby doors.

The proposed accessible toilet should be designed in accordance with Part M to the Building Regulations 2000 (2004 edition). To this end, the internal fixtures and fittings should be positioned according to the specifications as per the above regulations. The orientation of the toilet pan shown on plan is incorrect and, therefore, it is likely that the position of other fixtures and fittings will also require some amendment.

6

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

The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

7 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in

September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located towards the north-eastern end of Victoria Road. It comprises a shop on the ground floor of a three storey, brick built parade of shops. The unit is currently vacant. The adjoining unit to the north-west is a dog grooming salon, Plush Pooches. To the south-east is a shop, Art Gallery. Flats are located on the first and second floor above and are currently occupied. The shop is accessed via Victoria Road which is a major distributor road providing good access for deliveries and emergency vehicle access.

The site lies within the Ruislip Manor Town Centre and is within the Secondary Shopping Area as identified in the policies of the of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012). The surrounding shopping frontage has a mix of A-class uses.

3.2 **Proposed Scheme**

Planning permission is sought for the change of use from from retail (Use Class A1) to restaurant (Use Class A3) for use as a Lebanese Restaurant.

The unit would entail a seating area, bar, toilets (including disabled toilet) and a kitchen. A new door is proposed to the rear of the property although no change is proposed to the front elevation.

The proposed opening times of the A3 use would be Monday-Friday 11-3pm and 6-11pm; Saturdays 11am-11pm and Sundays 11am-10pm.

A kitchen extraction system would be installed and refuse storage would be located at the rear of the property.

Any advertisement on the shop front would be the subject of a separate advertisement application.

3.3 Relevant Planning History

19448/APP/2012/907 101 Victoria Road Ruislip

Change of use of ground floor from Use Class A1 (Shops) to Use Class A3 (Restaurants and Cafes) involving installation of extract duct to rear and new door to rear

Decision: 19-06-2012 Refused

Comment on Relevant Planning History

This application is a resubmission of a previously refused planning application ref. 19448/APP/2012/907. This was refused for the following reasons:

1. In the absence of any proposed kitchen extraction system specifying the odour control technology, the application has failed to demonstrate that the development would

safeguard the amenities of nearby residential properties from the potential impact of cooking odours. The proposal is therefore contrary to Policies S6 and OE1 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

2. The proposal has failed to provide adequate waste storage facilities, in a suitable location, in accordance with the council's adopted standards, and therefore the proposal is contrary to policy S6 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

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.BE1 (2012) Built Environment

Part 2 Policies:

AM2	Development proposals - assessment of traffic generation, impact on congestion
	and public transport availability and capacity
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
OE1	Protection of the character and amenities of surrounding properties and the local
	area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 2.15	(2011) Town Centres
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
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5. Advertisement and Site Notice

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

6. Consultations

External Consultees

24 adjoining and nearby properties and the Ruislip Residents Association notified of the application by means of a letter dated 23rd October 2012. A site notice was also displayed. 1 letter and a petition with 93 signatories received, objecting to the proposal on the grounds that whilst an empty

premises detracts from the appearance of a shopping area, Victoria Road does not need any more restaurants.

Internal Consultees

EPU:

Conditions relating to the provision of an air extraction system, hours of use and hours of deliveries and waste collections together with the construction informative are pertinent to this application.

ACCESS OFFICER:

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

The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

As the proposal relates to a change of use with minor alterations, the following accessibility considerations should be incorporated:

1. The proposed lobby as indicated on the submitted plan should be designed in accordance with 8300:2009. A minimum of 1570mm, clear of doors swing areas, should be provided between the internal and external lobby doors.

2. The proposed accessible toilet should be designed in accordance with Part M to the Building Regulations 2000 (2004 edition). To this end, the internal fixtures and fittings should be positioned according to the specifications as per the above regulations. The orientation of the toilet pan shown on plan is incorrect and, therefore, it is likely that the position of other fixtures and fittings will also require some amendment.

Conclusion: Acceptable subject to planning conditions that secure the above accessibility considerations.

(OFFICER COMMENT: As these suggestions relate to matters internal to the building, they are outside the scope of planning control. However, they are proposed to be included as informatives.)

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within the Secondary shopping frontage of Ruislip Manor Town Centre. Paragraph 8.24 of the Paragraph 8.24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) defines Secondary Shopping Areas as peripheral to the primary areas in which shopping and service uses are more mixed although Class A1 shops should still be the majority use. Paragraph 8.26 states that as a guideline, the Council will normally seek to prevent a separation or an increase in the separation of Class A1 units of more than approximately 12m. Class A1 shops should remain the predominant use in secondary areas and the Council will expect at least 50% of the frontage to be in Class A1 use.

Policy S12 establishes that it is acceptable for a change of use from Class A1 to non Class A1 uses in secondary frontages, where there remains adequate retail facilities to accord with the character and function of the shopping centre in order to maintain the

vitality and viability of the town centre.

The 2011 shopping survey shows that the overall position is that the centre continues to have a very low vacancy rate and relatively healthy A1 retail presence (56.4% of the frontages in the secondary shopping area). The percentage of A1 use is currently above the minimum 50% threshold stipulated in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012). The change of use would not result in a break in the retail frontage above the guidelines of 12m. Overall, it is considered that the change of use would not harm the vitality and attractiveness of Ruislip Manor Town Centre and that it would comply with Policy S12 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) and Policy 2.15 of the London Plan (2011).

Policy S6 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) states that to safeguard the amenities of shopping areas, the local planning authority will grant permission for change of use of Class A1 shops if:

(i) The proposal will not be detrimental to visual amenity where the premises form part of a statutory or locally listed building or are located within a conservation area;

(ii) A frontage of a design appropriate to the surrounding area is maintained or provided (the local planning authority may impose conditions to ensure retention or installation of an appropriate frontage);

(iii) The proposed use is compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties by reason of disturbance, noise, smell, fumes, parking or traffic related problems; and

(iv) Has no harmful effect on road safety and does not worsen traffic congestion or disrupt bus operations.

The proposal will not impact on the visual amenity of the area and the Council's Environmental Protection Unit has no objections to the kitchen extraction system proposed or the overall change of use, subject to conditions. As such, the scheme would address the previous reasons for refusal and comply with Policy S6 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

- 7.03 Impact on archaeology/CAs/LBs or Areas of Special Character
 - Not applicable to this application.
- 7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

No alterations are proposed on the front elevation and therefore the proposal does not impact on the appearance of the streetscene or the character of the area. The proposal would therefore comply with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

7.08 Impact on neighbours

The first and second floor of the building is in residential use. The type of use proposed is typical of a town centre location and there are a number of other such uses in the centre. Thus, subject to conditions controlling the hours of use and noise and vibration from the extraction system it is considered that the proposal would not impact unduly on the surrounding residential occupiers such as to justify refusal. The application would therefore comply with Policy S6 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM2 and AM7 state that all proposals for development will be assessed against their contribution to traffic generation and their impact on congestion and the present and potential availability of public transport and its capacity to meet increased demand.

Given the site's location within a town centre, with good access to public transport, it is considered that the change of use would not adversely impact on current parking provision within the area. The use would not generate additional parking demand over and above the previous use.

7.11 Urban design, access and security

No external changes are proposed to the shopfront, and the external appearance of the building from the street frontage would not therefore be adversely affected by the proposal. To the rear the alterations proposed are considered satisfactory and there are no design or access and security issues arising.

7.12 Disabled access

The shopfront would have level access and a door width of 1m. A disabled toilet is also proposed within the premises. Appropriate informatives are recommended to ensure that the facilities provided are of an appropriate standard and in accordance with the Equality Act 2010 and Part M of the Building Regulations.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

The application would involve food waste and kitchen waste. The Design and Access Statement states that the refuse bins would be located at the rear of the building and all used cooking oil and refuse would be taken off the site by a licensed operator. It is considered that there is adequate space to the rear of the premises for refuse vehicles and refuse and recycling storage, and as such appropriate provision for such facilities to the rear can be secured by an appropriate planning condition.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Details of the fume extraction system have been submitted and EPU have requested that details of a scheme for the control of noise emanating from the site is submitted and approved prior to the commencement of any works. Subject to this and other conditions limiting hours of use and deliveries the prioposal would not result in undue noise issues.

7.19 Comments on Public Consultations

None received.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

It is considered that the principle of an A3 use on this site is acceptable, and that the proposed building and use would not be harmful to the character and appearance of the street scene, nor the amenities of nearby residents. Parking and highway safety matters are also satisfactory. The application accords with the Council's planning policies and is therefore recommended for approval, subject to appropriate conditions.

11. Reference Documents

London Plan (July 2011) National Planning Policy Framework Hillingdon Local Plan: (November 2012)

LBH Council's Supplementary Planning Guidance - Community Safety by Design

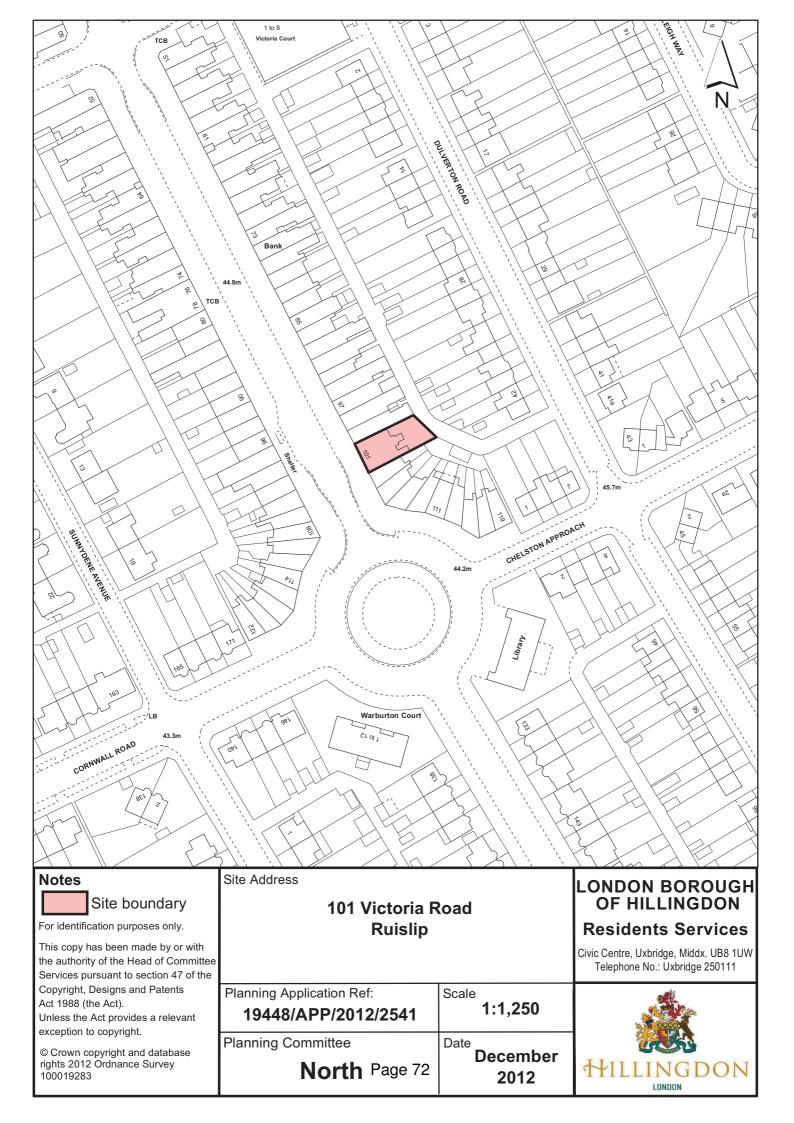
LBH Council's Supplementary Planning Guidance - Noise

LBH Council's Supplementary Planning Guidance - Air Quality

LBH Supplementary Planning Document - Accessible Hillingdon

Contact Officer: Mandeep Chaggar

Telephone No: 01895 250230



Agenda Item 9

Report of the Head of Planning & Enforcement Services

Address 39 COPSE WOOD WAY NORTHWOOD

Development: Two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling

LBH Ref Nos: 11007/APP/2012/2233

Drawing Nos: Tree report (Ref: SHAH001) 10921-P006 10921-S001-B 10921-P001-L Photographs Design and Access Statement 10921-P005-J

Date Plans Received: 12/09/2012

Date(s) of Amendment(s):

Date Application Valid: 19/10/2012

1. SUMMARY

The application is for planning permission for the erection of a two storey, 5-bedroom detached dwelling with habitable rooms in the roof space involving the demolition of the existing dwelling.

The proposal is unacceptable by reasons of its design and the impact on the residential amenities of neighbouring properties.

The principle of the demolition of the existing property, whilst regrettable, would be acceptable subject to its replacement with a dwelling of similar or better design which would relate better to the established character and local identity of the Copse Wood Estate Area of Special Local Character. However, the proposed scheme would not reach the standard expected for the Copse Wood Estate, it would fail to respond to the local Supplementary Planning Document Residential Layouts and it does not respond to the aims of Policies BE5, BE13 and BE15 of the Hillingdon Local Plan.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by reason of its size, scale, bulk, width and design would result in a dwelling, at odds with the local vernacular character of the area and further exacerbated by the cramped appearance of the site that would be harmful and detrimental to the visual amenities of the application site, the street scene and the wider Copse Wood Estate Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE13, BE15 and BE19 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed development, by reason of its size, design, mass, bulk and proximity, would result in an overly dominant feature that would overshadow the adjoining property at 37 Copse Wood Way, resulting in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity to the occupiers of 37 Copse Wood Way. Therefore the proposal would be contrary to Policies BE19, BE20 and BE21 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Document HDAS Residential Layouts.

3 NON2 Non Standard reason for refusal

In the absence of an accurate site plan and tree survey (to BS5837:2005) showing all of the existing trees (on and close to the site) between the houses and at the front of the site, details of existing and proposed levels and services, and a complete Arboricultural Implication Assessment and Method Statement (to BS5837: 2005) taking account of all the baseline tree-related information and all of the proposed works, including additional hard-standing, and any associated changes in levels and/or services, the application has failed to demonstrate that the development makes adequate provision for the protection and long-term retention of the valuable existing trees, many of which are subject to a tree preservation order. The premature decline or loss of any of the trees, in particular the protected Oak at the front of the site would be detrimental to the amenity and wooded character of the street scene and the wider Copse Wood Estate Area of Special Local Character. The proposal is, therefore, contrary to Policy BE38 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4 NON2 Non Standard reason for refusal

The proposal would fail to meet relevant Lifetime Home Standards, to the detriment of the residential amenity of future occupiers and contrary to Policy 3.8 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

INFORMATIVES

1 152 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).

2 153 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE6 New development within Gate Hill Farm and Copsewood Estates areas of special local character

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE18 Design considerations pedestrian security and safety
- BE19 New development must improve or complement the character of the area.

BE20 BE21 BE22	Daylight and sunlight considerations. Siting, bulk and proximity of new buildings/extensions. 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
H5	Dwellings suitable for large families
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.3	(2011) Sustainable design and construction
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

3

On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south east side of Copse Wood Way and comprises a large detached two storey house with a two storey front gable set within a large plot characteristic of houses in the street. The application property is typical of the street characterised by large detached properties with red/brown brick, timber detailing, front gables and attractive front gardens. To the north east on lower ground is No.37 Copse Wood Way, and No.41 Copse Wood Way lies to the south west on a slightly higher ground level towards the brow of the hill, both comprising detached two storey houses.

The street scene is characterised by similar sized detached two storey houses set within spacious plots interspersed with mature trees. The application site lies within a Developed Area and the Copse Wood Estate Area of Special Local Character as identified in the policies of the Hillingdon Local Plan - Part 2. The application site is covered by TPO 398 and TPO 398 A1.

3.2 **Proposed Scheme**

The application is for planning permission for the erection of a two storey, 5-bedroom detached dwelling with habitable rooms in the roof space and a juliet balcony to the rear at first floor level and a single storey rear element. The proposal involves the demolition of the existing dwelling.

The proposed replacement dwelling would be sited in the same position as the existing dwelling on site and extend further rearwards beyond the existing two storey element by 7.6m. The new dwelling would be sited 1.56m away from the western site boundary and 1.39m away from the eastern site boundary, to No. 37 at a lower level. On this side, the current property has a single storey extension beginning 0.47m away, which has a sloping roof, raking back into the site by 2.3m to the flank wall of the two-storey part of the existing dwelling. This contrasts with the proposal where the flank wall of the replacement dwelling would begin 1.5m from the boundary, coming 0.8m closer to No. 37 and with a 0.5m increased eaves height. The dwelling would be characterised with a crown roof with hipped sections to all sides and two dormers to the front and be approximately 0.6m higher than the existing dwelling. The front elevation would have a pseudo-georgian appearance with a large arched feature window in a front gable projection with flat roof porch below and an integral garage to the side. The rear elevation would be largely plain with a first floor juliet balcony window. A flat roofed single storey element would project a further 3.3m for approximately 1/3 of the elevation's width, on the side facing No. 41. The flank elevations would remain largely blank with a total of 6 windows and 1 access door.

3.3 Relevant Planning History

11007/A/98/1755 39 Copse Wood Way Northwood

Tree surgery to six Hornbeam stems in Area A1 on TPO 398

Decision: 14-10-1998 Approved

11007/B/99/2060 39 Copse Wood Way Northwood

Tree surgery to one Oak and four Hornbeam trees in area A1 on TPO 398

Decision: 08-11-1999 Approved

11007/TRE/2000/95 39 Copse Wood Way Northwood

TREE SURGERY TO ONE OAK TREE AND FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

Decision: 18-09-2000 Approved

11007/TRE/2001/18 39 Copse Wood Way Northwood

TREE SURGERY TO ONE SIX-STEMMED HORNBEAM COPPICE STOOL IN AREA A1 ON TPO 398, INCLUDING THINNING THREE STEMS BY 20% AND COPPICING (THREE STEMS)

Decision: 09-03-2001 Approved

11007/TRE/2001/73 39 Copse Wood Way Northwood

TREE SURGERY TO FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

Decision: 08-08-2001 Approved

11007/TRE/2004/108 39 Copse Wood Way Northwood

TO CARRY OUT TREE SURGERY TO ONE OAK TREE WITHIN AREA A1 BY REMOVAL OF LOWEST SIX BRANCHES TO LIFT CROWN AND REMOVAL OF DEADWOOD ON TPO 398

Decision: 05-11-2004 Approved

11007/TRE/2007/120 39 Copse Wood Way Northwood TO FELL TWO OAK TREES IN AREA A1 ON TPO 398 (REF: 33866/2442455)

Decision: 10-10-2008 NFA

11007/TRE/2011/122 39 Copse Wood Way Northwood To fell two Oak trees in area A1 on TPO 398.

Decision: 27-01-2012 SD

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.BE1 (2012) Built Environment

Part 2 Policies:

BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE13	New development must harmonise with the existing street scene.

- **BE15** Alterations and extensions to existing buildings **BE18** Design considerations - pedestrian security and safety **BE19** New development must improve or complement the character of the area. **BE20** Daylight and sunlight considerations. **BE21** Siting, bulk and proximity of new buildings/extensions. **BF22** 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 H5 Dwellings suitable for large families Consideration of traffic generated by proposed developments. AM7 AM14 New development and car parking standards. LPP 3.1 (2011) Ensuring equal life chances for all LPP 3.3 (2011) Increasing housing supply LPP 3.4 (2011) Optimising housing potential LPP 3.5 (2011) Quality and design of housing developments LPP 3.8 (2011) Housing Choice LPP 5.13 (2011) Sustainable drainage LPP 5.14 (2011) Water quality and wastewater infrastructure LPP 5.15 (2011) Water use and supplies LPP 5.3 (2011) Sustainable design and construction LPP 7.1 (2011) Building London's neighbourhoods and communities LPP 7.2 (2011) An inclusive environment LPP 7.3 (2011) Designing out crime LPP 7.4 (2011) Local character HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 5. **Advertisement and Site Notice**
 - **5.1** Advertisement Expiry Date:- Not applicable
 - 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbouring properties and the Northwood Residents Association were consulted on 23 October 2012. A site notice has also been displayed.

The Northwood Residents Association object to the application on the grounds that it fails to comply with Local Plan Policies BE5, BE6, BE13, BE15, BE20, BE22 and BE24.

Two letters of objection and one petition has been received, raising the following objections:

1. Adverse impact on property (No.37) through overshadowing and overbearing nature of proposal due to relative site levels, orientation and proposed rear projection. Proposal would result in a property more than one storey above.

2. Overlooking from side windows facing into neighbouring property.

3. Loss of Arts and Crafts style house.

4. Poorly designed replacement property resulting in a more assertive property in the streetscene.

5. Flat, crown roof details create a poor appearance.

6. Potentially an 8 or 9 bedroomed house which would be considerable for this modest plot.

7. Greater space is required at the sides of the property than the 1.5m policy guidelines as No. 37 is at such a low level. It will also prejudice future development potential of this property.

8. Tree report drawings are inconsistent with the main drawings.

9. Ground levels should be shown at this stage.

10. Question accuracy of tree canopy spread on plans.

11. Replacement of a Lawson Cypress with a three-storey flank wall is unnacceptable.

12. Inappropriate, intrusive development for the neighbourhood, by reason of scale, bulk, architectural style, crown roof, and distance from the side boundaries would dominate the houses in the immediate area.

13. Detrimental to visual amenities of the designated Copse Wood Area of special Local character and fail to comply with Local Plan Built Environment Policies.

14. Drawings show inaccuracies, ommissions and inconsistencies particularly site levels.

15. Concern over potential damage to trees on the site.

16. Surface water drainage by soakaway is inappropriate in this local clay ground.

Ward Councillor: Please register my unequivocal support for the Petition in objection and allow me as much notice as possible about when it is to be heard so I can speak at the Committee.

Thames Water: No objections. Suggest informatives to be added to any permission regarding connections to waste and water services.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER:

This is one of a group of original houses, which step quite steeply up Copse Wood Way towards the summit. The house has been built and extended in the vernacular cottage ornee tradition of leaded windows, quirky asymmetry, chimneys and steep flowing roof pitches. It has an attractive mature garden setting, with a TPO'd Oak tree in the front garden, which recently had permission refused for its removal.

A pre-application letter sent to the applicants in July 2012 advised that the proposed scheme did not reach the standard expected for an Area of Special Local Character. The reasons cited, inter alia, its symmetry, Georgian porch, crown roof, lack of subordinate roof or chimney and poor articulation or interest to the plan. Whilst a few improvements have been made to the original scheme since that time, there remain serious concerns as to its design. These include:

1. The building is little more than a box, without articulation or interest. It has a large crown roof, rather than the traditional pitches required.

2. The Georgian features would be inappropriate and incongruous in this setting, viz the symmetrical facade, columned portico and large Georgian window above the central gable.

3. The building would be too wide for this plot. Although the minimum requirement for distances to the boundaries have been observed, these houses have been built on stepped platforms, and they need space either side to ensure planting between each house. This scheme would necessitate the removal of the planting around this house.

4. The houses should step up the hill in height. It is not clear how this proposal would relate to No. 41 adjacent in terms of its height.

In summary, whilst there are elements of grand, Georgian design in Linksway, Copse Wood Way, and particularly this part of Copse Wood Way, retains a much more informal, vernacular character, with views through to the woodland beyond. The design of this house would be at odds with this character and identity, and would detract from this Area of Special Local Character.

RECOMMENDATIONS: Unacceptable.

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. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Level access should be achieved. Entry to the proposed dwelling appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to the ground floor entrance door.

2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.

3. A minimum of one bathrooms/ensuite facility at first floor level should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.

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

5. The plans should indicate the location of a future "through the ceiling" wheelchair lift.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

ADDITIONAL CONDITION

Level or ramped access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (2004 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

TREES AND LANDSCAPE OFFICER:

There are several protected trees on and close to this sloping site, including an Oak at the front. However, the Site Plan seems to show trees, such as the one between the houses, that do not exist and not show others, such as the Cedar and Hornbeam at the front, that do.

The front garden slopes downhill to the north, and the trees could be affected by any change in levels or any new drains or other services in their root protection areas.

Whilst the application includes a lot of tree-related information, it does NOT include a topographical survey (existing levels) or a plan showing proposed levels. Nor is there any information about existing and proposed drains and other services.

Furthermore, the tree report seems to indicate that much of the front garden (not built or surfaced) will be fenced off to protect the Oak tree at the front. However, the layout seems to include more hard-surfacing (drive/parking) within that tree protection area.

The applicants should provide a site plan (tree survey) showing ALL of the existing trees, a site survey and proposed layout plan showing the trees, levels, drains and other services (existing and proposed), and the AIA should, if necessary, be amended to take account of this additional baseline information, as it is vital that they show that the scheme makes provision for the protection and long-term retention of the TPO trees on and close to the site.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The current proposal is considered unacceptable by reason of its size, design and impact on neighbouring properties. However, the principle of a replacement dwelling is considered acceptable in this location, subject to all other material planning considerations being satisfactory.

7.02 Density of the proposed development

The replacement dwelling would not substantially alter the density of development in the area, either in terms of dwellings or habitable rooms, which would be below 6 additional rooms and as such this aspect of the proposal would not conflict with policy 3.4 of the London Plan.

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

The proposal would have a harmful impact on the Copse Wood Estate Area of Special Local Character as detailed in section 7.07 of this report.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The existing dwelling on site is attractive and well proportioned, sitting comfortably within the site. The existing dwelling benefits from open space to the eastern and western side of the site between the neighbouring dwellings, with mature landscaping between.

The footprint of the front and sides of the proposed dwelling would be sited in a similar location as the existing dwelling on site. However it proposes extending the existing single storey elements into full two storeys and with greater height of eaves. This, together with the significant increase in length of the flank walls by some 7.6m would reduce views between the neighbouring buildings to the trees behind, significantly reducing the pleasant mature landscaped character of the site and its surroundings. Meaningful visual breaks

between dwellings is a defining characteristic of the surrounding dwellings which significantly contribute towards the open and sylvan character of the surrounding area. The reduction in these to a level where such views are virtually lost is considered to be unacceptable in terms of the character of the street scene and the wider area.

In terms of detailed design, the pseudo-georgian features of the proposal, the excessive amount of flat, crown, roof and massing presented to the front, sides and rear, are all considered inappropriate for the area, as detailed in the Conservation and Design Officer's response. Whilst it is considered that a larger dwelling than existing could be accommodated on the site, this particular proposal fails to address basic issues arising from the context of the site.

The Design and Access statement accompanying the application cites other properties within the estate of the size and design proposed. These examples are considered to not reflect the context of this particular site. The example properties are on either larger plots, amongst other similarly designed and proportioned dwellings, and/or are on sites without such sharp changes in gradient or in areas which do not benefit from such a picturesque setting afforded to this area.

With regard to design, the SPD HDAS: Residential Layouts, Section 5.11 states that the intensification of sites within an existing streetscape, if carefully designed, can enhance the appearance of the surrounding area, and the form and type of development should be largely determined by its townscape context. In areas of varied townscape of little quality, new developments should aim to make a positive contribution to improve the quality of the area, although they should relate to the scale and form of their surroundings. The current proposal is contrary to these aims.

In raising objections to the design of the proposal, the Council is not seeking to replicate the current design. Inevitably an element of style does come into the assessment, this is however tempered with considering relationships to boundaries and other properties, spaces in between and response to cadence of heights of this sloping wooded site which all impact on considerations of form and dispersement of volume for a larger dwelling within the site. Equally such fundamental considerations would be brought in to play for a contemporary design for this site.

The current proposal is not of a quality commensurate with the character and appearance of the Copse Wood Estate Area of Special Local Character, through loss of space between the dwellings and in the manner proposed and exhibits none of the elements of vernacular design critical to the streetscene. Therefore, the proposed development would be contrary to Policy BE5, BE13, BE19 and BE22 of the Hillingdon Local Plan - Part 1 and Part 2, London Plan Policy 7.4 and Section 5.11 of HDAS: Residential Layouts.

7.08 Impact on neighbours

With regard to the relationship with the neighbouring properties it is considered that the proposed dwelling would have a significantly adverse impact on the adjoining dwelling to the west at No. 37 Copse Wood Way to warrant refusal on this issue. The current relationship between the existing dwelling on the application site and No. 37 is finely balanced. The substantial drop in ground level between the two, at approx. 2.3m, is managed by the existing dwelling through having the two storey element set away from this boundary and with lowered eaves that permit a first storey with rooms partially in the roofspace. The current proposal would bring the two storey elements much closer to the side, from the current 2.3m reducing to 1.5 and further out to the rear by 7.6m and to a greater eaves height of 0.5m across the full length. This aspect of the building would

appear exceptionally dominant, obtrusive and overbearing when viewed from the rear garden and rear aspects of the main dwelling of No. 37. This impact is further exacerbated due to the lower ground level setting of No. 37 and the orientation which would cause a significant degree of overshadowing during the afternoon and evening periods.

The Design and Access statement accompanying the application cites other properties within the estate of this size. However, these are on either larger plots or do not have the same sharp difference in gradients.

Paragraph 4.12 of the Hillingdon Design and Access Statement: Residential Layouts requires a 21 metre distance separation between facing habitable room windows to ensure no loss of privacy would occur. There exists more than this distance to the front and rear of the property. Therefore it is considered the most pertinent consideration would be overshadowing and overlooking to the properties either side. No windows to primary rooms are proposed to the sides of the property, therefore it is considered that there is unlikely to be a problem of overlooking.

The relationship of the proposal with the dwelling to the west at No. 41 is considered to be satisfactory given the siting and layout of No.41 in relation to the development and the fact that No.41 is sited on higher ground level.

As such, the proposal is considered as an un-neighbourly, dominant and obtrusive form of development which would be contrary to Policies BE19 BE20 and BE21 of the Hillingdon Local Plan - Part 1 and Part 2, Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions and the London Plan (2011).

7.09 Living conditions for future occupiers

The size of the dwelling at well over 400 sq.m and the size of the amenity space at over 400 sq.m would easily meet London Plan and Council standards. It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policies 3.5 and 5.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The driveway is proposed to remain in the same place as existing and the present parking arrangements would suffice for the new dwelling. The proposed dwelling would continue to benefit from sufficient off road parking to the front driveway. Therefore, the proposed development would comply with Policy AM7, AM14 and BE19 of the Hillingdon Local Plan - Part 1 and Part 2 Strategic Policies.

7.11 Urban design, access and security

The issues relating to urban design have been covered in Section 7.07 of the report. Issues relating to security would be covered by the imposition of a secure by design condition in the event of any approval.

7.12 Disabled access

The proposed dwelling incorporates some of the Lifetime Home standards. However, a significant number of amendments are required to make the proposal compliant, as set out in the comments of the Council's Access Officer. As such, the proposal would fail to meet relevant Lifetime Home Standards, contrary to Policy 3.8 of the London Plan (2011) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The site is covered by TPO 398 and TPO 398 A1.

The proposal suggests maintaining the current trees at the front of the site, although the accuracy of the planning application plans compared with those submitted with the independant tree report is in question. In the absence of sufficient information, highlighted in the Landscape Officer's response, a reason for refusal is recommended on these grounds.

7.15 Sustainable waste management

Adequate refuse storage can be accommodated within the property.

7.16 Renewable energy / Sustainability

No specific measures are highlighted in the design, although appropriate measures could be included in the proposal, and secured through the impositon of appropriate conditions.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The objections raised are responded to in the main body of the report.

7.20 Planning Obligations

There would be no Planning Obligations arising from this proposal as the proposal does not result in a net gain of six habitable rooms.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The proposal in its current form is unacceptable by reason of design, bulk and massing and impact on residential amenities of the neighbouring property, No.37. The application is therefore recommended for refusal.

11. Reference Documents

Hillingdon Local Plan (November 2012) HDAS: Residential Layouts HDAS: Residential Extensions The London Plan 2011 Supplementary Planning Document: Accessible Hillingdon

Contact Officer: Clare Wright

Telephone No: 01895 250230

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Agenda Item 10

Report of the Head of Planning & Enforcement Services

Address LONDON SCHOOL OF THEOLOGY GREEN LANE NORTHWOOD

- **Development:** Erection of 3 detached 5/6 bedroom houses incorporating integral garages and roofspace accommodation, with associated vehicular access and amenity space (involving removal of existing tennis courts).
- LBH Ref Nos: 10112/APP/2012/2057

Drawing Nos: PL/010729/04 Rev. A PL/010729/01 PL/010729/09 Rev. A PL/010729/14 Rev. A PL/010729/16 Rev. A PL/010729/18 Rev. B Design and Access Statement, July 2012 LAN17811-01D 01C PL/010729/13 Rev. C PL/010729/17 Rev. C 02C PL/010729/19 PL/010729/20 BAN17811-03 3029/ATR/004 Rev. B Arboricultural Impact Assessment (Ref: BAN17811aiaC) Arboricultural Method Statement (Ref: BAN17811ams) Tree Report (Ref: BAN17811trb) Landscape Specification (Ref: BAN17811trB) Archaeological Desk-based Assessment, dated April 2008 Ecological Appraisal, dated 16/8/11 Sports Policy Advice Note, dated 31/7/12 PL/010729/TMP1 Agent's Covering Email dated 23/10/12 PL/010729/02 Rev. F PL/010729/SR1 Rev. D PL/010729/03 Rev. C PL/010729/07 Rev. C PL/010729/08 Rev. C PL/010729/12 Rev. C Agent's covering email dated 23/10/12 Agent's coverinmg email dated 12/11/2012 PL/010729/11 Rev. A PL/010729/05 Rev. D PL/010729/06 Rev. E PL/010729/10 Rev. E PL/010729/15 Rev. E BAN17811-11B Letter from School **Date Plans Received:** 21/08/2012 Date(s) of Amendment(s): 12/11/2012 23/10/2012 21/08/2012

Date Application Valid:

14/11/2012 21/08/2012 07/12/2012 28/11/2012

1. SUMMARY

This application seeks permission to erect 3 detached 5/6 bedroom houses on the north western corner of the grounds of the London School of Theology which has a separate access from College Way. This part of the college grounds currently provides two tennis courts, albeit they do not appear to be in use.

This scheme, and a similar previous scheme for residential development on this site has formed the subject of protracted officer discussions which has resulted in various amendments being made to the scheme.

In terms of the principle of the development, the college grounds do not have any specific designation and the S106 contribution towards alternative provision of the tennis courts that would be lost is considered acceptable. On this basis, the Council's Green Spaces Team are supportive of the proposals and Sport England do not raise an objection.

It is considered that the siting, scale and design of the houses is acceptable and the layout would safeguard existing trees and respect the parkland setting provided by the college grounds. Furthermore, the houses would not adversely affect the amenities of surrounding residential occupiers and would provide adequate amenities for their future occupiers. Vehicular access on College Way and Dene Road, which are private roads, although not ideal, is acceptable for residential, servicing and construction traffic. The overall package of S106 contributions, which includes an education contribution is considered to be commensurate with the scale of development.

The scheme 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) Tennis Court Re-provision: a financial contribution in the sum of £30,116.50
- (ii) Education Contribution: a financial contribution in the sum of £38,389

(iii) Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).

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, numbers PL/010729/01, 02 Rev. F, 03 Rev. C, 04 Rev. A, 05 Rev. D, 06 Rev. E, 07 Rev. C, 08 Rev. C, 09 Rev. A, 10 Rev. E, 11 Rev. A, 12 Rev. C, 13 Rev. C, 14 Rev. A, 15 Rev. E, 16 Rev. A, 17 Rev. C, 18 Rev. B, 19, 20, PL/010729/SR1 Rev. D, LAN17811-01D, BAN17811-03, BAN17811-11B, 3029/ATR/004 Rev. B, PL/010729/TMP1 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 Local Plan (November 2012) and the London Plan (July 2011).

3 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

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

4 RES7 Materials (Submission)

No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- 1. Samples of all materials and external surfaces,
- 2. Details of timber fenestration, including materials and design of the juliette balconies,
- 3. Details of front porch: columns and brick piers etc

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 Local Plan (November 2012).

5 RES8 Tree Protection

No site clearance or construction work shall take place until:

1.a The protective fencing has been erected in accordance with the approved details, and

1.b The implementation of the approved tree protection measures and all works in full accordance with the approved method statement and relevant details.

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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

6 RES9 Landscaping (including refuse/cycle storage)

No development shall take place until details of landscape maintenance have been submitted to and approved in writing by the Local Planning Authority. Details of landscape maintenance shall include: -

(a) Landscape Maintenance Schedule for a minimum period of 5 years.

(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.

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

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 Local Plan: Part Two - Unitary Development Plan Saved Policies

(November 2012).

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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

8 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) nor alternative boundary fencing/structures shall be erected other than that specified on the approved drawings without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

9 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 in the side elevations hereby approved facing north west and south east.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

RES13

To e first floor bathroon**Obscure Gliaziwg** dows in the side elevations of the houses 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 Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

11 HO7 No roof gardens

Access to the flat roof over the rear addition of the houses hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

12 RES14 **Outbuildings, extensions and roof alterations**

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

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

13 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.

14 NONSC Non Standard Condition

Prior to the occupation of the houses, a scheme for reducing traffic speeds and the provision of lighting on College Way shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained for so long as the development remains in existence.

REASON

To safeguard highway and pedestrian safety, in accordance with Policy AM7(ii) of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

15 NONSC Non Standard Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

REASON

The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of any remains of archaeological importance prior to development, in accordance with recommendations given by the borough and in the NPPF and Policy BE3 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

16 NONSC Non Standard Condition

Prior to the commencement of development a plan showing the incorporation of at least 2 bat boxes on the buildings, shall be submitted to and approved in writing by the Local Planning Authority. The development must proceed in accordance with the approved plan.

REASON

To provide environmental enhancements in accordance with London Plan Policy 7.19 and Policy EC5 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

17 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).

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the

policies an	d propo	sals in the Hillin	igdon Hillir	ngdon Local	Plan	(No	oven	nber 2012) set out
below, inc	luding	Supplementary	Planning	Guidance,	and	to	all	relevant	material
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3 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).

4 I6 Property Rights/Rights of Light

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

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 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank 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 I21 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

7 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

8

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay theCommunity Infrastructure Levy on commencement of this development.

9

The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines. Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site. The findings will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further

archaeological fieldwork is likely to be necessary.

3. CONSIDERATIONS

3.1 Site and Locality

The proposed development site has an area of approximately 0.2ha and forms the north western corner of the grounds of the London School of Theology which is situated on the north side of Green Lane. The main college buildings are located to the south west of the proposed development site, with the college's main access taken from Green Lane. The proposed development site mainly comprises hard surfaced tennis courts and boundary vegetation. There is a significant change in levels across the college site, with this site occupying higher ground to the north.

Adjoining the site to the north and west are traditional residential areas. To the west of the adjoining rear garden of No. 9 Green Lane is the Grade II listed No. 7 Green Lane, The

Grange Country House and The Hall School. Beyond the more modern houses which front College Way immediately to the north of the site are houses on Dene Road which form part of an Area of Special Local Character, a designation which also includes a small corner of the college grounds further to the east. To the west of the houses on College Way is a secondary vehicular access into the college grounds taken from Dene Road, via College Way, which is not currently used. On the southern side of Green Lane, opposite the college, residential properties form part of The Glen Conservation Area. The site is covered by TPO_481.

3.2 Proposed Scheme

The proposal is for the erection of 3 two storey detached five bedroom houses with roof space accommodation, on part of the college grounds which currently provide two tennis courts, with associated access, amenity space and landscaping. The houses would incorporate an integral single garage and the accommodation in the roof would comprise a fifth bedroom and TV/Games room/possible additional bedroom.

The houses would front an extended access road and have a similar siting, scale and design. The properties would have a typical width of 9.4m and maintain a spacing between the properties of 3.1m and 4.1m between their two storey flank elevations and the houses at each end would maintain a 3m spacing to the side boundaries of the application site. The properties would have an overall two storey depth of 15.4m which includes a projecting two storey front gable. The houses would have hipped roofs, with a small crown roof element with small front and rear dormers and side rooflights and have a typical eaves height of 5.6m and ridge height of 9.05m. They would incorporate a front mono-pitched canopy over the garage and entrance door which returns along the side to cover a projecting single storey side element. At the rear, the houses incorporate single storey flat roofed additions. Access would be from College Way.

The application is supported by the following documents:

Design and Access Statement:

This describes the site and its planning history and summarises relevant planning policy and government guidance. It goes on to describe the planning history and provide a brief assessment of the impact of the proposals. It concludes by stating that this is a high quality development appropriate to the area. There are no constraints that preclude residential development on this site and the proposal satisfies all relevant criteria.

Sports Policy Advice Note:

This provides the background to the report and advises that the existing tennis courts are disused, not required for use by the school, and are not accessible by the public. It discusses consultation procedures and considers status of Sport England response to be non-statutory. However, the note goes on to advise that the applicant is committed to the principle of re-provision and enabling community access to new sporting facilities. The note then goes on to describe the policy background and the need for replacement facilities. It concludes by stating that the Council has made clear that this is an area where tennis court provision exceeds demand. Furthermore, the school do not require a replacement tennis court and any facility would be underused and a waste of resources. An alternative mitigation strategy has therefore been developed with the Council's Open Spaces Team, with the applicant providing an equivalent capital sum of replacing tennis courts or replacing existing tennis facilities within the area.

Tree Report:

This describes the methodology of the study and assesses existing trees on site.

Arboricultural Impact Assessment:

This provides the background to the proposals and assesses the impact of the development on retained trees. Its main conclusions are that no tree would need to be removed to facilitate the development and that where development does encroach upon the root protection areas of retained trees, sensitive surface construction techniques will be be required. The overall relationship between proposed buildings and trees is sustainable.

Arboricultural Method Statement:

This provides an introduction to the report and describes the phasing of operations on site and then goes on to provide a detailed description of those works.

Landscape Specification:

This provides a detailed specification for the planting works.

Ecological Appraisal:

This describes the methodology and describes the findings. It concludes that the site has minimal ecological value, mainly provided by the scattered mature trees and suggests that introducing bat boxes could be a low cast ecological enhancement of the site.

Archaeological Desk-based Assessment:

This describes the larger college site, the methodology employed and relevant planning policy. The archaeological and historical background is provided, together with an overview of past archaeological investigations and findings. The archaeological potential of the site is assessed, together with the impacts of development. It concludes by suggesting that a further programme of archaeological evaluation should be undertaken.

Letter from the School:

A letter has also been received from the school stating that they are facing financial difficulties and the land in question is a financial burden and surplus to operational requirements. They advise that the sale of the land will put the school on a more secure footing and the tennis courts are not available to the public and due to lack of use, have become dilapidated and unplayable and will continue to decline further. Through the mechanism of a S106 agreement, a substantial payment is being made to upgrading tennis facilities within the Borough which will result in significant benefits to the community given local courts at Northwood Recreation Ground are in need of modernisation. The houses would be a high quality residential development that will help the school to continue to be a vital part of the local community. The school respectfully ask that the committee approve the development.

3.3 Relevant Planning History

Comment on Relevant Planning History

Prior to the grant of a hybrid application on 14/07/09, which was subsequently renewed on

the 15/04/11 for works to the college (Refs. 10112/APP/2009/707 and 2010/2915 refer respectively), an earlier application for the work to the school also included two houses on the north western half of the current proposed development site, accessed from College Way and a new multi-use games area (MUGA) on the south eastern half (Ref: 10112/APP/2008/2564 refers). This earlier application was refused on the 3/3/09 due to the impact of the use of the MUGA and its 5 metre high fencing on the future occupiers of the new houses and that it had not been adequately demonstrated that the residential units would afford adequate amenity, particularly having regard to the need for a turning head on the site to allow vehicles to service the units, compliance with Council standards for new houses, the proximity of adjoining residential properties and the use of the MUGA, including that of the community required by Sport England.

A subsequent application on this site (10112/APP/2011/2345) for 4 x four-bedroom semidetached houses and 1 x five-bedroom detached house with associated access, parking and landscaping was withdrawn on 15/8/12.

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. Replaced by PT1.HE1 (2012)
PT1.10	To seek to ensure that development does not adversely affect the amenity and the character of the area. Replaced by PT1.BE1 (2012)
PT1.12	To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere. Replaced by PT1.EM6 (2012)
PT1.16	To seek to ensure enough of new residential units are designed to wheelchair and mobility standards. Replaced by PT1.BE1 (2012)
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	5:
NPPF1	
NPPF6	
NPPF7	
NPPF11	
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice

LPP 3.18	(2011) Education Facilities
LPP 3.19	(2011) Sports Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
EC2	Nature conservation considerations and ecological assessments
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE10	Proposals detrimental to the setting of a listed building
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.
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H5	Dwellings suitable for large families
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion

and public transport availability and capacity

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- 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
- SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008
- SPG-CS Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

159 neighbouring properties have been consulted and a notice has been displayed on site. 9 individual responses and a petition with 35 signatures has been received and received. The petition states:

'The undersigned residents would urge the Planning Committee North to reject the above applications since the proposal is;

Overdevelopment;

Out of keeping with houses already in the immediate locality;

Too close to the boundary with existing houses;

Would cause major traffic and access problems along College Way and Dene Road if permitted to use these roads during any construction.'

The individual responses make the following points:

Density

(i) 3 houses on this plot is too dense for the surrounding area where immediately surrounding houses, including those in College Way, Dene Road and Green Lane have significant gardens. Previous application for 2 houses on a slightly smaller area was rejected by planning committee in February 2009 on density grounds,

(ii) Current proposal is for 3 houses on a 0.75 acre site giving a superficial density of 0.25 acre per site but this is misleading as includes parking, pavement and turning areas. The norm locally is 0.25 acre per house, not including pavements etc. This density should be maintained if any development is to blend with neighbourhood. Most recent development approved by committee close to College Way near corner of Dene Road was for a single house on a 0.25 - 0.3 acre plot,

Character

(iii) Development must be sensitive to the local environment and in keeping with the neighbouring houses which this proposal does not do. House size and style represent a significant departure

from surrounding housing,

Proximity and screening

(iv) Side walls of houses are too close to the boundary with the gardens of the houses in College Way, which although they may possibly comply with standards, are well below the already established standards in the area which should be maintained,

(v) Proposed 3 storey houses are on land considerably higher than properties to the south west: Westwood and Green Close (7 and 9 Green Lane), from where the properties would appear bulky and intrusive and block attractive vistas, harmful to living conditions,

Impact upon listed building

(vi) 7 Green Close is a listed building dating back to c1600 and this proposal would harm its setting,

Screening

(vii) The houses could have been screened by the large trees and bushes that were on site but were removed in October 2011. Although not subject to TPOs, they were significant mature trees. Even new planting will take many years until previous situation is restored,

Loss of tennis courts

(viii) Object to demolition of tennis courts as provide important facility to students,

Service road

(ix) Service road would be situated on ground that is steeply sloping and no informations has been provided. It is therefore possible that a retaining wall would be required would could affect adjoining mature trees and be intrusive. It is also not clear how the service road would drain,

Occupation

(x) Assume the large houses are for members of the public and not the college,

Road Access

(xi) Access to these properties would be from College Way via Dene Road. This is a private road and will increase unwanted traffic which would be inconvenient within this over-developed area, resulting in road becoming dangerous and unsafe for children who use it,

(xii) There is a narrow point, adjacent to 9 College Way which restricts access. Refuse collection and recycling vehicles have to reverse into College Way as there is no realistic opportunity to turn a large vehicle once in College Way and the turn into the cul-de-sac is restricted and difficult,

(xiii) When trees cleared in October 2011, one of machines needed to be loaded onto a transporter in College Way which blocked traffic,

(xiv) In past, residents of College Way have received written undertaking from college that construction traffic would not use this road. There is an alternative route through the college grounds which could be conditioned,

(xv) Important any building work for any development on this site is totally serviced through college grounds, as any access via College Way is restricted via a narrow passage next to 9 College Way and any construction traffic will block narrow cul-de-sac and cause problems at narrow junction with Dene Road. Site can be assessed through college's property from Green Lane and school previously agreed that College Way would be used for construction traffic,

(xvi) Building works will damage private road, which is paid for by residents,

Dene Road Residents Association:

1. We fully support our College Way residents in their opposition to the development on the grounds of its scale inappropriate to the environment and will respond to application through correct channels,

2. Any building works on the London School of Theology land must be conditional on development traffic gaining access to the site only from Green Lane via the School property. Access via Dene Road (a private road with public access), is completely inappropriate due to the following:-

a. The light construction of Dene Road, a consequence of it being one of Northwood's earliest established streets from the late Victoria period,

b. The residents have recently spent £165,000 to make the road structure suitable to take the traffic levels appropriate for a local residential street. Our engineers made it abundantly clear that the road cannot be subjected to heavy plant traffic without sustaining structural damage,

c. The turning into College Way from Dene Road cannot be negotiated by heavy plant and is difficult for the 6-wheel LBH refuse vehicles,

d The narrowing entrance from College Way onto the School property gives insufficient width for the safe passage of heavy plant.

I hope that you can appreciate our concerns on this matter and would like you to add the appropriate planning conditions to the application regarding site access during the development phase.

Environment Agency:

This site is in Flood Zone 1 and is under a hectare. Therefore cell F5 of the consultation matrix applies and you did not need to consult us.

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

We recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development.

Sport England:

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.'

Reason: Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities.

Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

The application comprises the erection of three residential dwellings on some former tennis courts. The site falls within the definition of playing field land, albeit the application does not propose the loss of any grass pitches, only the two former tennis courts. The applicant has submitted a 'Sports Policy Advice Note' as part of the application which seeks specifically to address the 'loss of tennis court' issue. Within this document is a commentary stating that Sport England is not a statutory consultee to this application. I would request that this statement be disregarded as it is factually incorrect. Sport England itself and the local planning authority is best placed to determine the role of statutory consultees and the applicant is mistaken in his advice in this regard.

Notwithstanding the above, you will recall that Sport England commented on the previous application. Initially, Sport England registered an objection on the basis of the loss of the tennis courts. However, subsequent to that, further information was received from Stuart Hunt [LB of Hillingdon Green Spaces Manager] confirming a surplus of tennis courts in the area and that the local authority are keen to improve the courts at Northwood, through a financial contribution. It is understood that these courts are currently under used due to their condition.

On the basis of that information, Sport England was minded to withdraw its objection in lieu of a financial contribution towards the improvement of the tennis courts at Northwood.

As part of this current application, it is understood that a sum of monies has been agreed. That sum, as stated within the submitted 'Sports Policy Advice Note', is £30,116. From a Sport England perspective, our review remains consistent with that previously given, and we are minded to raise no objection subject to a financial contribution towards the improvement of the tennis courts at Northwood.

As such Sport England raises no objection to the proposed development subject to:

i. Confirmation from the local planning authority that the sum of £30,116 is agreeable and sufficient

ii. The successful completion of a S106 agreement securing the agreed sum and committing the local authority to spending said sum on qualitative improvements to Northwood tennis courts.

Should your Authority be minded to approve the application without an acceptable section 106 agreement or other legal mechanism in place, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG Sport England, letter of 10 March 2011, the application should be referred to the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

English Heritage (Archaeology):

The site is situated in an area where archaeological remains may be anticipated, primarily the presence of a 13th century medieval monastic grange to the immediate west of the site. Map and documentary regression shows that the Northwood area gradually developed throughout the

medieval period, although the site was likely in pasture or used as arable land for much of that period. The proposed development may, therefore, affect remains of archaeological importance.

I do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition and appropriate informative to any consent granted under this application. This is in accordance with the NPPF and local policies.

Natural England:

This application is in close proximity to Ruislip Woods Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites.

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected by this application.

Our Standing Advice Species Sheet: Bats provides advice to planners on deciding if there is a reasonable likelihood of bats being present. It also provides advice on survey and mitigation requirements.

We have not assessed the survey for badgers, barn owls and breeding birds, water voles, widespread reptiles or white-clawed crayfish. These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

Using Nature on the Map we determined that the application is not within/close to a SSSI or SAC notified for bats. We looked at the survey report and determined that it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. We determined that whilst detailed visual inspections (internal and external where appropriate) had been undertaken, no evidence of a roost was found. We determined that the application does not involve a medium or high risk building as defined in our standing advice. Thus, permission could be granted (subject to other constraints) and that the authority should consider requesting enhancements.

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 surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

Background: The site is located within the grounds of a locally listed building and adjacent to the grade II listed Grange Hall School. There is an existing tennis court on site. The residential area to the immediate vicinity of the site is characterised by large detached dwellings set within spacious gardens.

There have been previous planning refusals and subsequent pre-application discussions re the proposed development.

Comments: The scheme proposes three detached dwellings. The proposed residential dwellings, the footprints are considered large and tight on the boundaries with each other. Given the site's location off the main road and its limited visibility from the surrounding area, the proposed scale and layout would be considered optimum and acceptable in this instance.

The proposed design reflect the 1920s Arts and Crafts architectural style established in the area with features such as the front porch, chimneys, windows and steeply pitched roofs. The appearance of the new dwelling would, therefore, be coherent with the neighbouring areas and would be acceptable.

Given the width of the properties, the design would result in small crown roofs. Whilst not ideal, these would not be visible from main street frontages and as such would be acceptable in this instance.

Conclusion: New houses acceptable with following conditions:

1. Samples of materials to be submitted prior to works on site.

2. All windows should be in timber and details of the fenestration should be submitted at prior to works on site.

3. Details of front porch: columns and brick piers etc should be submitted prior to works.

4. Boundary treatment and landscaping should also be subject to further condition.

HIGHWAY OFFICER:

Each of the proposed 3 dwellings will have a garage and parking within the front curtilage, which is considered adequate. The garages will be of generous width, allowing for cycle parking as well.

It is noted that the access road adjacent to No. 9 College Way leading to the proposed development is narrow and without any provision for pedestrians to walk and/or take refuge. The access road is relatively straight without any speed reduction features, which should be provided and covered by way of a condition. In addition the access road should be adequately lit and drained, which should also be covered by of condition(s).

The applicant has submitted swept path analysis, showing a 10.5m long refuse vehicles can access and egress the site in a forward gear. However, due to the narrow width of the access road, the refuse vehicle will be required to move slowly.

College Way is a private road. Therefore it is the developer's responsibility to ensure that suitable arrangements for access, including construction traffic over College Way are in place before commencing works on site. Likewise, any damage to this private road is also a matter between the owners/management of College Way and the developer.

In light of NPPF and on balance, the proposals are not considered to merit refusal on highways ground.

TREE/LANDSCAPE OFFICER:

The site, which is accessed from College Way, forms part of the sloping grounds of the London School of Theology (LST). The trees and grounds provide a high quality, open, parkland setting to the school.

There are many trees close to this site. Several of those trees in the grounds of the school are subject to tree preservation order number 481 (TPO 481). Most of the trees are, in terms of Saved Policy BE38 of the UDP, landscape features of merit that constrain the development of the site. In relation to the same policy, there is also scope and space on the site for landscaping and tree planting, which should reflect the parkland character of the local landscape and reinforce the vegetation/buffer between the site and neighbouring residential properties.

The revised application contains a comprehensive package of tree-related and landscaping details, including a tree survey report, arboricultural implications assessment (AIA), tree protection plan (TPP) and details of tree protection, and a method statement (AMS) (based on the recommendations of BS 5837:2012), landscaping proposals and specification, and details of levels and services.

The latest revised scheme has been designed to protect all of the existing trees close to the site and to provided landscaping and tree planting that reflects the existing landscape and parkland setting of the school and reinforces the existing buffers.

Subject to conditions RES8 [modified to require that (a) no site clearance works or development shall be commenced until the protective fencing has been erected in accordance with the approved details, and (b) the implementation of the approved tree protection measures and all works in full accordance with the approved method statement and relevant details], RES9 [modified to require (a) the implementation of the approved details of landscaping, (b) the submission and approval of details of landscape maintenance, and (c) that the landscaping shall be maintained in full accordance with the approved details], and RES10, the revised application is acceptable in terms of Saved Policy BE38 of the UDP.

ACCESS OFFICER:

The revised plans are now acceptable.

S106 OFFICER:

The planning obligations sought from this scheme and deemed necessary to make the scheme acceptable in planning terms are:

1. Tennis Court Re-provision: a financial contribution in the sum of £30,116.50

2. Education Contribution: a financial contribution in the sum fo £38,389

3. Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The London School of Theology and its grounds have no specific planning designation and are therefore considered to form part of the 'developed area'. As such there would be no objection in principle to a residential use, subject to normal development control criteria.

Of critical importance in this respect are the existing tennis courts on the site. Policy R4 of

the Hillingdon Local Plan (November 2012) advises that proposals involving the loss of land used (or land last used) for recreational open space, including private or school playing fields, will not normally be permitted, with the supporting text advising that an assessment would need to be made, having regard to any local deficiency of accessible open space, the suitability of the site for other types of open land uses and the ecological, structural and other functions of the open space. Policy R5 advises that proposals which involve the loss of land or buildings used (or last used) for outdoor and indoor sports uses (amongst other leisure uses) will not be permitted unless adequate, accessible alternative facilities are available.

The grounds of the college are not publicly accessible. Furthermore, this is not an area that is deficient in open space (London Borough of Hillingdon Open Space Strategy Issue No. 3 dated 9/7/11). As such, it is considered that no objections can be raised to the scheme in terms of Policy R4. Furthermore, as a S106 contribution of £30,116.50, based on quotes for necessary re-furbishment/improvement works for the tennis courts on Northwood Recreation Ground is being offered, the scheme does make alternative provision for tennis court provision that would be likely to be of greater benefit to the wider community. On this basis, the scheme is supported by the Council's Green Spaces Team and Sport England do not raise objection to the scheme.

7.02 Density of the proposed development

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

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 2, 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.

Taking the site parameters into account, and using the largest average unit size (3.8 - 4.6 hr/u), the matrix recommends a density of 35-65 u/ha and 150-250 hr/ha. This proposal equates to a density of 15 u/ha and 180 hr/ha, which is below the Mayor's recommended unit density guidance. However, in this locality, the predominant character of the surrounding area comprises low density residential development and it is considered that a higher unit density, more in accordance with the Mayor's guidelines would not be appropriate.

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

Policy BE3 of the Hillingdon Local Plan (November 2012) advises that sites of archaeological interest are investigated and recorded before development and development which destroys important remains will not be permitted.

The application is accompanied by a Archaeological Desk-based Assessment which advises that the site does have archaeological potential and concludes by suggesting that a further programme of archaeological evaluation should be undertaken.

English Heritage (Archaeology) advise that a condition should be attached to any approval, requiring that further investigatory work is carried out.

The proposed houses would be sufficiently remote from the Dene Road Area of Special

Local Character and The Glen Conservation Area on the opposite side of Green Lane so that the character and appearance of these areas would not be unduly affected.

The proposed houses would be sited some 35m from the curtilage of No. 7 Green Lane, separated from this listed property by the width of the curtilage of No. 9 Green Lane and screened by existing mature trees on the boundary. With such a relationship, it is not considered that the proposal would harm the setting of the adjoining listed building.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposed houses would be sited on land adjoining existing residential development which currently forms part of the grounds of the college, and be sited at the end and fronting an extended College Way. Furthermore, the houses would mainly be sited on the levelled ground which accommodates the tennis courts and therefore the proposal does not involve any significant alteration to existing ground levels. As such, the siting of the houses would not appear unduly conspicuous from surrounding roads.

Also of importance is the impact of the houses upon the parkland setting of the college buildings. Although the proposed houses would be sited in the north western corner of the site, the nearest property would still be sited close (approximately 13m away) to the nearest college building (The Guthrie Centre) to the south east. However, this separation distance is similar to the existing relationship of the main college building with the nearest residential property in Firs Walk to the north. Furthermore, the scheme has been designed, with the grouping of trees in the rear garden and 1.2m high wood and rail fencing with hedging behind along the rear garden boundaries that will help to soften the residential curtilages and help to visually assimilate the gardens into the parkland setting. It is therefore considered that a refusal of permission could not be justified on the encroachment and impact on the college's parkland setting, given the existing relationship of surrounding residential development.

The houses would be sited close to their side boundaries, as compared to some of the more traditional surrounding residential properties, but they would still be set back by some 1.5m from their side boundaries and maintain gaps of 3.1m and 4.1m between their facing two storey side elevations, which accords with Policy BE22 of the Hillingdon Local Plan (November 2012) and would allow views between the houses to the college grounds beyond.

The houses are considered to be well proportioned and detailed, having an appropriate 1920s Arts and Crafts styling, with features such as front canopy/porch, decorative chimneys and steeply pitched roofs. Although the use of crown roofs is not ideal, the flat roof element has been kept to a minimum and given the siting of the houses, the properties would not be visible from main street frontages. On this basis, the Council's Urban Design/Conservation Officer advises that the appearance of the new dwellings would harmonise with neighbouring areas and would be acceptable, subject to details of the materials being submitted.

7.08 Impact on neighbours

The nearest residential properties to the proposed houses are Nos. 7 and 9 College Way and No. 9 Green Lane.

As regards Nos. 7 and 9 College Way, the flank wall of the nearest proposed property would be sited some 26m from the rear wall of a rear conservatory at No. 7 and 25m from the main rear elevation of No. 9. These distances would satisfy the Council's minimum 15m separation distance and are considered to be broadly compatible with the more generous separation distances between properties and the overall spacious character of the surrounding area. The only loss of sunlight would be to the end of the rear gardens of adjoining properties in College Way, areas which are already overshadowed by existing boundary vegetation, particularly during the summer months.

As regards loss of privacy, it is only the rear patio at No. 9 Green Lane that would potentially be directly overlooked by first floor habitable room windows, but at over 30m away, this property and its rear patio area would be sufficiently remote to retain its privacy, particularly as there are a number of mature trees that would screen its rear garden.

As such, it is considered that the scheme complies with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

The proposed houses would have in excess of 300 sq. m of internal floor area which would satisfy the London Plan floor space standards for new development.

All the habitable rooms would have an adequate outlook and natural lighting to provide adequate amenity for future occupiers. First floor en-suite and bathroom windows have been conditioned to be obscure glazed to prevent mutual overlooking and a typical cross section plan shows the side rooflights positioned 1.7m above finished floor level to prevent loss of privacy. The scheme has also been amended so that access onto the flat roof of the rear addition is prevented and a condition has been added to restrict use of the flat roof area that would result in a loss of privacy to neighbouring properties.

The areas of rear amenity space range from 220sqm on Plots 2 and 3 to 250sqm on Plot 1 which satisfies the Council's 100sqm minimum standard for a 4 bedroom plus house.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed houses would each have an integral garage with internal dimensions of (5.4 m x 3.3 m) and the driveway in front to park an additional car. This level of off-street parking satisfies adopted car parking standards. The garages would also allow cycles to be securely stored.

The Council's Highway Engineer advises that the access road adjacent to No. 9 College Way leading to the proposed development is narrow and without any provision for pedestrians to walk and/or take refuge. Furthermore, the access road is relatively straight without any speed reduction features, which should be provided and covered by way of a condition. In addition the access road should also be adequately lit and drained, which should also be covered by condition(s).

The officer goes on to advise that the applicant has submitted swept path analysis, showing a 10.5m long refuse vehicles can access and egress the site in a forward gear. However, due to the narrow width of the access road, the refuse vehicle will be required to move slowly.

College Way is a private road. Therefore it is the developer's responsibility to ensure that suitable arrangements for access, including construction traffic over College Way are in place before commencing works on site. Likewise, any damage to this private road is also a matter between the owners/management of College Way and the developer.

The Highway Engineer concludes that in light of NPPF and on balance, the proposals are not considered to merit refusal on highway grounds.

7.11 Urban design, access and security

A security by design condition has been added.

7.12 Disabled access

The scheme has undergone a number of revisions based upon the Access Officer's advice. The Access Officer confirms that the revised scheme is fully compliant with the relevant Lifetime homes standards and raises no further concerns.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan (November 2012) requires development proposals to retain and utilise topographical and landscaper features of merit and provide new planting and landscaping where necessary.

The Council's Tree/Landscape Officer advises that the site forms part of the sloping grounds of the college and that the trees and grounds provide a high quality, open, parkland setting to the school.

Furthermore, the officer advises that there are many trees close to this site, several of which in the grounds of the school are subject to tree preservation order number 481 (TPO 481). It is considered that most of the trees are, in terms of Policy BE38, landscape features of merit that constrain the development of the site. There is also scope and space on the site for landscaping and tree planting, which should reflect the parkland character of the local landscape and reinforce the vegetation/buffer between the site and neighbouring residential properties.

The Tree/Landscape Officer is satisfied with the package of tree information that has been submitted in the revised application which allows a proper assessment of the proposals to be made.

The officer concludes that the latest revised scheme has been designed to protect all of the existing trees close to the site and to provided landscaping and tree planting that reflects the existing landscape and parkland setting of the school and reinforces the existing buffers. In particular, the garden boundaries adjoining the retained college grounds at the rear would be marked by 1.2m high wooden post and rail fencing with hedging behind which will help soften the boundaries.

Subject to conditions, the Tree Officer advises that the scheme is acceptable in terms of Policy BE38 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

No specific issues are raised by the proposed scheme.

7.16 Renewable energy / Sustainability

A condition has been attached to ensure that the houses satisfy Level 4 of the Code for Sustainable Homes.

7.17 Flooding or Drainage Issues

The application site is not within an area at risk of flooding. A sustainable drainage condition has been attached.

7.18 Noise or Air Quality Issues

No specific noise or air quality issues are raised by this application.

7.19 Comments on Public Consultations

As regards the comments raised by the petitioners, these have been dealt with in the main report. In terms of the points raised by individuals, (i), (iii) - (ix) and (xi - xvi) have been dealt with in the main report. As regards point (ii), the access road still contributes to the general openness of the area and if the area of the access road is excluded from the density calculation, the scheme would have a density of 19, still well below the Mayor's density guidelines. As regards point (x) the housing would be for members of the public and not the college.

7.20 Planning Obligations

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

Should the application be approved, a number of planning obligations would be sought to mitigate the impact of the development. These include a £30,116.50 contribution for tennis court re-provision, an education contribution of £38,389 and a project management and monitoring sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).

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

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no other relevant planning issues on this site.

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 college grounds do not have any specific designation and are not publicly accessible. The S106 contribution towards alternative provision of the tennis courts is considered acceptable to mitigate the loss of the existing courts. On this basis, the Council's Green Spaces Team are supportive of the proposals and Sport England do not raise an objection.

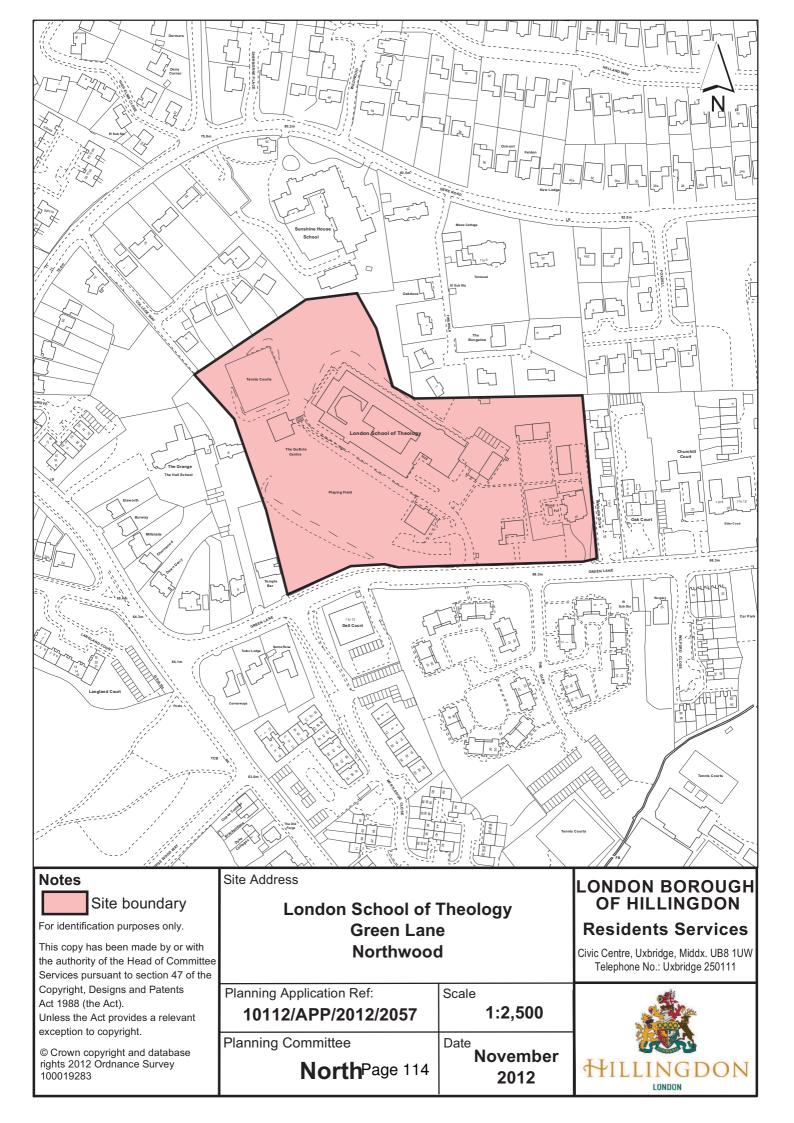
It is considered that the siting, scale and design of the houses is acceptable and the layout would safeguard existing trees and respect the parkland setting provided by the college grounds. Furthermore, the houses would not adversely affect the amenities of surrounding residential occupiers and would provide adequate amenities for their future occupiers. Vehicular access on College Way and Dene Road, which are private roads, although not ideal is acceptable for residential, servicing and construction traffic. The overall package of S106 contributions, which includes an education contribution is considered to be commensurate with the scale of development and the scheme is therefore recommended for approval.

11. Reference Documents

National Planning Policy Framework (March 2012) London Plan (July 2011) Hillingdon Local Plan (November 2012) HDAS: Residential Layouts HDAS: Accessible Hillingdon Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Agenda Item 11

Report of the Head of Planning & Enforcement Services

Address 8-10 LONG LANE ICKENHAM

Development: Installation at roof level of 6 telecommunications antennae shrouded within 3 replica 'dummy' chimneys and 2 associated equipment cabinets

LBH Ref Nos: 68864/APP/2012/2744

Drawing Nos: 200 Rev. A 100 Rev. A 201 Rev. B 300 Rev. A 301 Rev. B 400 Rev. B Design and Access Statement General Background Information for Telecommunications Development Supplementary Information Cornerstone: Supporting Technical Information - Coverage Plots Cornerstone Consultation Plan ICNIRP Clarification Statement Covering Letter dated 31 October 2012

Date Plans Received:05/11/2012Date(s) of Amendment(s):

Date Application Valid: 05/11/2012

1. SUMMARY

The applicant seeks approval for the installation of six 2m high telecommunications antennae shrouded within three replica 'dummy' chimneys on the roof of 8-10 Long Lane, along with two associated equipment cabinets. The installation is required in order to provide continued 2G and 3G coverage within the Ickenham area as the operator (Vodafone UK Limited) has been asked to vacate an existing site at The Douay Martyrs School, Edinburgh Drive.

The proposed ancillary equipment cabinets will not impact on the character of the Ickenham Village Conservation Area as they would not be visible from the street. The six antennae will be located within three 'dummy' chimneys which would be painted to match the existing brickwork and will be similar in appearance to neighbouring chimneys. It is considered that the scheme would not have a detrimental impact on the Ickenham Village Conservation Area.

The proposed scheme complies with Policies BE4, BE13, BE15 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012). It is therefore recommended that planning permission is granted.

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

100 Rev A Site Location Maps
200 Rev A Existing Site Plan
201 Rev B Proposed Site Plan
300 Rev A Existing Site Elevation A
301 Rev B Proposed Site Elevation A
400 Rev B Antenna/Equipment Layout

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 Local Plan: Part 2 - Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 HO4 Materials

The GRP shrouds hereby permitted shall be painted to match the existing brickwork and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

Any apparatus or structure provided in accordance with this permission shall be removed from the land, as soon as reasonably practicable after it is no longer required for electronic communications purposes, and such land, shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing with the Local Planning Authority.

REASON

To ensure that the development is removed as soon as it is no longer required in order to protect the character and appearance of the area in accordance with Policies BE4, BE13 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

INFORMATIVES

1152Compulsory 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 Local Plan: Part 2 - Saved UDP Policies (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE4	New development within or o	on the fringes of conservation areas

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE37 Telecommunications developments siting and design

3 115 **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 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the roof of 8-10 Long Lane on the corner of Long Lane and Swakeleys Road with a service road located in front of the site. The application site is located within a shopping parade with retail units on the ground floor and two storey residential units above, along with a service yard to the rear. 12 and 12A Long Lane are located south of the site next to the access road to the service yard. 6 and 6A Long Lane are located north-east of the site. The application site is located within the Ickenham Village Conservation Area as identified in the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012).

3.2 **Proposed Scheme**

The proposed scheme is to install six 2m high telecommunications antennae onto the roof of 8-10 Long Lane (8.6mm above ground level (AGL)) which will be shrouded within three replica 'dummy' chimneys (two antennae each) which would be painted to match the

existing brickwork. The top of the 'chimneys' will be 3.46m above the upper roof level. The scheme also includes the installation of two associated equipment cabinets (dimensions of approximately $1.3 \times 0.9m \times 1.6m$ high) on the roof of an outbuilding at the rear of the site (2.60m above ground level) along with an electrical meter cabinet. The antennae are required in order to provide continued 2G and 3G coverage within the Ickenham area as the operator (Vodafone UK Limited) has been asked to vacate an existing site at The Douay Martyrs School, Edinburgh Drive.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no previous planning history on this site.

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.HE1 (2012) Heritage
- PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.

Part 2 Policies:

- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE37 Telecommunications developments siting and design

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 19th December 2012
- **5.2** Site Notice Expiry Date:- Not applicable

10th December 2012

6. Consultations

External Consultees

Consultation letters were sent to 8 local owner/occupiers, Ickenham Residents Association and the Ickenham Conservation Area Panel. A site notice was also displayed. Two responses were received from neighbours and the Ickenham Residents Association commenting as follows:

i) Owner of flat not notified of proposed roof installation by applicant/agent - would consider them as trespassing should they just turn up if planning permission is given;

ii) The rainwater should run across our roof (No. 6) on to 8 Long Lane and then 10 and exit at the end. The proposed chimneys and equipment cabinets would create a small "dam" on the edge of our roof and water will sit on top of our property without properly draining away and over time cause damage;

iii) Health impact from strong radio frequencies;

iv) Chimneys impact on conservation area - would look incongruous on the flat roof;

v) Access to the rear of the property is from a very small alley where residents keep their cars. Any vans attempting to drive down it would block access for the residents and their vehicles;

vi) The site is inappropriate and we would oppose any such application.

Internal Consultees

CONSERVATION OFFICER:

This is an attractive terrace, three storeys in brick, with retail units at the ground floor and flats/storage space on the upper floors. The terrace is located at the heart of the Ickenham Village Conservation Area, and makes positive contribution to the village centre.

The scheme proposes telecommunication antennae to be installed on the roof. These would be shrouded to appear as chimneys which are considered appropriate to the appearance of the terrace. As such, these would not appear intrusive to the architectural quality of the terrace or the street scene of the wider conservation area. The proposed cabinets would not be visible from the street scene and there would be no objections to the same.

CONCLUSION: No objections.

Highways: No objection.

Trees/Landscape:

The site is occupied by a retail unit within the shopping parade at the junction of Swakeleys Road and Long Lane. The front elevation faces directly onto the public footway and there is a service yard, with vehicle access and staff parking to the rear of the buildings. There are no trees or other landscape features of merit which might constrain development. The site lies within the Ickenham Village Conservation Area.

The proposal is to install telecommunications antennae at roof level shrouded with three replica 'dummy' chimneys and two associated equipment cabinets to be located on the roof of the single-storey extension to the rear of the building.

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 significant landscape features will be affected by the proposal.

 \cdot The cabinets to the rear of the building will be viewed as part of the functional character of the rear service yard.

 \cdot The visual effect of the dummy chimneys is difficult to assess based on the information presented. However, their effect on the appearance of the building and the character of the area should be assessed by colleagues in the Conservation team.

· There is no space or opportunity for landscape enhancement in this urban location.

RECOMMENDATIONS: No objection and, in this case, no need for landscape conditions.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that telecommunications developments will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas. The policy also states that permission for large or prominent structures will only be granted if:

(i) there is a need for the development in that location;

(ii) no satisfactory alternative means of telecommunications is available;

(iii) there is no reasonable possibility of sharing existing facilities;

(iv) in the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure; and

(v) the appearance of the townscape or landscape is not seriously harmed.

The applicant has had to vacate an existing site (The Douay Martyrs School, Edinburgh Drive) and has therefore had to identify a suitable site within the area to maintain the existing level of 3G coverage, as shown on the submitted coverage plots. The applicant has carried out a study of alternative sites within the area and has demonstrated that no preferable alternative locations are available or acceptable.

The applicant has proposed the use of shrouding around the antennae in the form of 'dummy' chimneys in order to reduce the visual impact of the development on the Ickenham Village Conservation Area. It is considered that the proposed scheme will not have a detrimental impact on the character and appearance of the Ickenham Village Conservation Area.

The proposed scheme therefore complies with Policy BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

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

The application site is located within the Ickenham Village Conservation Area. The six 2m high antennae will be located within three replica 'dummy' chimneys (two antennae each). They would be painted to match the existing brickwork and will be similar in appearance to neighbouring chimneys. Two of the 'chimneys' will be located behind the 0.86m high parapet along the front of the property (facing onto Long Lane), one to the south-east and one to the north-west (approximately 9m apart). The third 'chimney' will be located 5m

behind the north-western 'chimney'. The top of the 'dummy' chimneys will be 3.46m above the upper roof level.

The Council's Conservation Officer considers that the installation of six antennae in three 'dummy' chimneys on the roof would be acceptable and the chimneys would not appear intrusive in terms of the architectural quality of the terrace or on the appearance of the Ickenham Village Conservation Area. The proposed ancillary equipment cabinets are acceptable as they would not be visible from the street scene, and so will not impact on the character of the Ickenham Village Conservation Area.

It is considered that the installation of six antennae within three 'dummy' chimneys and the associated equipment would not have a detrimental impact on the character and appearance of the Ickenham Village Conservation Area. The proposed scheme therefore complies with Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

No response was received from the Ministry of Defence. It is considered that the proposed scheme will not have an impact on airport safeguarding.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The application site is located within the Ickenham Village Conservation Area. The applicant seeks to install six antennae within three replica 'dummy' chimneys onto the roof of 8-10 Long Lane. The associated equipment cabinets would not be visible from the street and are acceptable.

It is considered that the 'dummy' chimneys will provide adequate screening of the proposed antennae which would reduce the visual impact of the proposed development. The Conservation Officer considers that the chimneys would not appear intrusive to the character and appearance of the Ickenham Village Conservation Area. It is therefore considered that the proposed scheme will not cause significant harm to the character and appearance of the Ickenham Village Conservation Area. The proposed development thereby complies with Policies BE13 and BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The development will be installed on the roof of 8-10 Long Lane located within a parade of ground floor shops with residential flats above. There have been two objections received from owners and occupiers of the residential flats. Concern was raised over the possible impact the installation would have on roof drainage. The 'chimneys' will be fixed to two 1m wide steel grills supported on plinths. It is considered that the 'chimneys' would not cause significant harm to drainage of the upper roof. Therefore, it is considered that the proposed antennae and associated development will not have a detrimental impact on those living in surrounding residential properties.

7.09 Living conditions for future occupiers

Not applicable to this 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. Concern was raised over vans blocking resident access to the service yard at the rear of the site. The operator would require access to the service yard during installation and for maintenance of the equipment. It is considered that any disruption to accessibility of the

service yard would be minimal. The Council's Highways Engineer considers the scheme to be acceptable.

7.11 Urban design, access and security

The telecommunications antennae need to be of a sufficient height to achieve adequate clearance of surrounding clutter in order to provide the required coverage to the area. The roof of 8-10 Long Lane varies in height from 2.60m AGL (outbuilding) at the rear to 3.40m AGL (lower roof level) to 8.64m AGL (upper roof level) at the front (facing onto Long Lane). The antennae will therefore be located on the higher part of the roof in order to achieve adequate clearance.

The antennae will be located within three GRP shrouds painted to match the existing brickwork in order to reduce the visual impact on the Conservation Area. The Council's Conservation Officer considers that the shrouds would not appear intrusive in terms of the architectural quality of the terrace. The two equipment cabinets would be coloured grey and located to the rear of the site and will not be visible from Long Lane. The proposed development is therefore considered to be acceptable in its siting, design and scale.

7.12 Disabled access

Not applicable to this application.

- 7.13 Provision of affordable & special needs housing Not applicable to this application.
- 7.14 Trees, Landscaping and Ecology

Not applicable to this application.

- **7.15** Sustainable waste management Not applicable to this application.
- 7.16 Renewable energy / Sustainability Not applicable to this application.
- 7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Three responses were received during the public consultation raising a number of concerns. The Council considers that in relation to point i), the correct ownership certificate was served. Points ii), iii), iv), v) and vi) are considered elsewhere in the report.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Health:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commissions for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The applicant seeks approval for the installation of six 2m high telecommunications antennae shrouded within three replica 'dummy' chimneys on the roof of 8-10 Long Lane, along with two associated equipment cabinets. The installation is required in order to provide continued 2G and 3G coverage within the Ickenham area as the operator (Vodafone UK Limited) has been asked to vacate an existing site at The Douay Martyrs School, Edinburgh Drive.

The proposed ancillary equipment cabinets will not impact on the character of the lckenham Village Conservation Area as they would not be visible from the street. The six antennae will be located within three 'dummy' chimneys which would be painted to match the existing brickwork and will be similar in appearance to neighbouring chimneys. It is considered that the scheme would not have a detrimental impact on the lckenham Village Conservation Area.

The proposed scheme complies with Policies BE4, BE13, BE15 and BE37 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Chapter 5 of the National Planning Policy Framework (March 2012). It is therefore recommended that planning permission is granted.

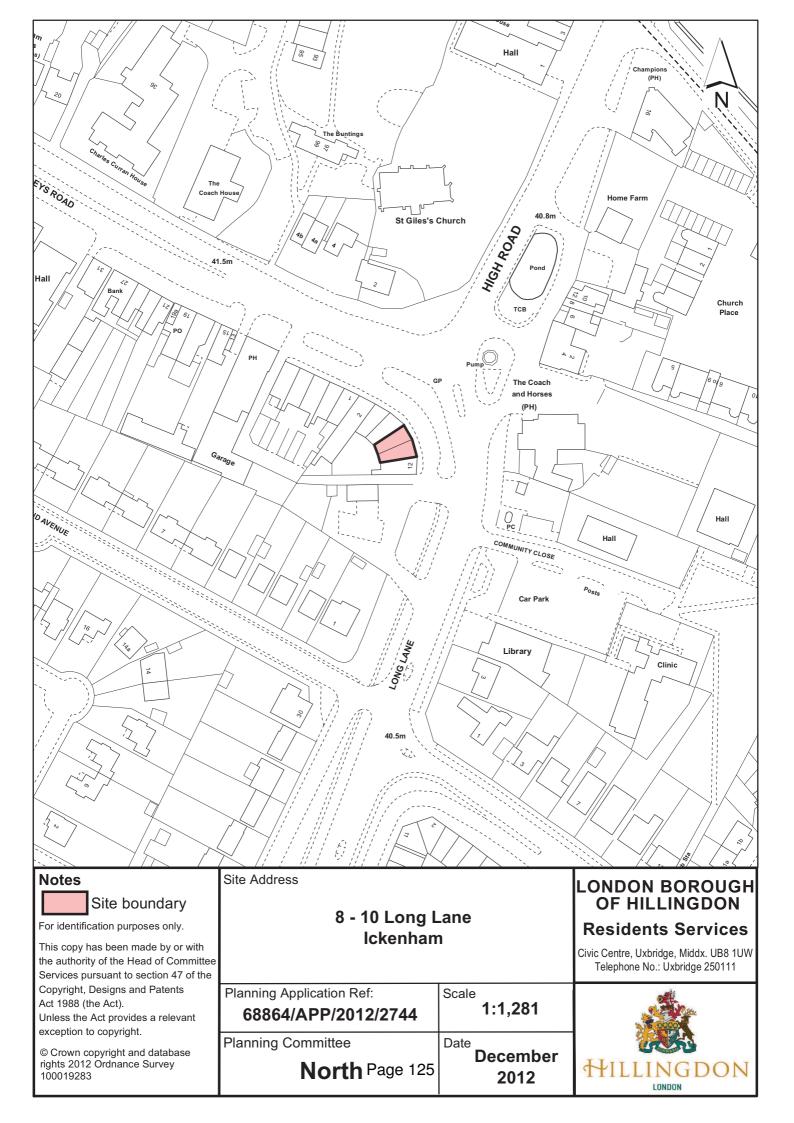
11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) National Planning Policy Framework (March 2012)

Contact Officer: Katherine Mills

Telephone No: 01895 250230



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Agenda Item 12

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Annex

Plans for North Planning Committee 3rd January 2013





www.hillingdon.gov.uk Page 145

Report of the Head of Planning & Enforcement Services

Address FORMER RAF WEST RUISLIP HIGH ROAD ICKENHAM

Development: Erection of 55 tailored care living units (extra care accommodation) with communal facilities and car parking (variation of 38402/APP/2008/2733) and the erection of 25 retirement living (category ii type) sheltered apartments with communal facilities and car parking.

LBH Ref Nos: 38402/APP/2012/1033

Date Application Valid: 30/04/2012 21/05/2012 07/12/2012 07/12/2012 17/10/2012 11/10/2012 29/06/2012 11/12/2012	Date Plans Received:	20/04/2012	Date(s) of Amendment(s):	30/04/2012
	Date Application Valid:	30/04/2012		07/12/2012 17/10/2012 11/10/2012 29/06/2012



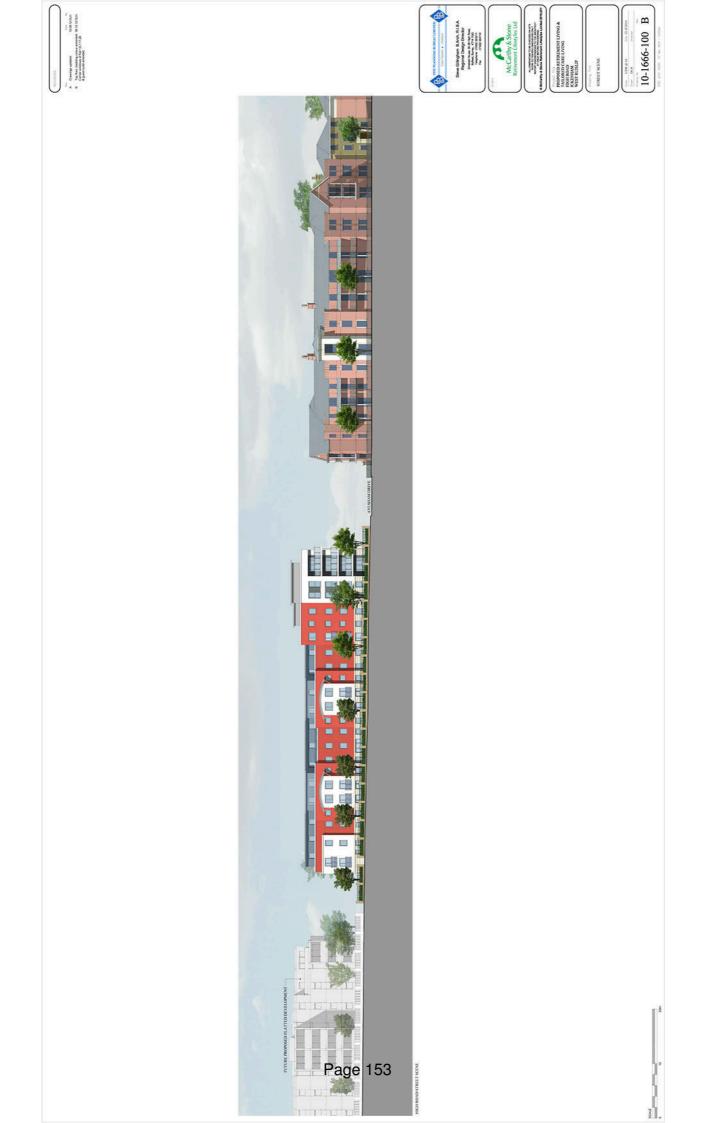






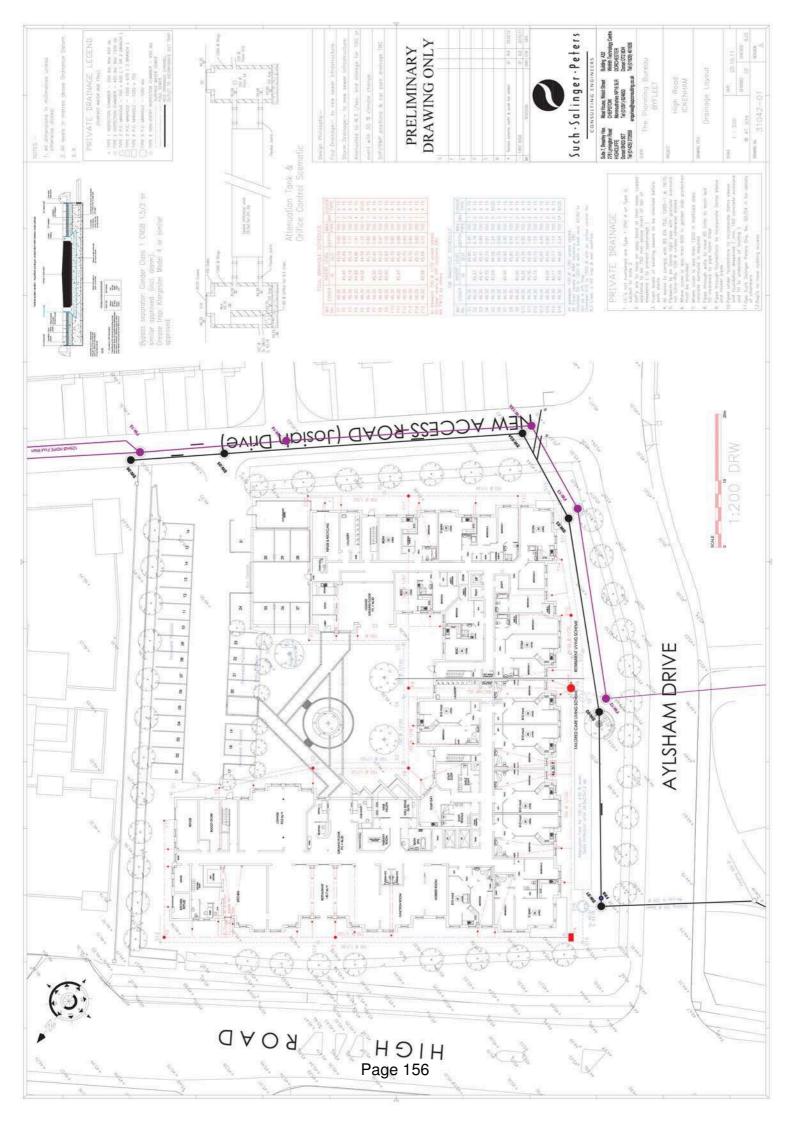


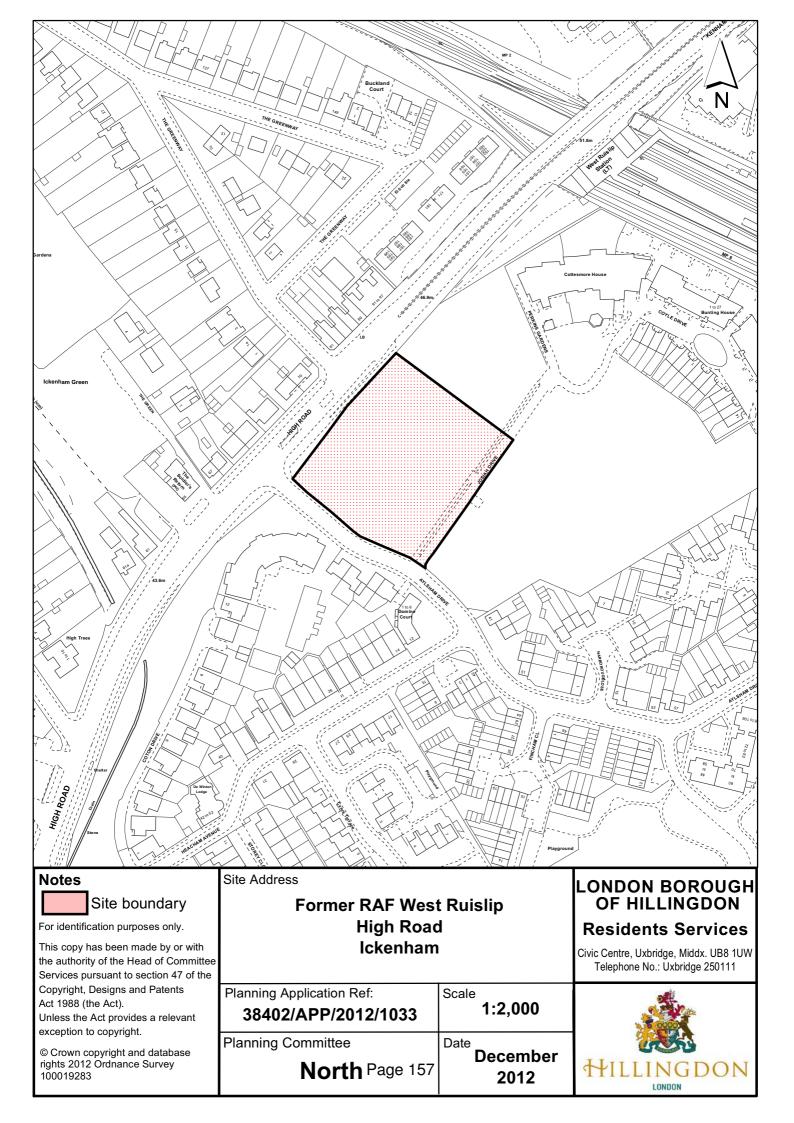










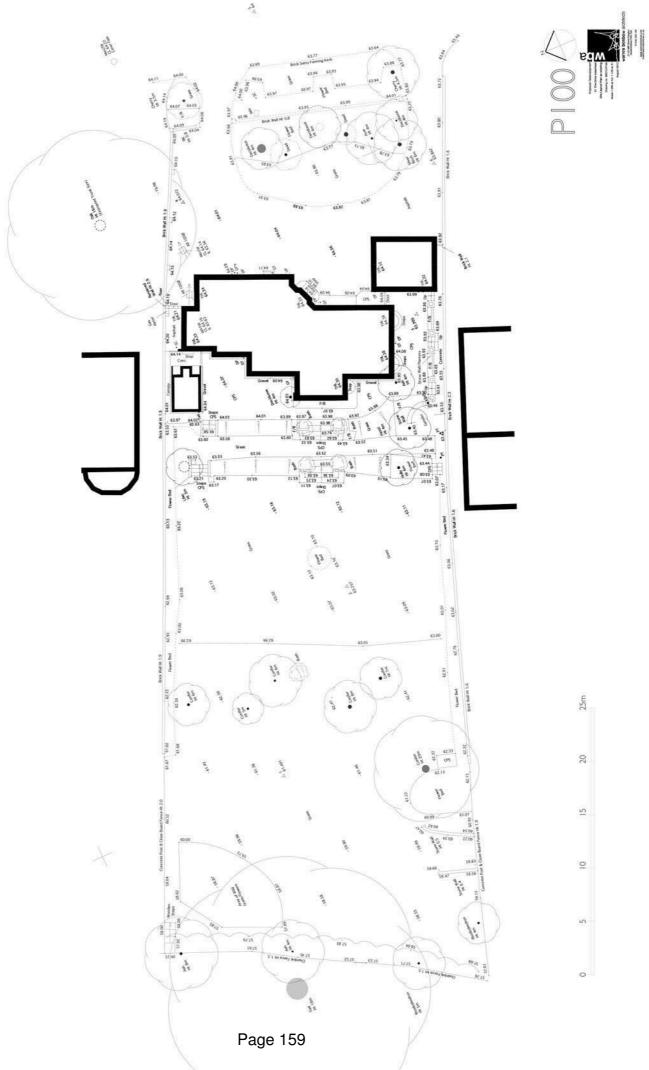


Address 51 THE DRIVE ICKENHAM

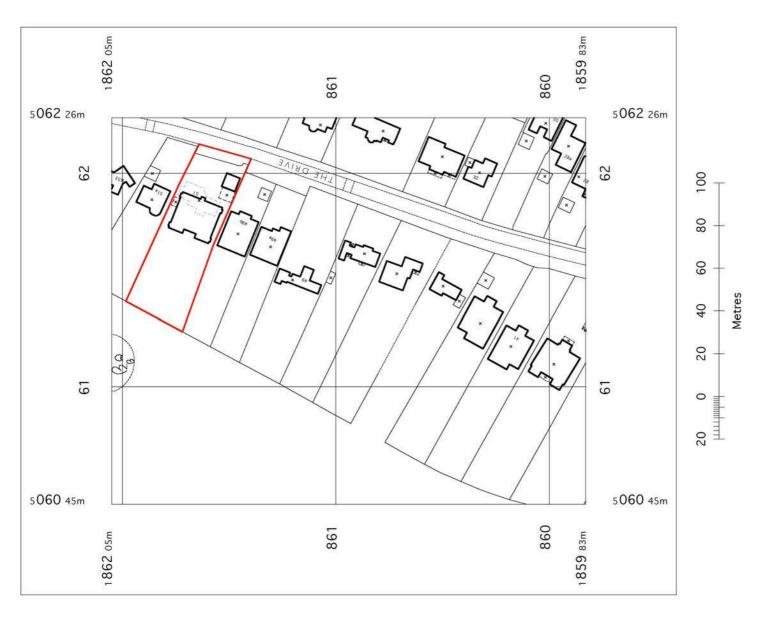
Development: Two storey building with habitable roofspace to create 5 x self-contained flats with associated parking and landscaping and installation of vehicular crossover, involving demolition of existing detached dwelling

LBH Ref Nos: 21977/APP/2012/2194

Date Plans Received:	06/09/2012	Date(s) of Amendment(s):	21/09/2012
Date Application Valid:	24/09/2012		06/09/2012
			20/12/2012
			30/11/2012

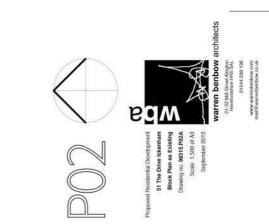






Revisions A 2009.12 Road name added

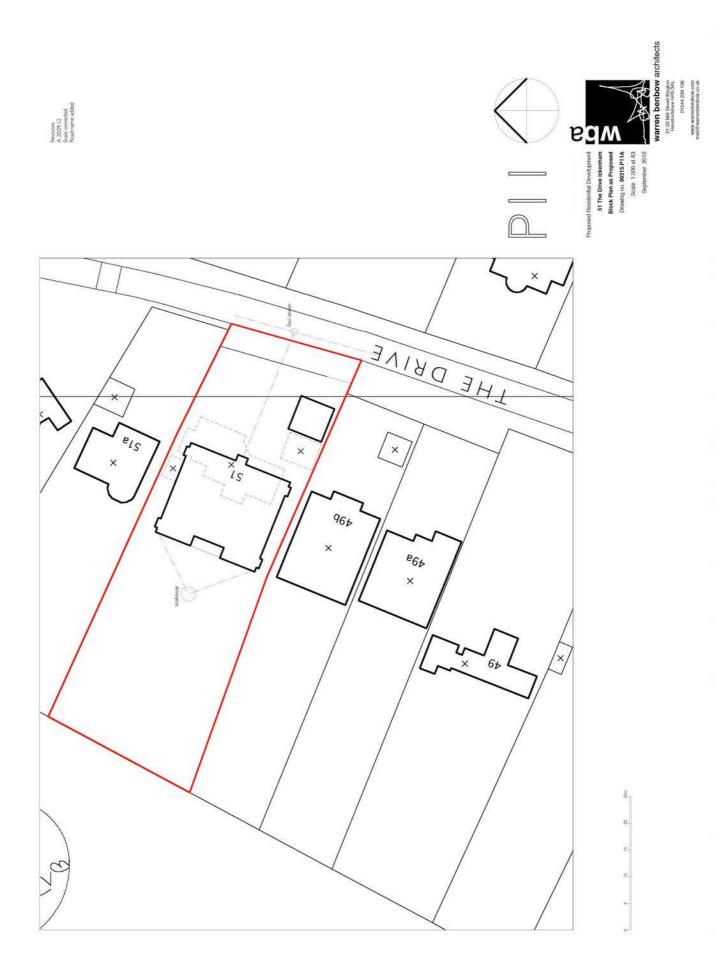




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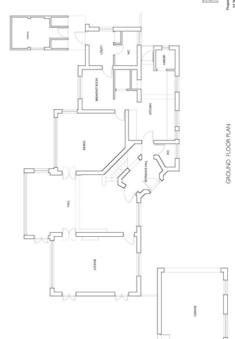


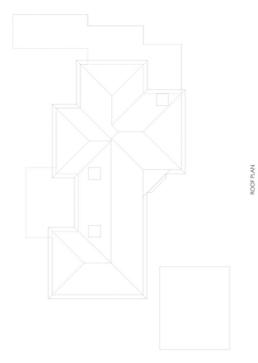


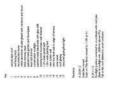




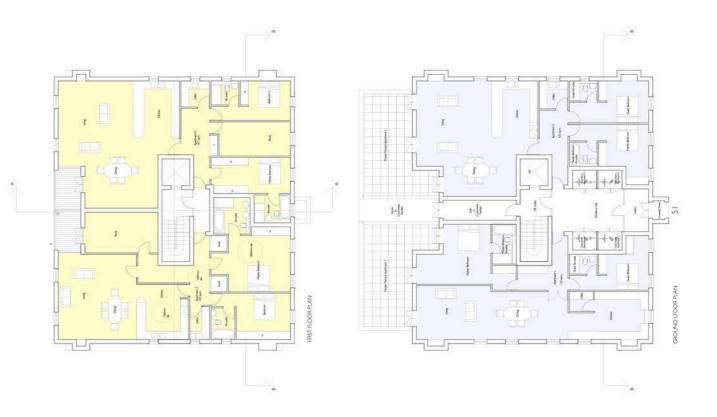


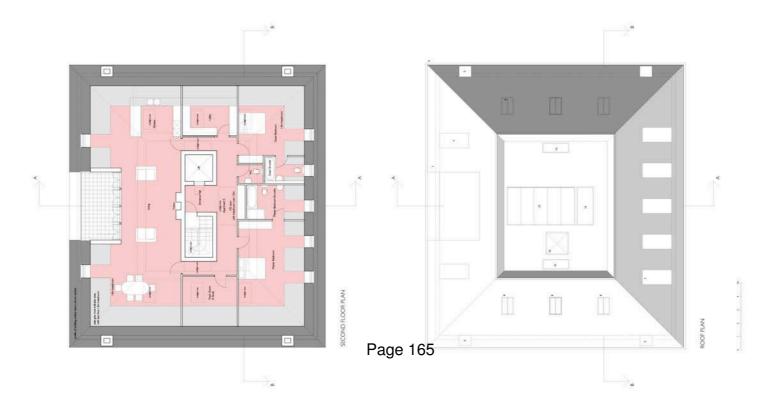






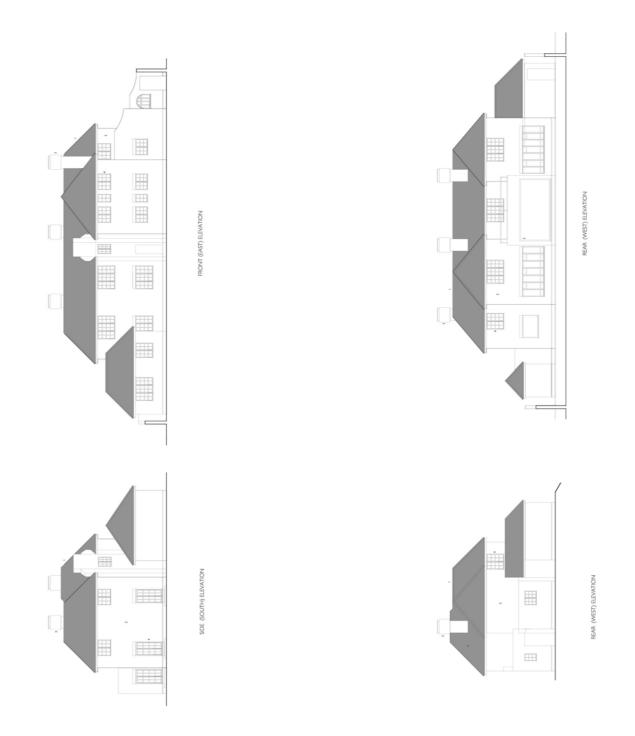




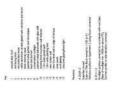




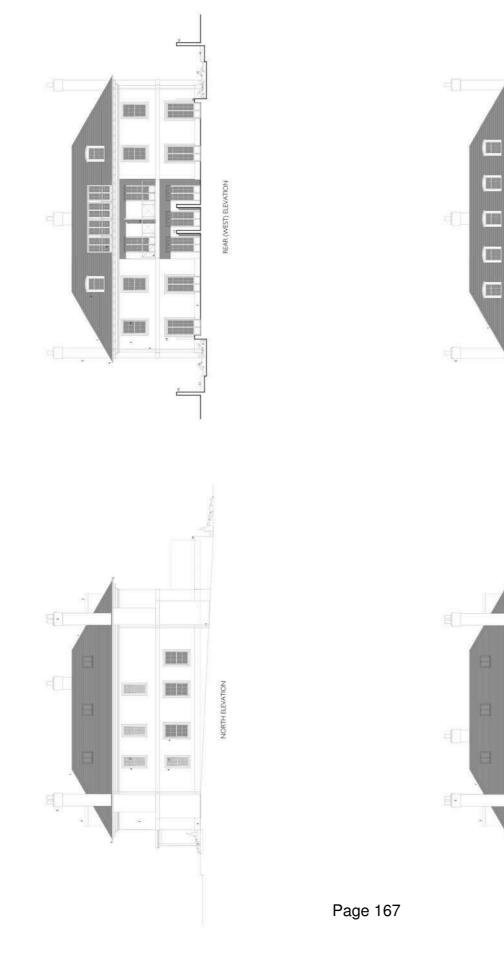




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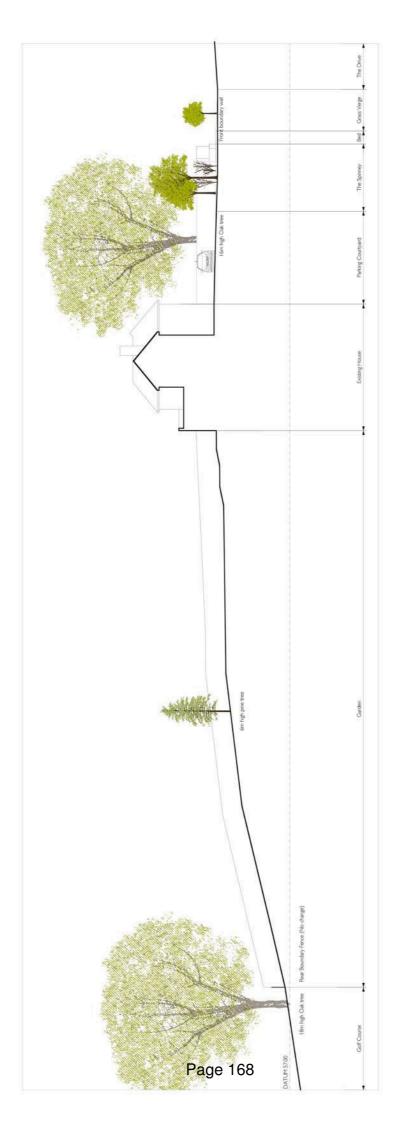
FRONT (EAST) ELEVATION

And the Party of t

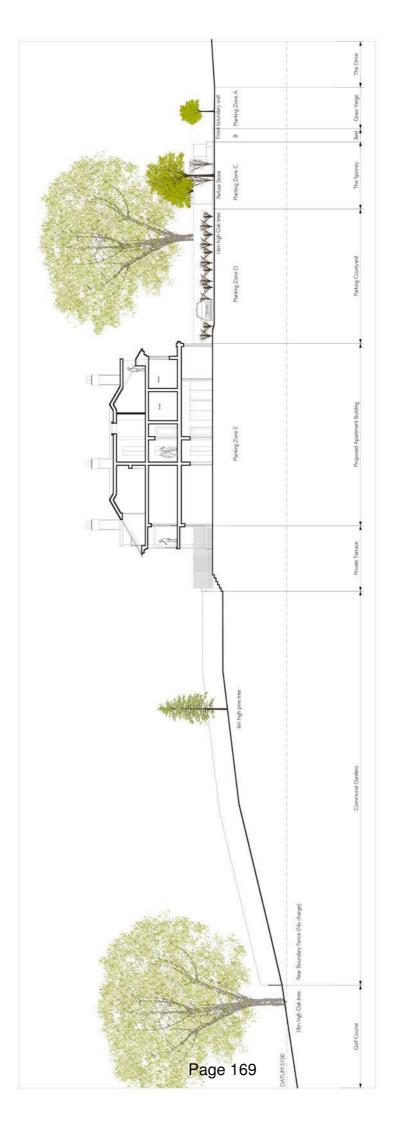
SOUTH ELEVATION

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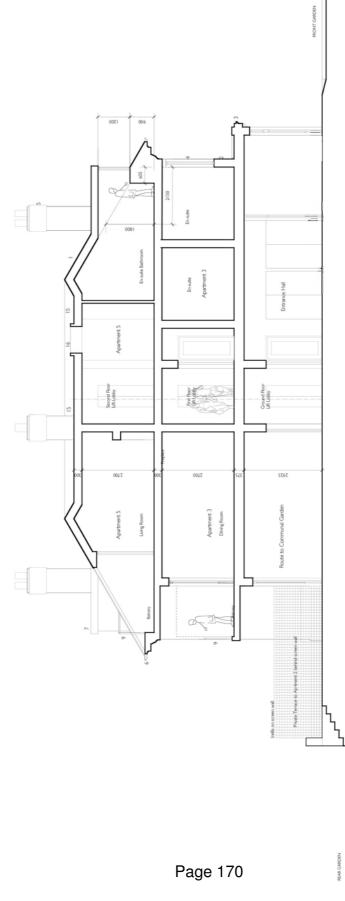


242 A Street Kingdon architects 21-22 Mil State Kingdon Herefordstine HIS 3AL 01544 239 136 www.warrenbow.co.dk

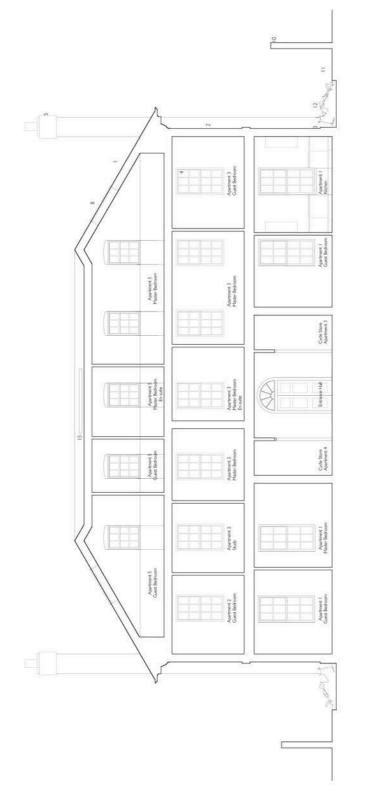


SITE SECTION A - A

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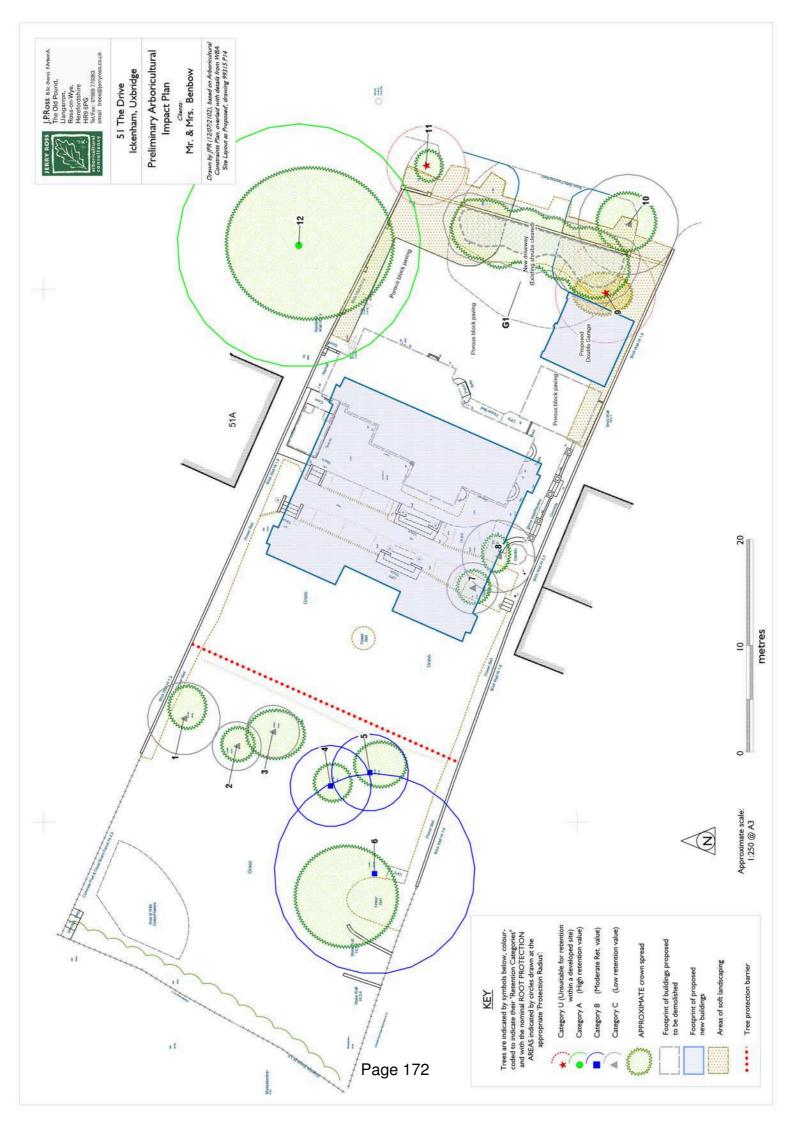


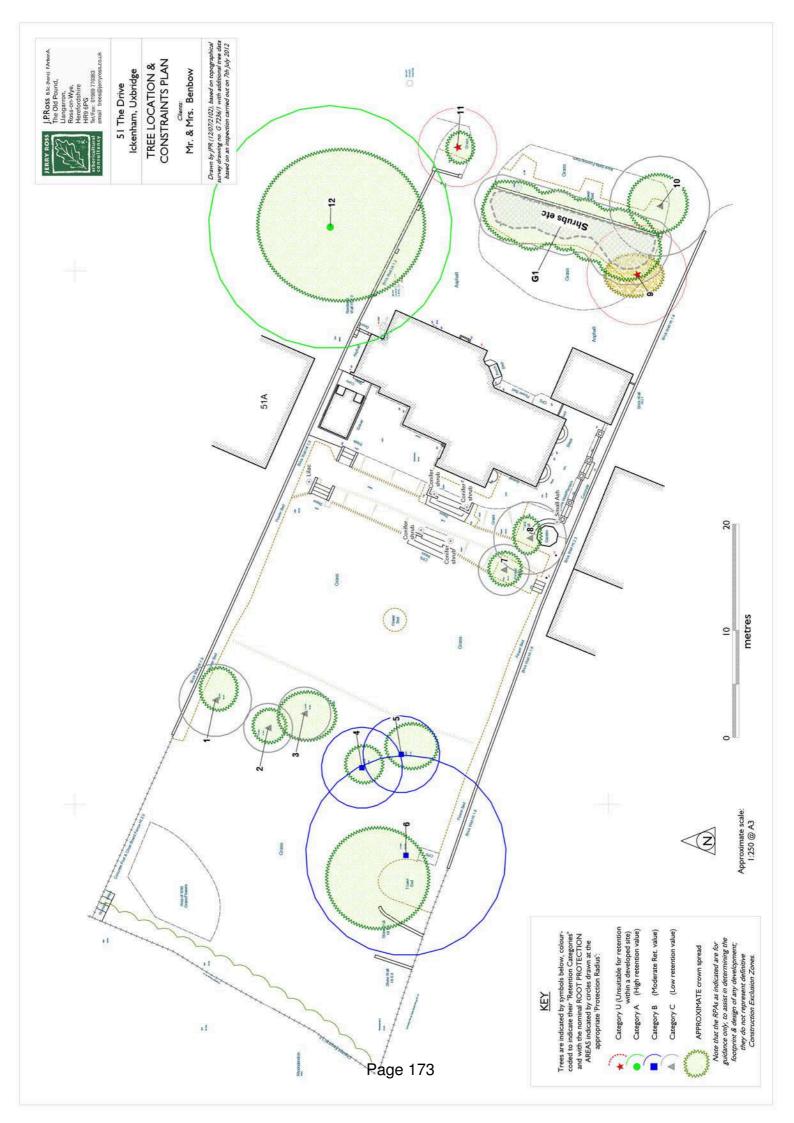
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16 roof guarge 17 obscared guargefored light	<u> </u>	new low level wall to edge of terrace
	212	roof glazing obscured glazingfioed light



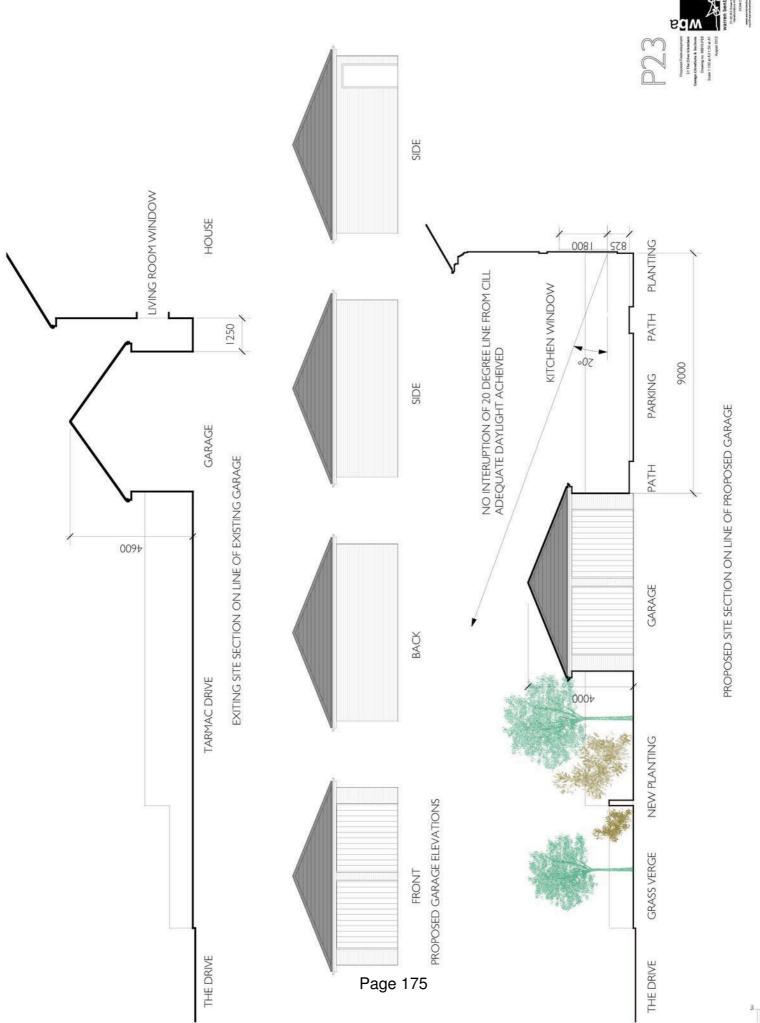


SITE SECTION B -B









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BIN STORE ELEVATION WITH PERGOLA ROOF

PROVISION IS THEREFORE TWICE ESTIMATED VOLUME OF WEEKLY WASTE

2 × 170 UTRES =340 UTRES 3 × 240 UTRES= 720 UTRES TOTAL 1060 UTRES= 1 EUROBIN (CAPACITY 1100 UTRES)

REFUSE CAPACITY BASED ON 2 NO. 2 BEDROOM FLATS 3 NO. 3 BEDROOM FLATS

LONGWOOD



CEDAR BOARDED CIRCULAR ENCLOSURE 100MM WIDE BOARDS WITH 50MM GAPS

I.8m HIGH

ENCLOSURE SIZED TO TAKE 2 NO. 1100 LITRE EUROBINS 1 FOR GENERAL HOUSEHOLD WASTE 1 FOR RECYCLING

recycling Eurobin waste

Eurobin general waste

0.0921

0.021

PAVED AREA FOR REFUSE STORAGE AND RECYCLING

Ø 3600

150.0 990.0 150.0 990.0 150.0

PERSPECTIVE SKETCH

TIMBER BOARDING TO BE PLANTED WITH HONEYSUCKLE AND HOLLY

Page 176

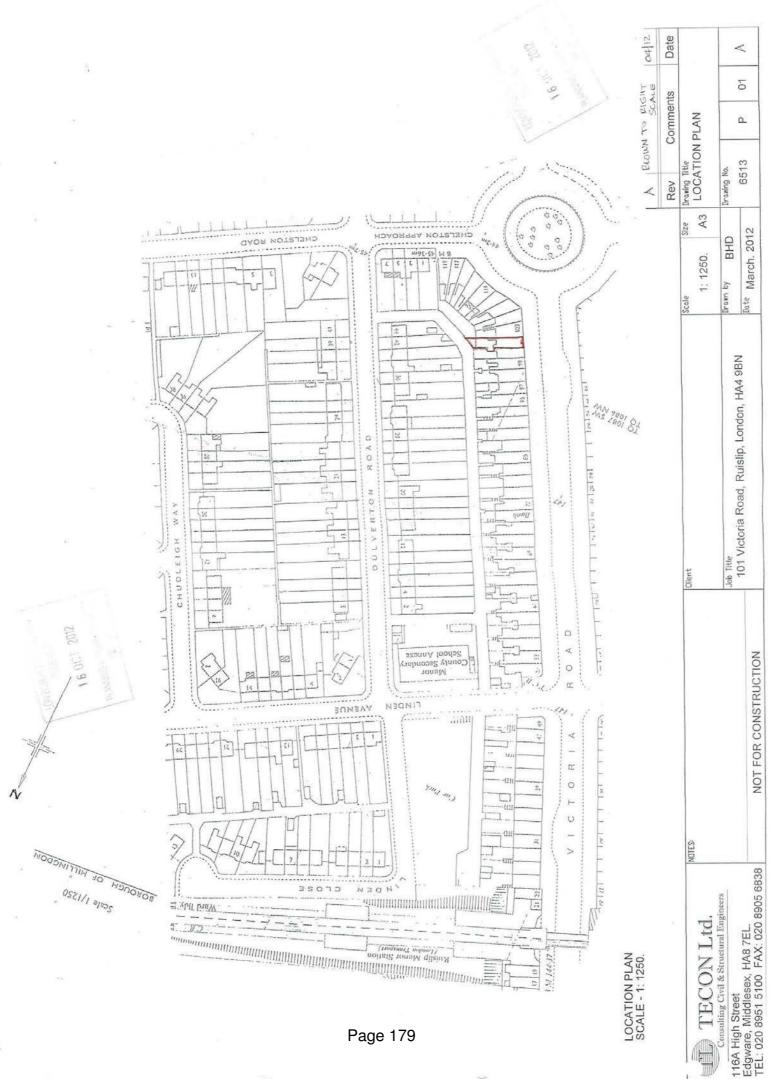
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Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.	Planning Application Ref: 21977/APP/2012/2194	Scale 1:1,250	
© Crown copyright and database rights 2012 Ordnance Survey 100019283	Planning Committee North Page 177	Date November 2012	

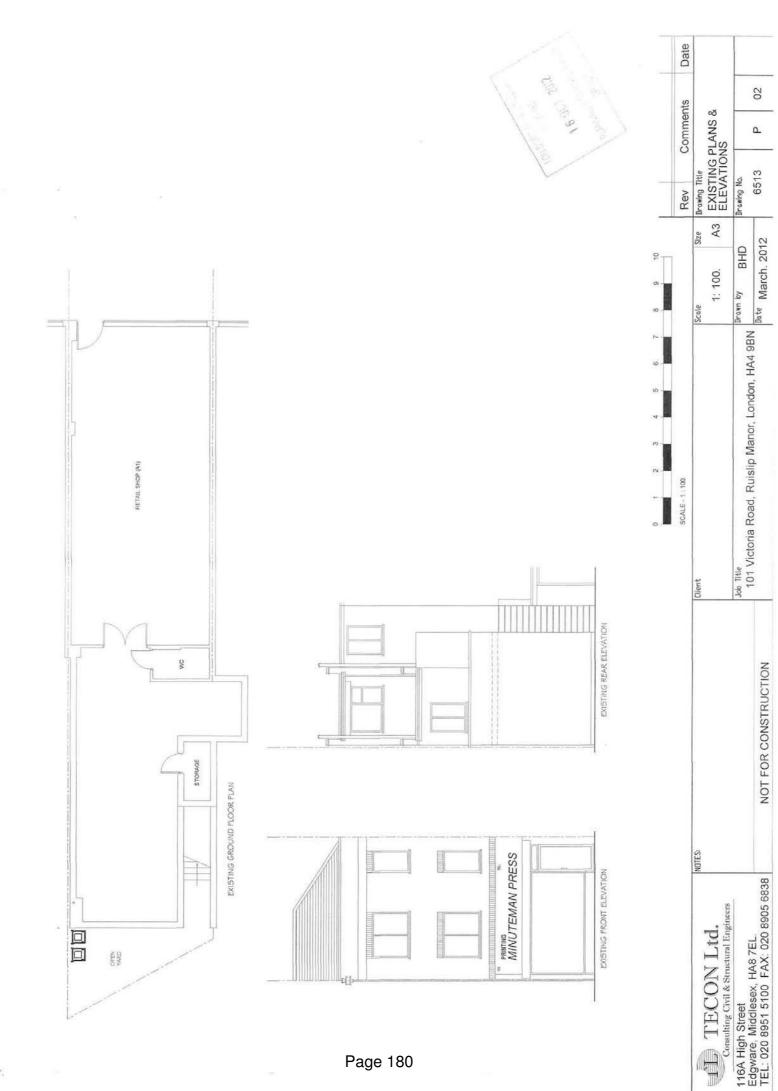
Address 101 VICTORIA ROAD RUISLIP

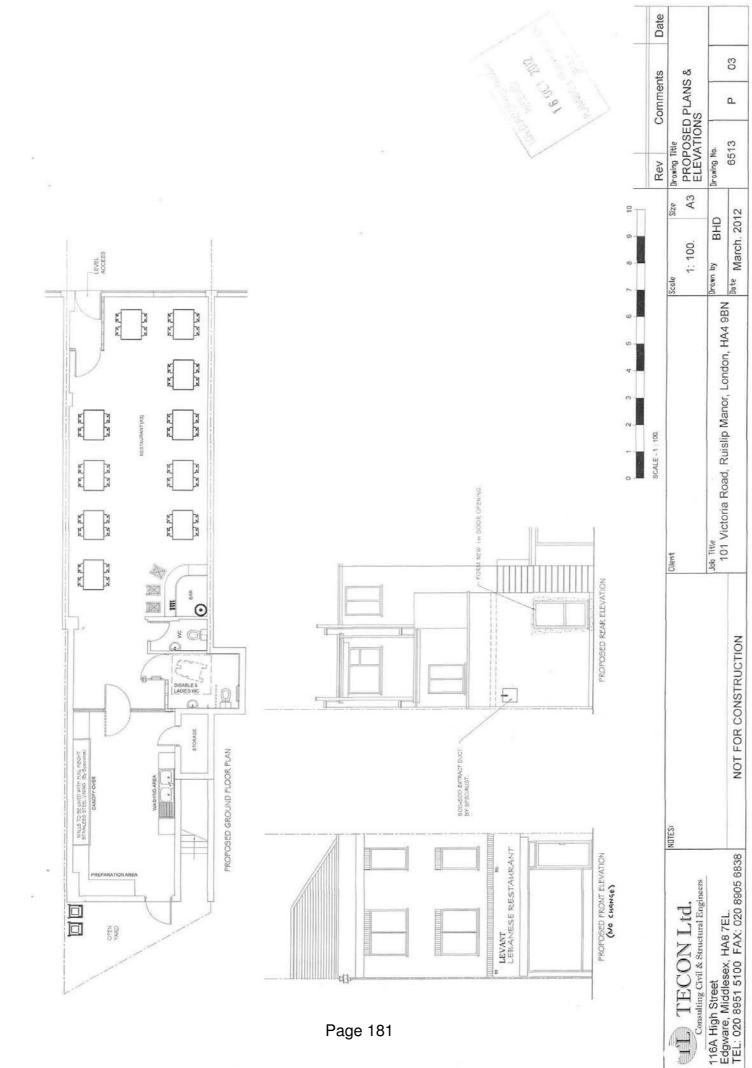
Development: Change of use of ground floor from retail (Use Class A1) to restaurant/cafe (Use Class A3) involving installation of extract duct to rear and new door to rear

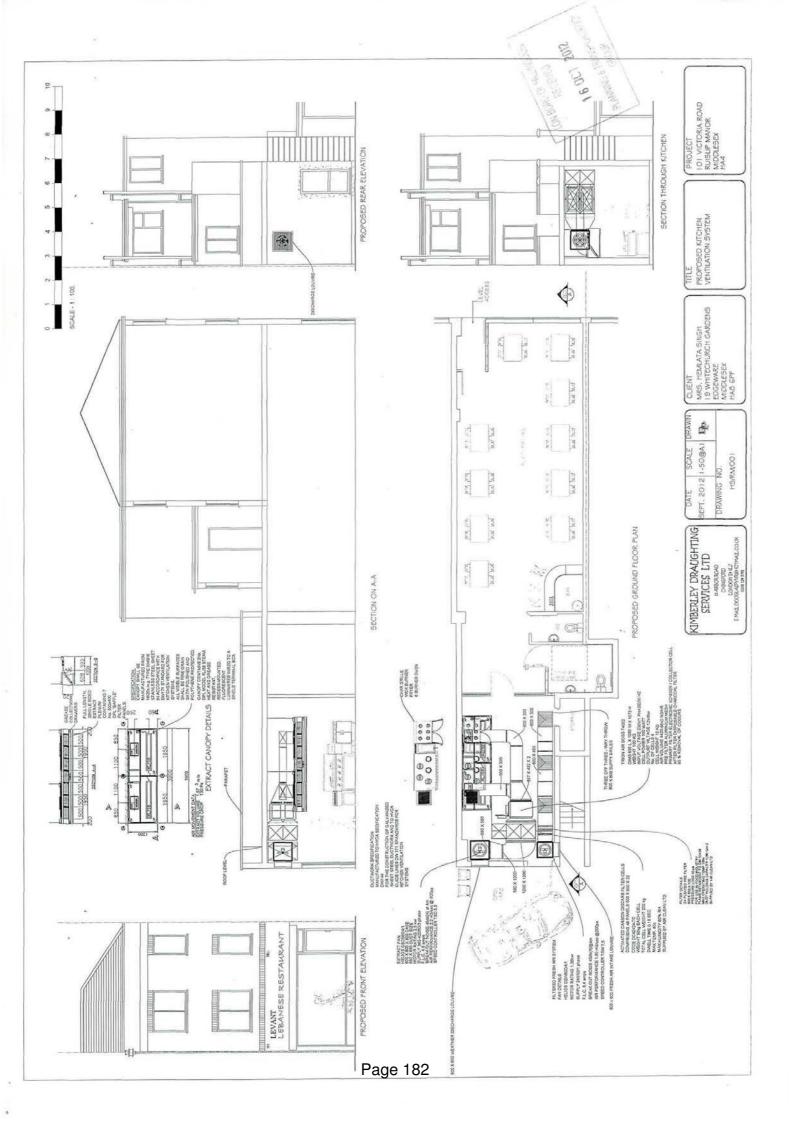
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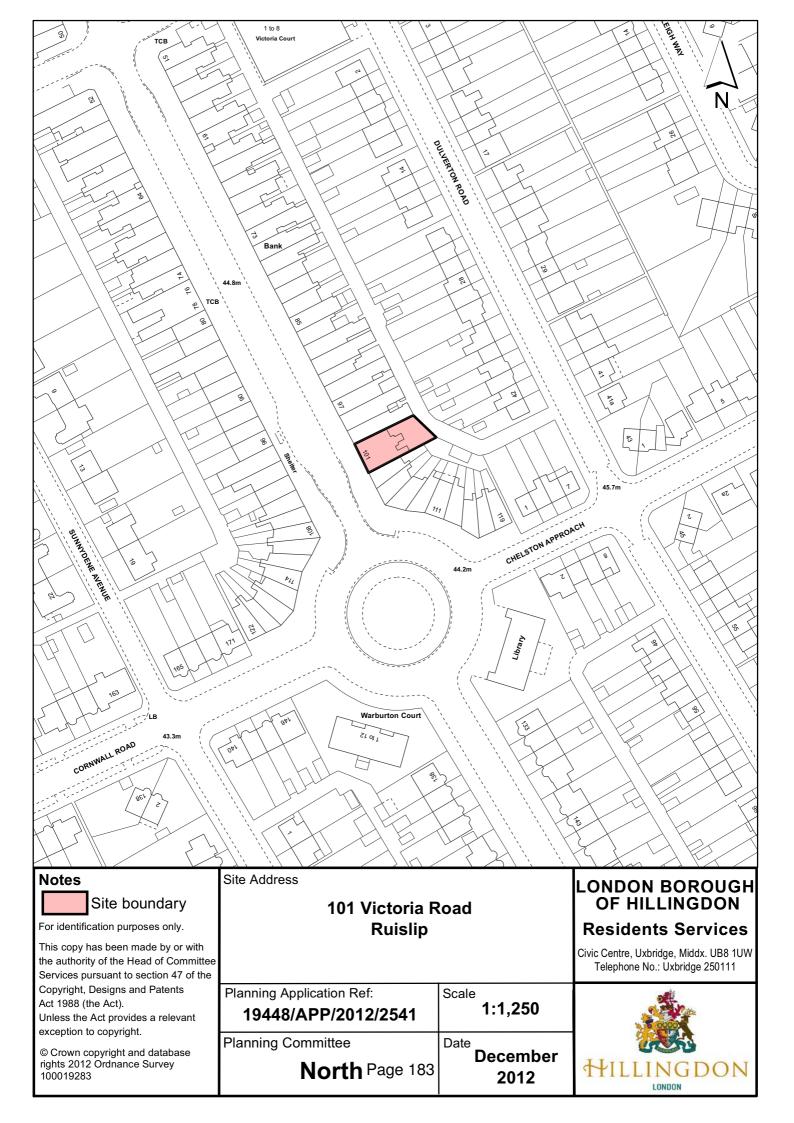
Date Plans Received:16/10/2012Date(s) of Amendment(s):Date Application Valid:16/10/2012









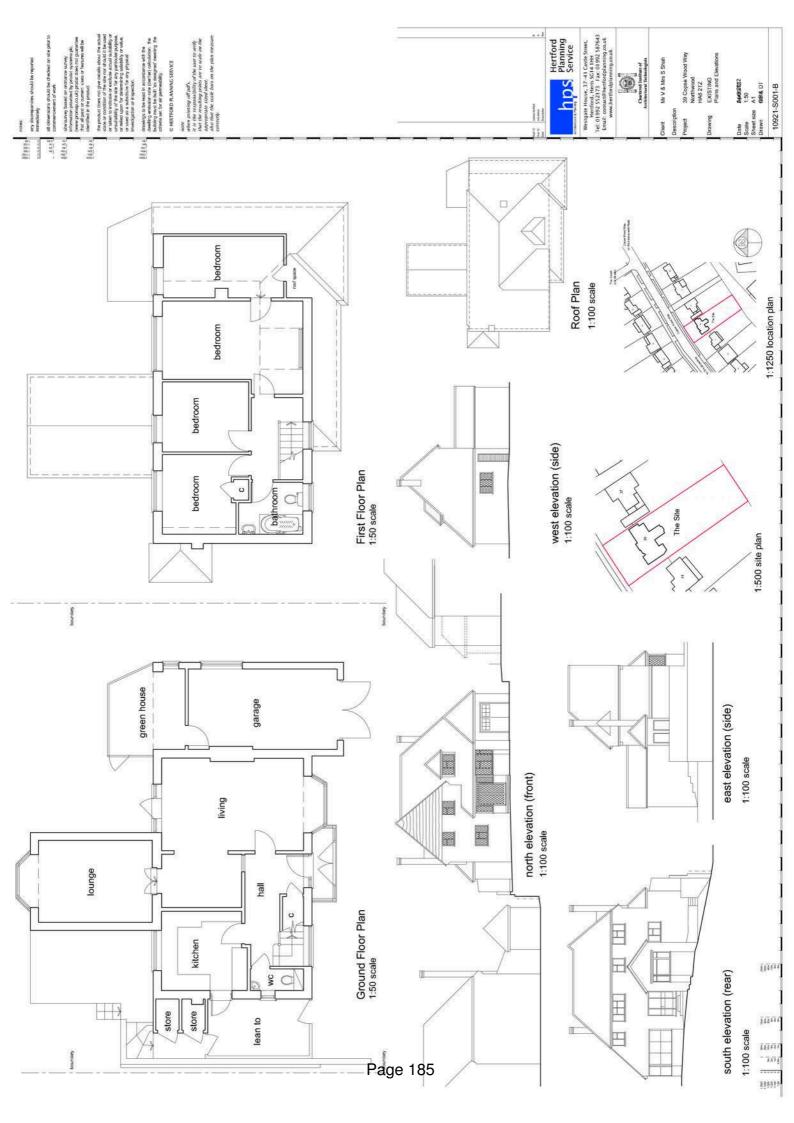


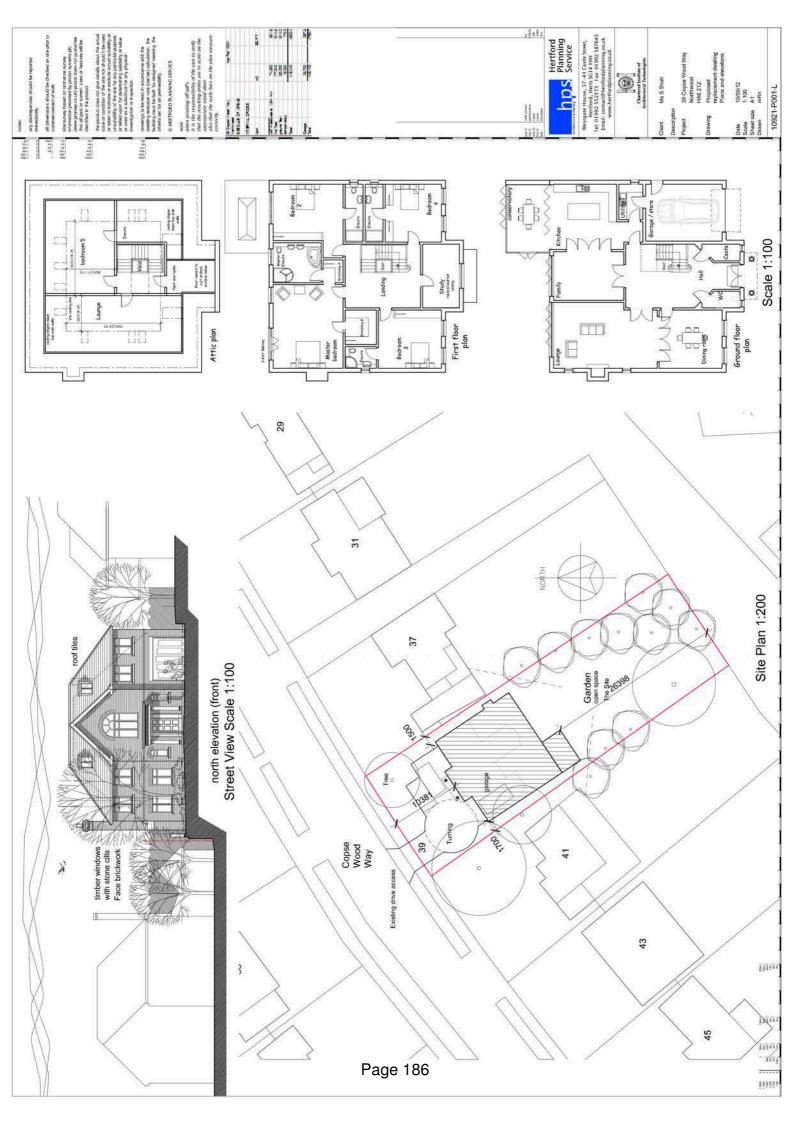
Address 39 COPSE WOOD WAY NORTHWOOD

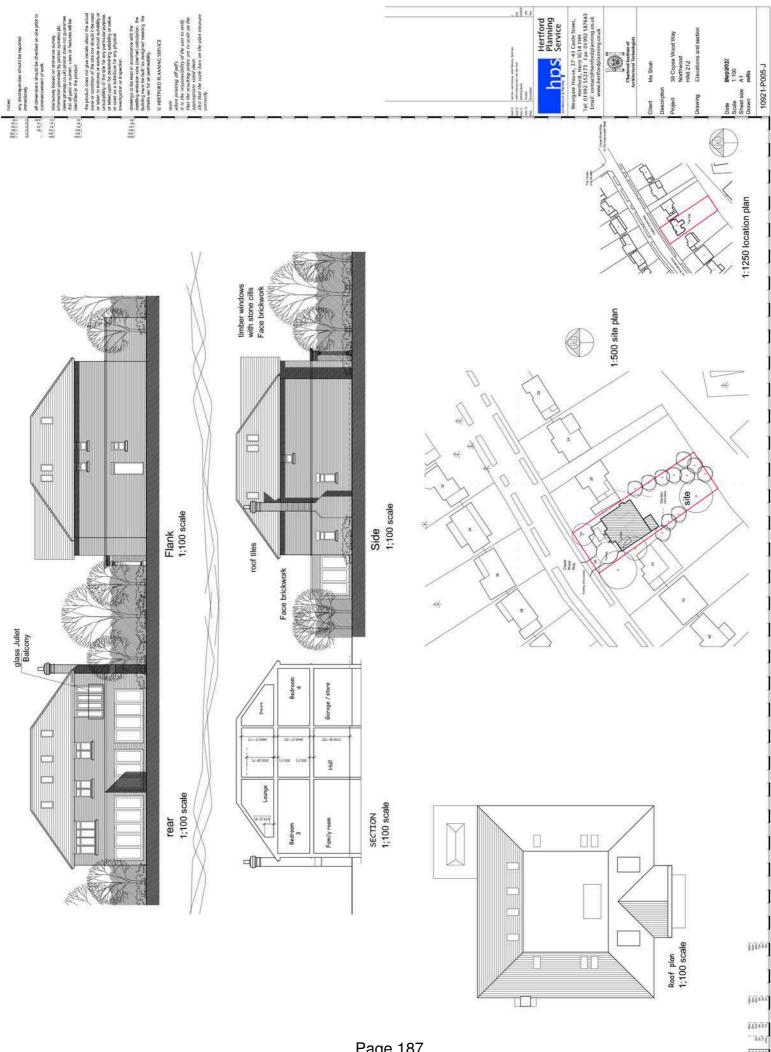
Development: Two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling

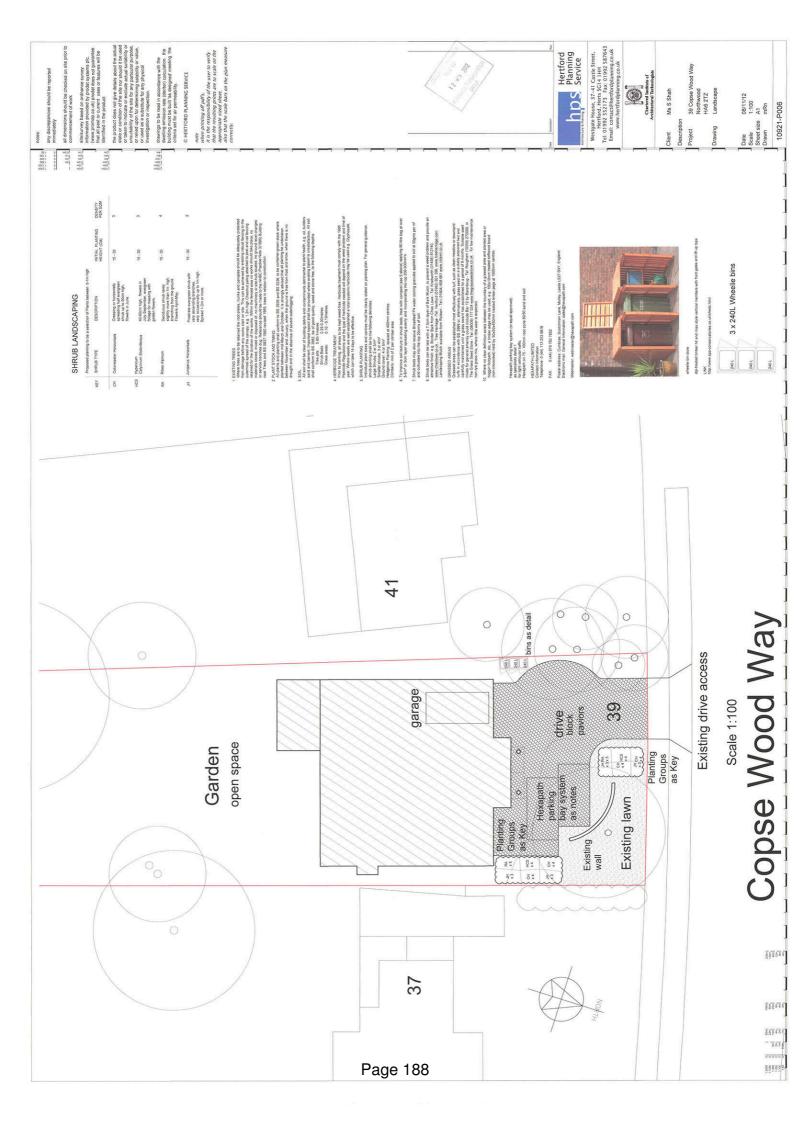
LBH Ref Nos: 11007/APP/2012/2233

Date Plans Received:12/09/2012Date(s) of Amendment(s):Date Application Valid:19/10/2012









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the authority of the Head of Committee Services pursuant to section 47 of the			Telephone No.: Uxbridge 250111
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exception to copyright. © Crown copyright and database	Planning Committee	Date December	
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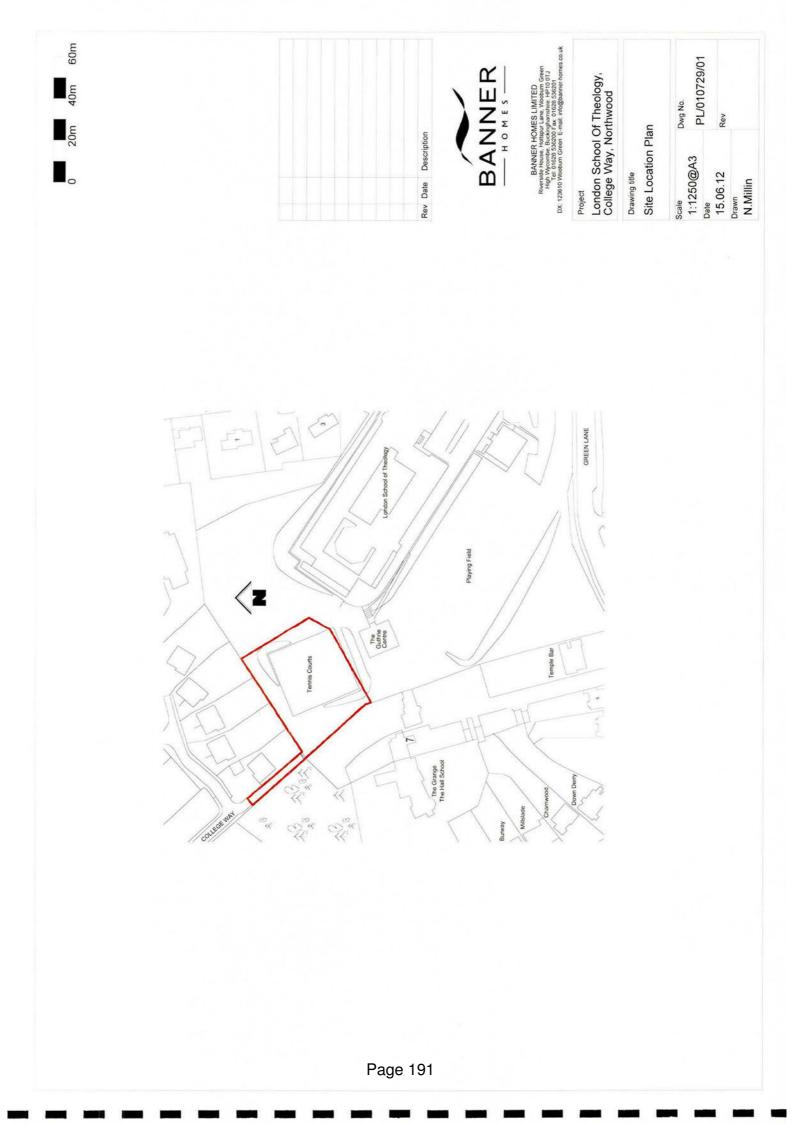
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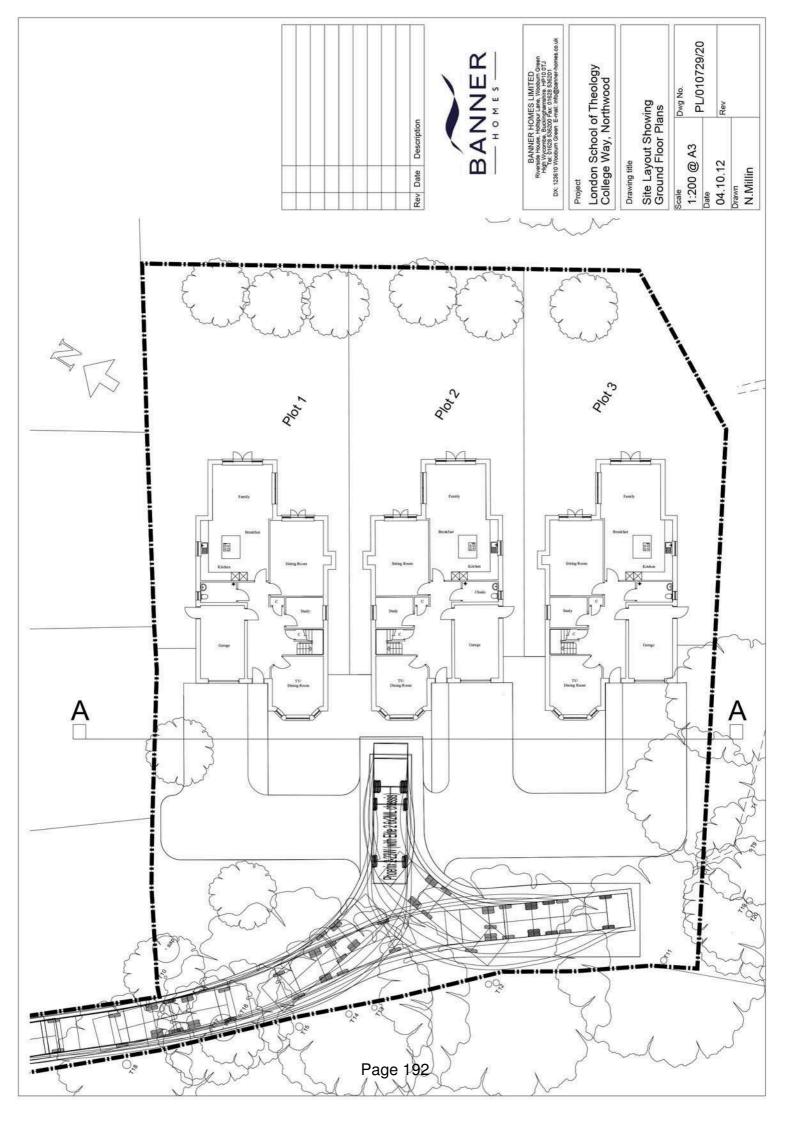
- **Development:** Erection of 3 detached 5/6 bedroom houses incorporating integral garages and roofspace accommodation, with associated vehicular access and amenity space (involving removal of existing tennis courts).
- LBH Ref Nos: 10112/APP/2012/2057

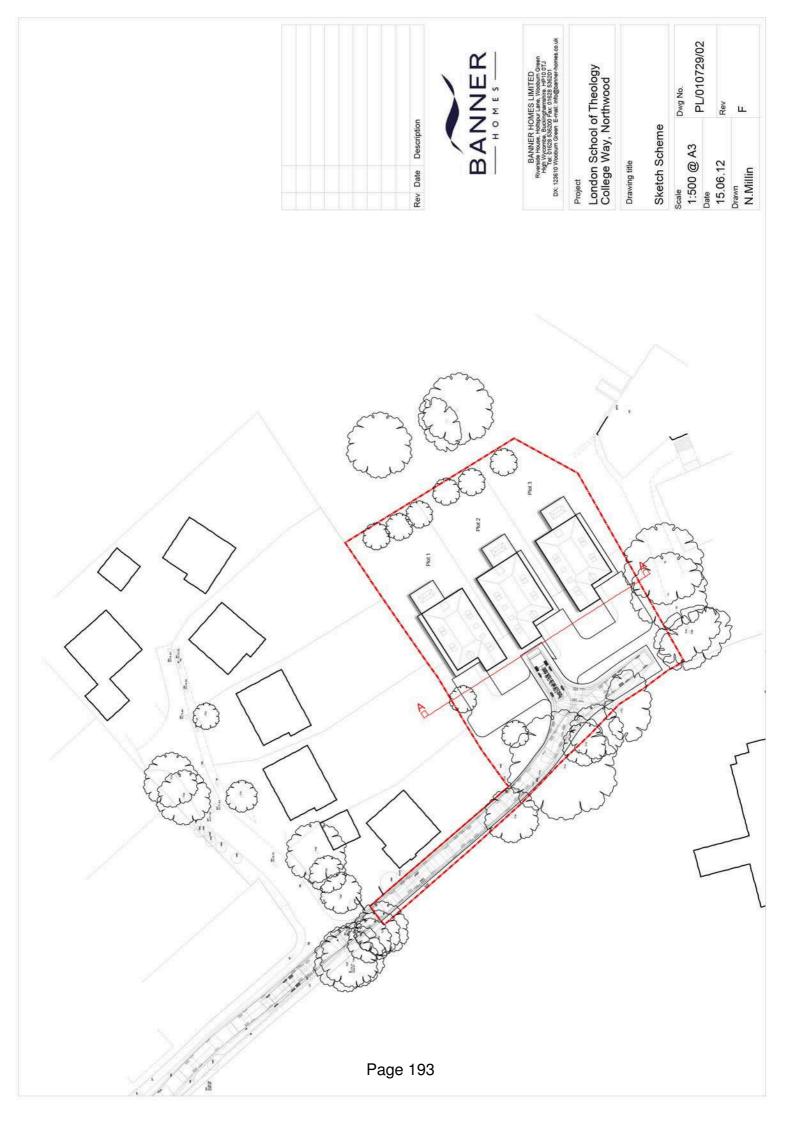
Date Plans Received:	21/08/2012	Date(s) of Amendment(s):	12/11/2012
	21/08/2012		23/10/2012

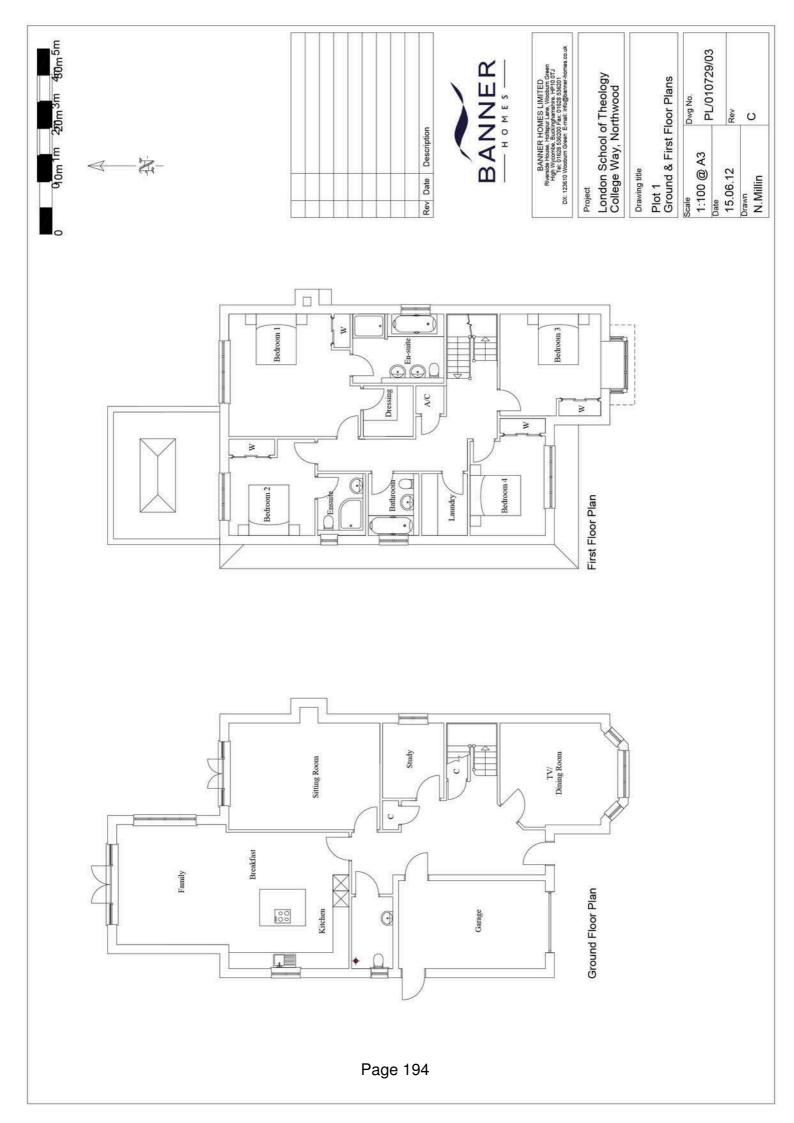
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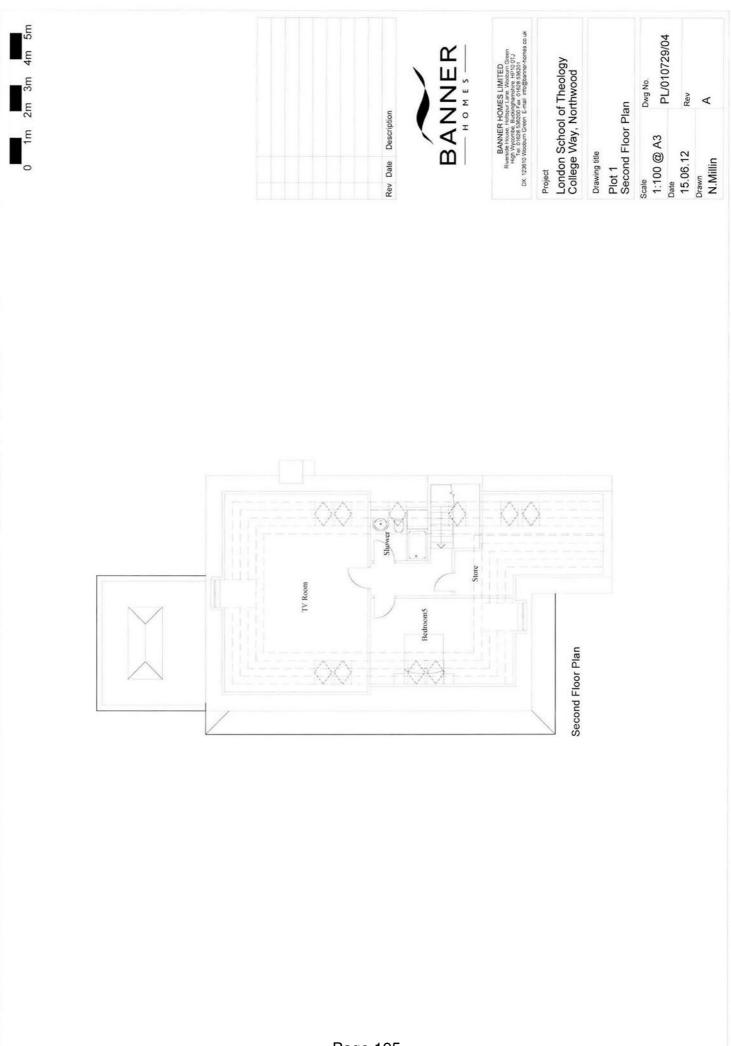
14/11/2012 21/08/2012 07/12/2012 28/11/2012



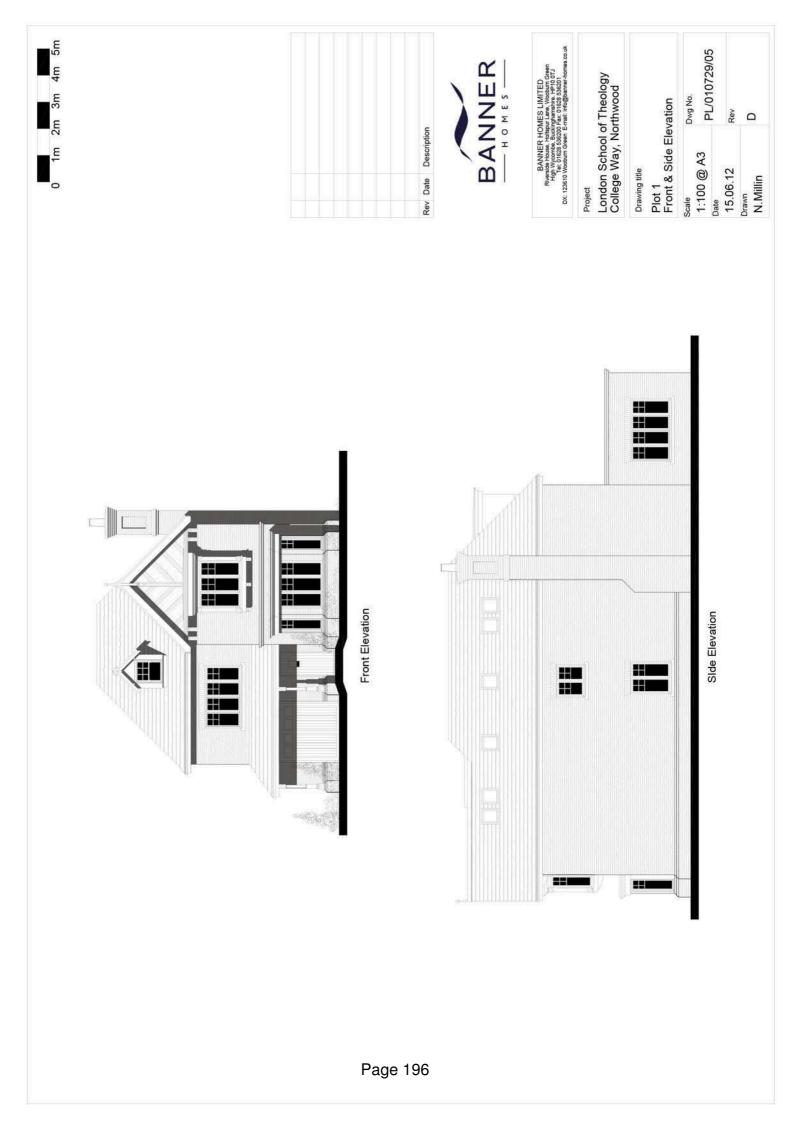


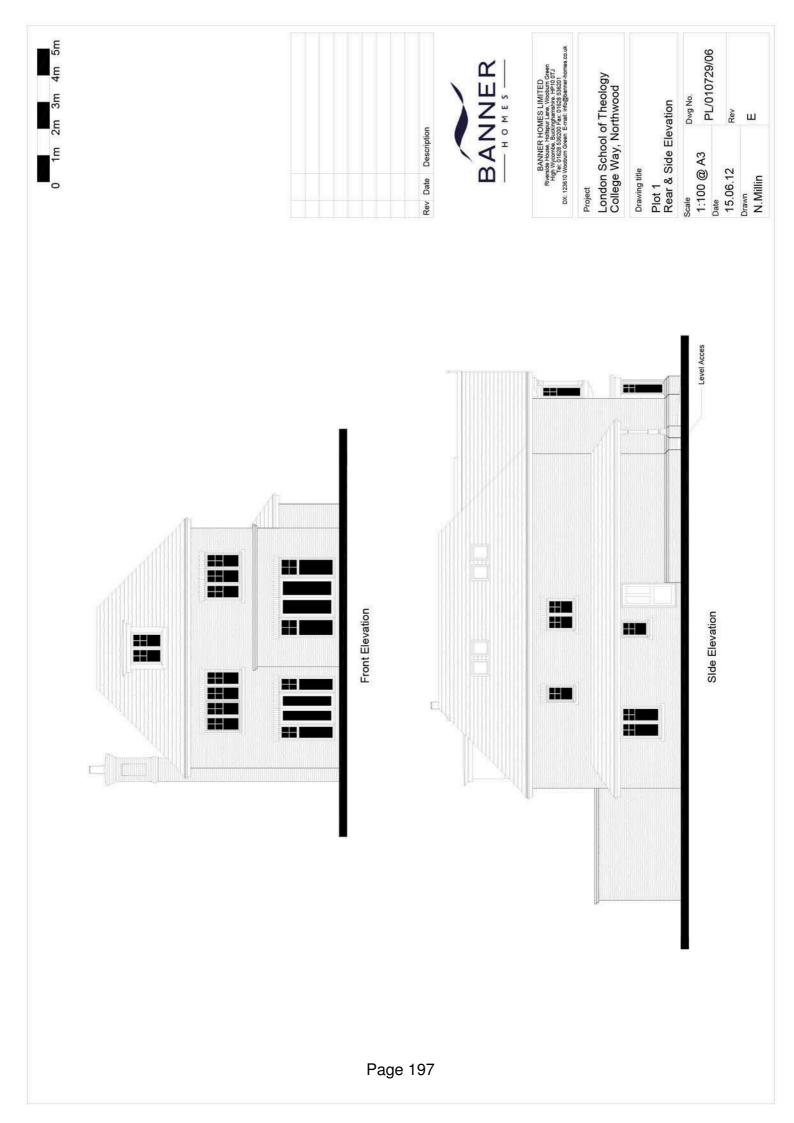


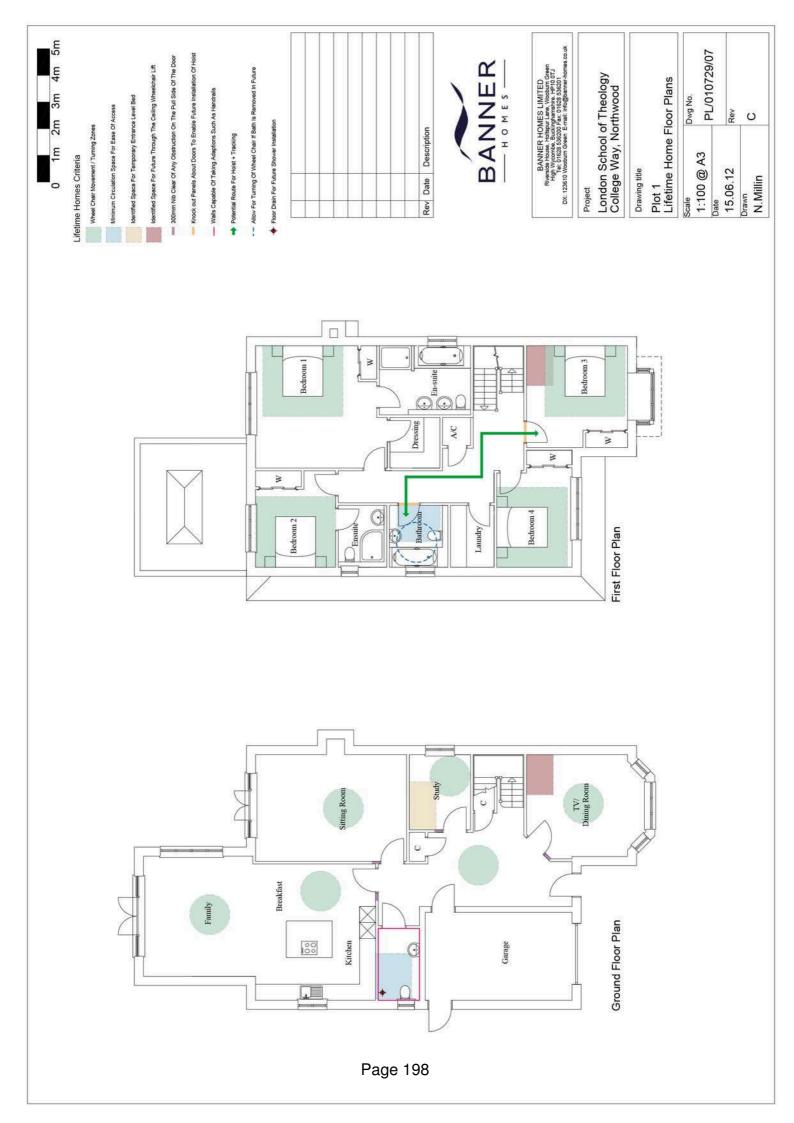


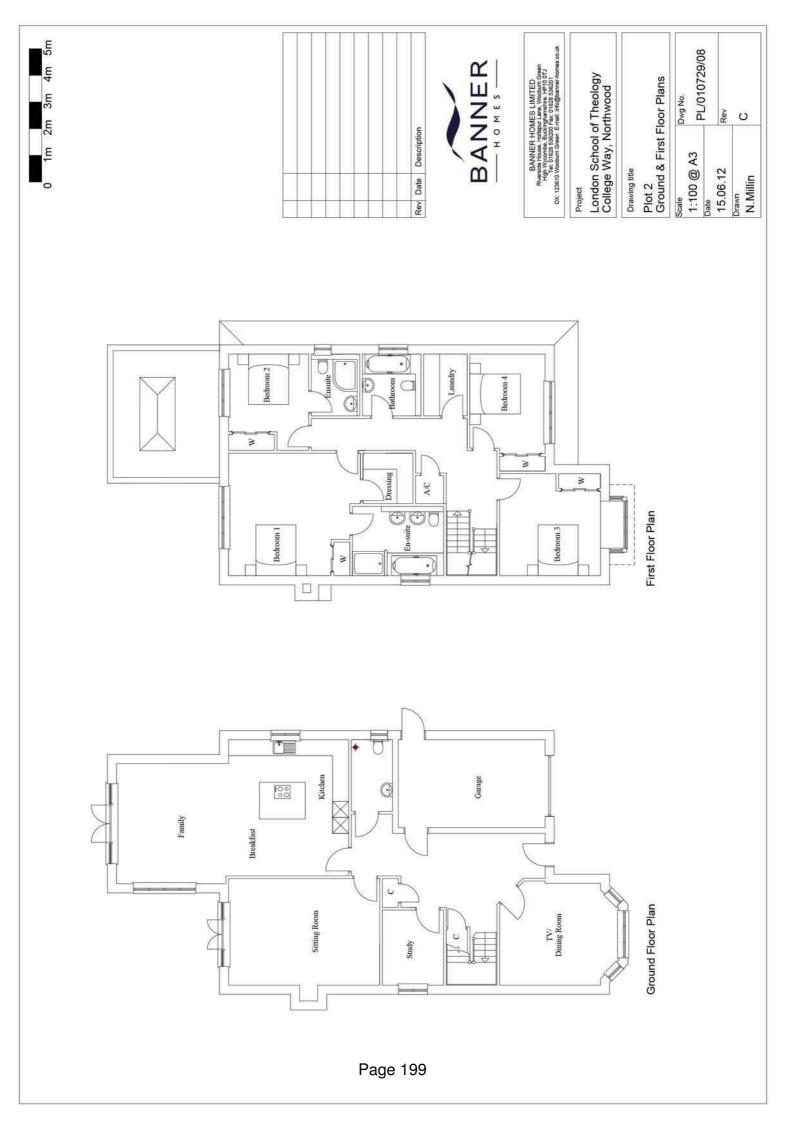


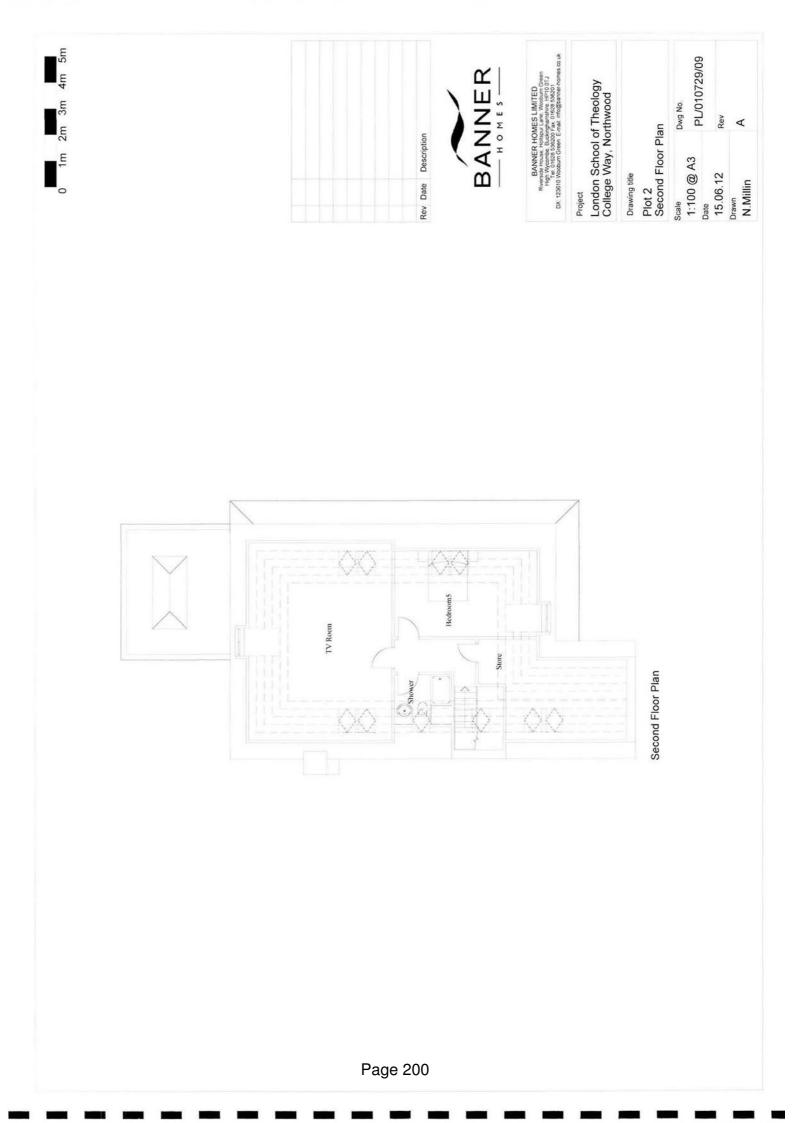
Page 195

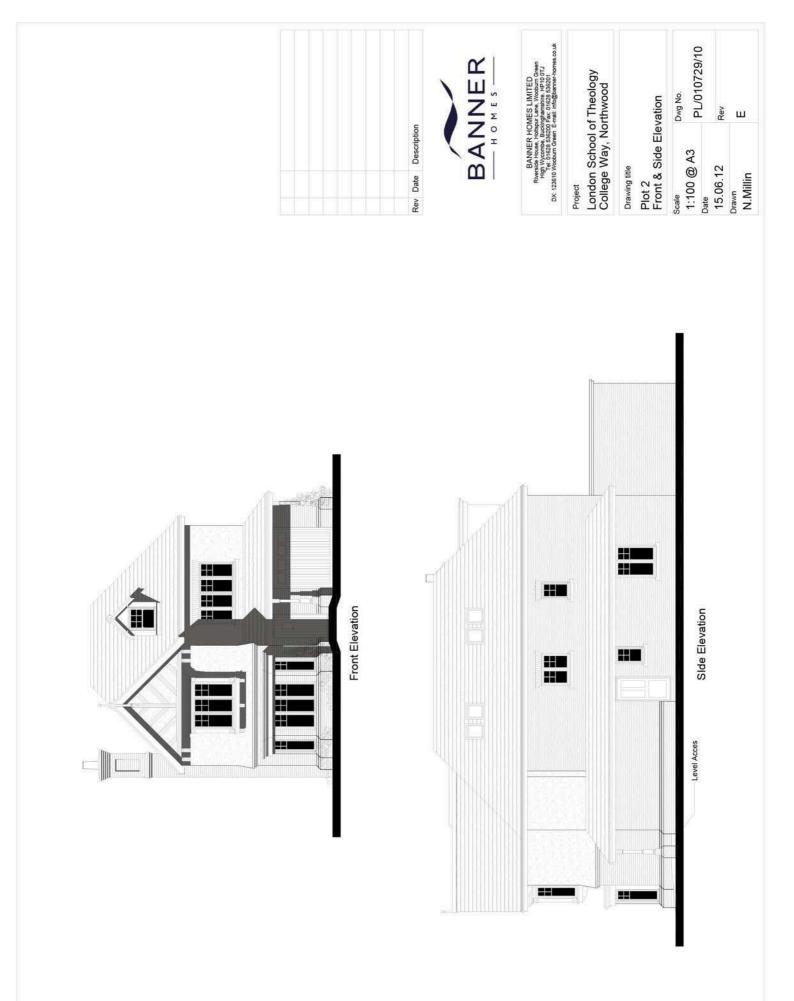


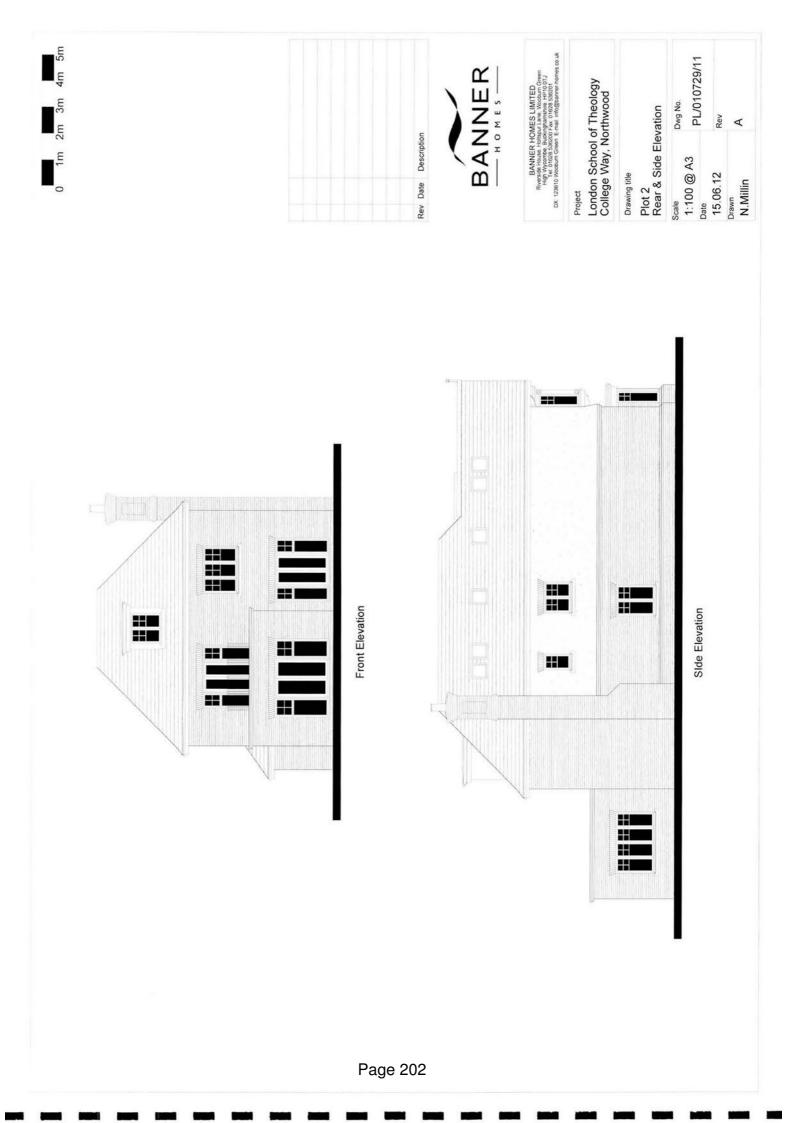




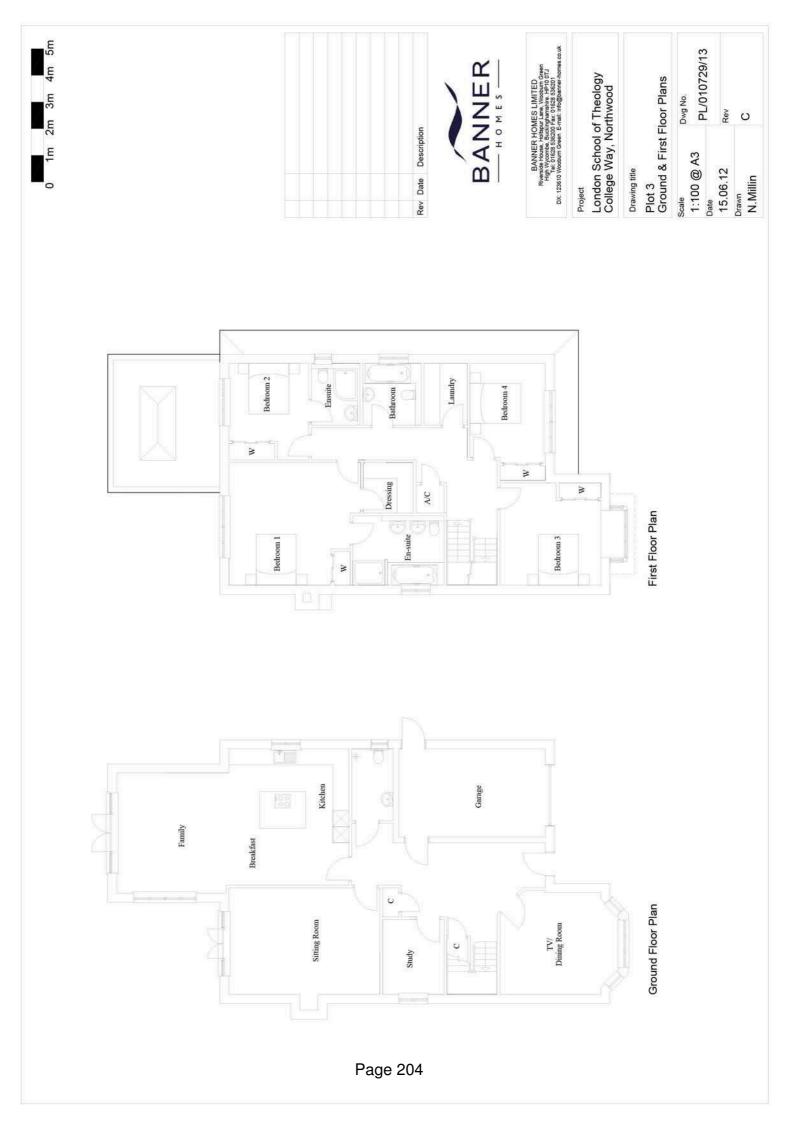


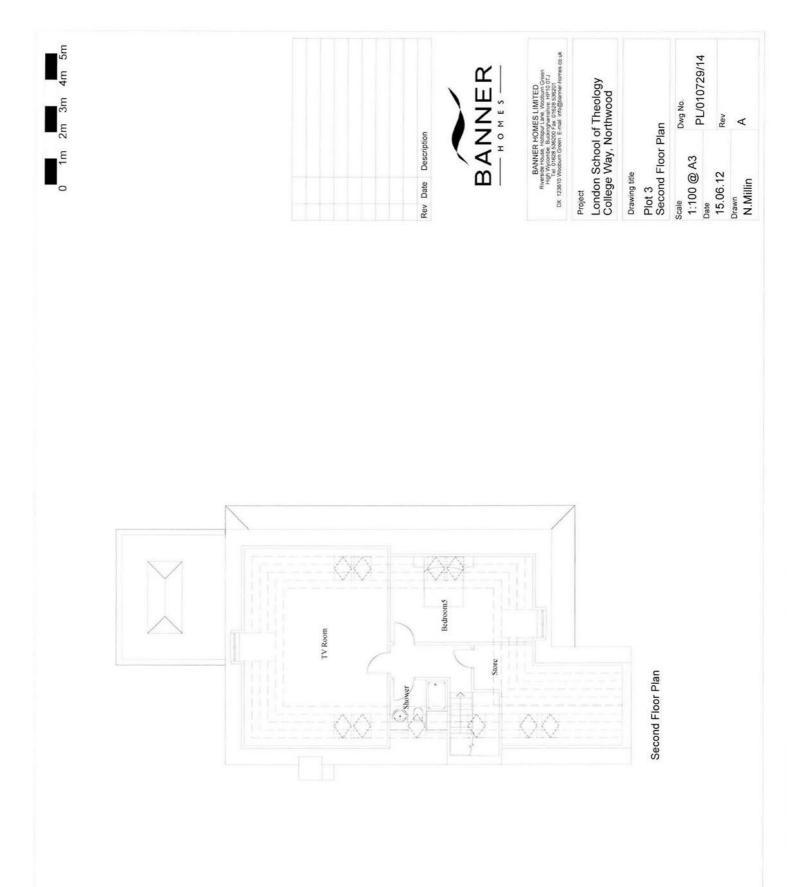




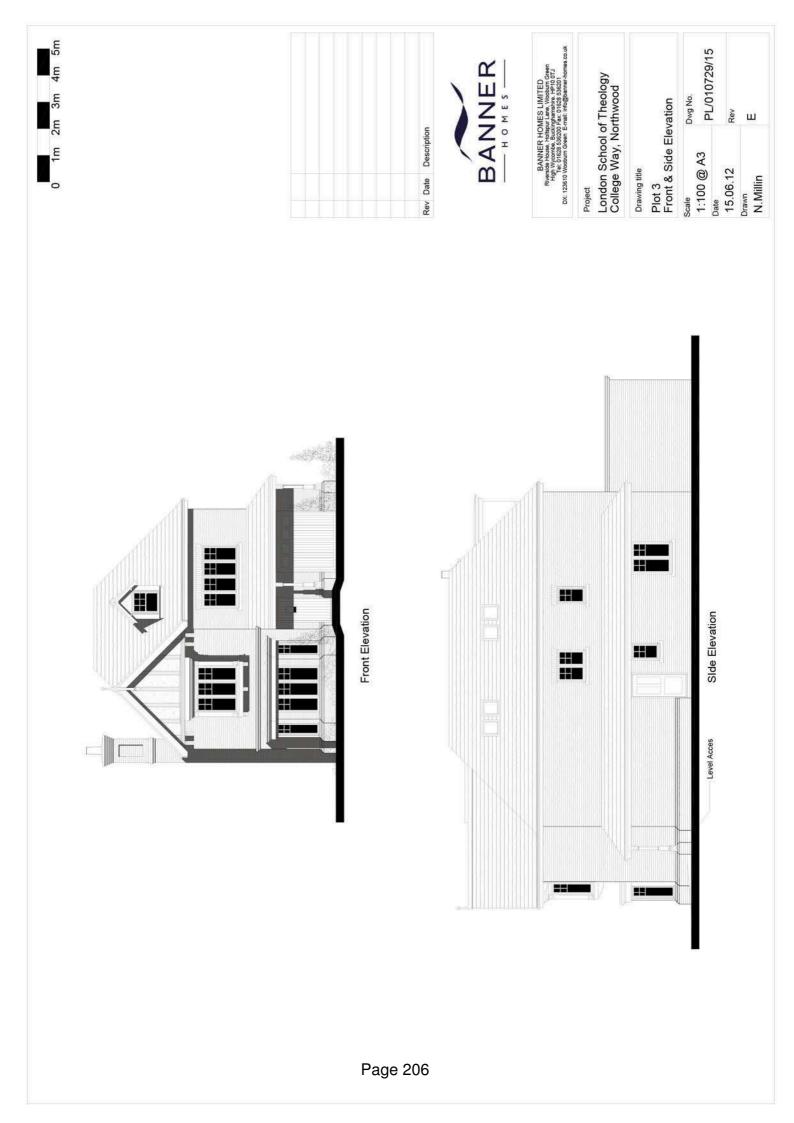


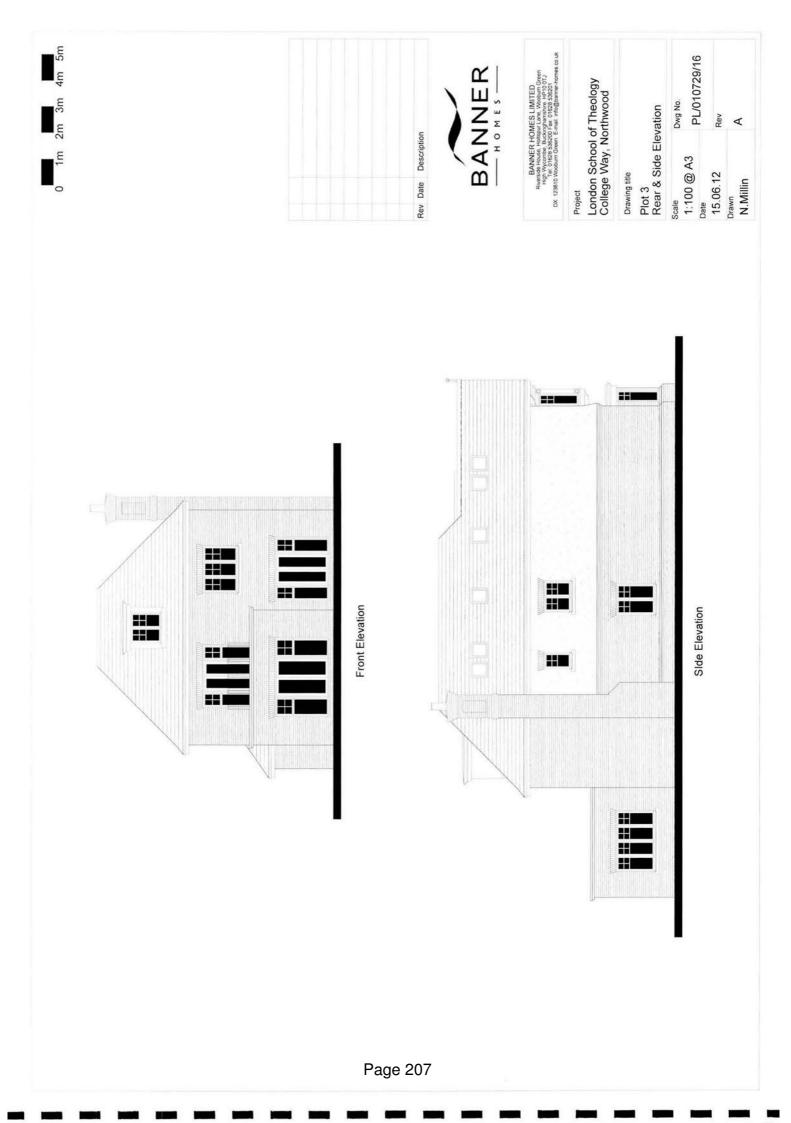


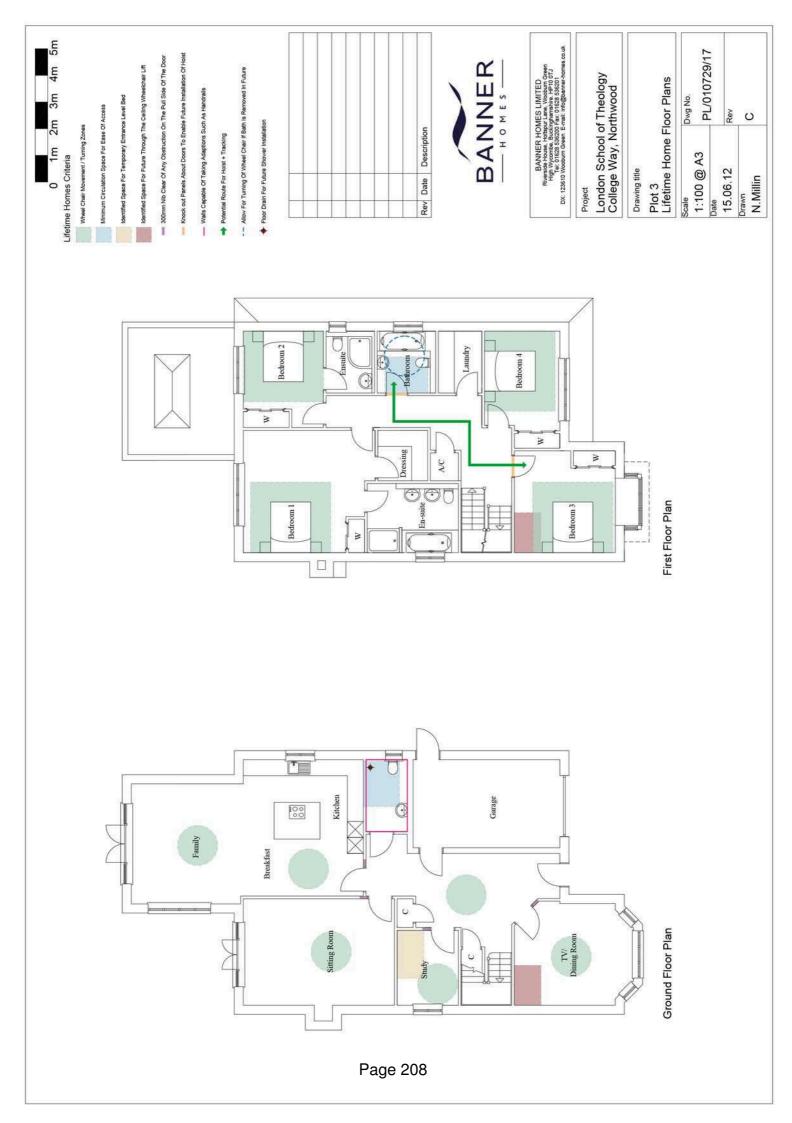


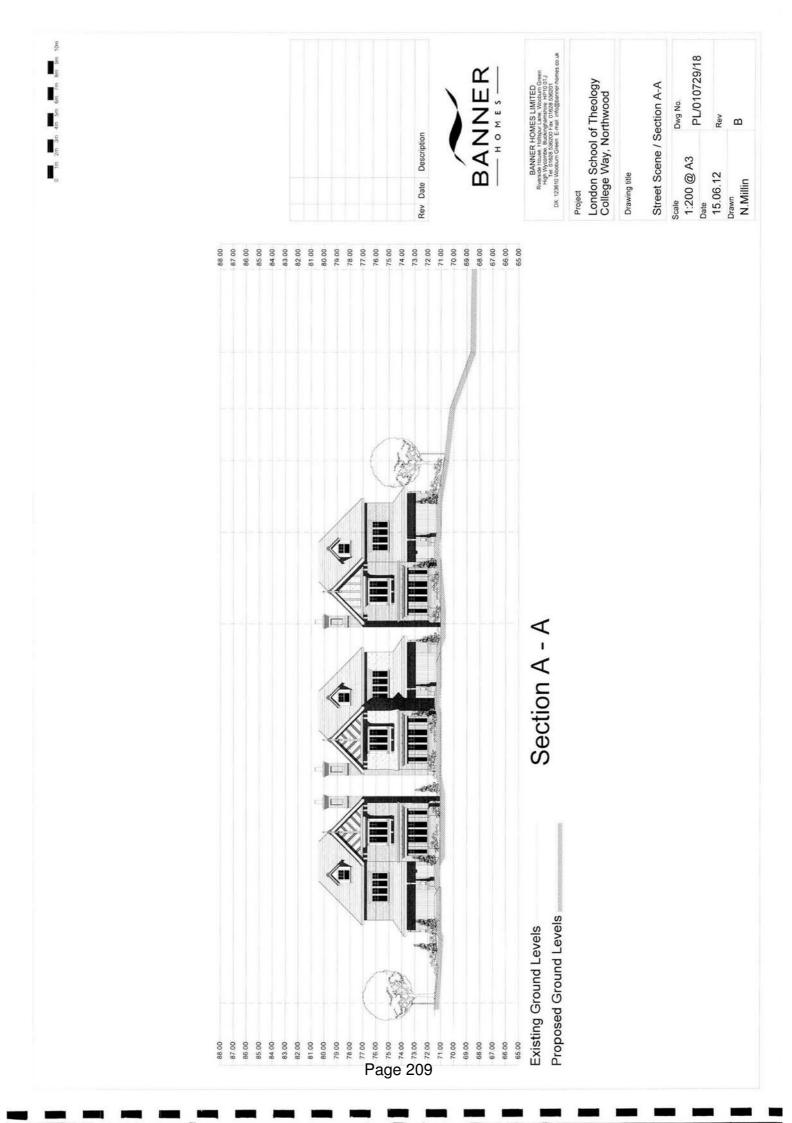


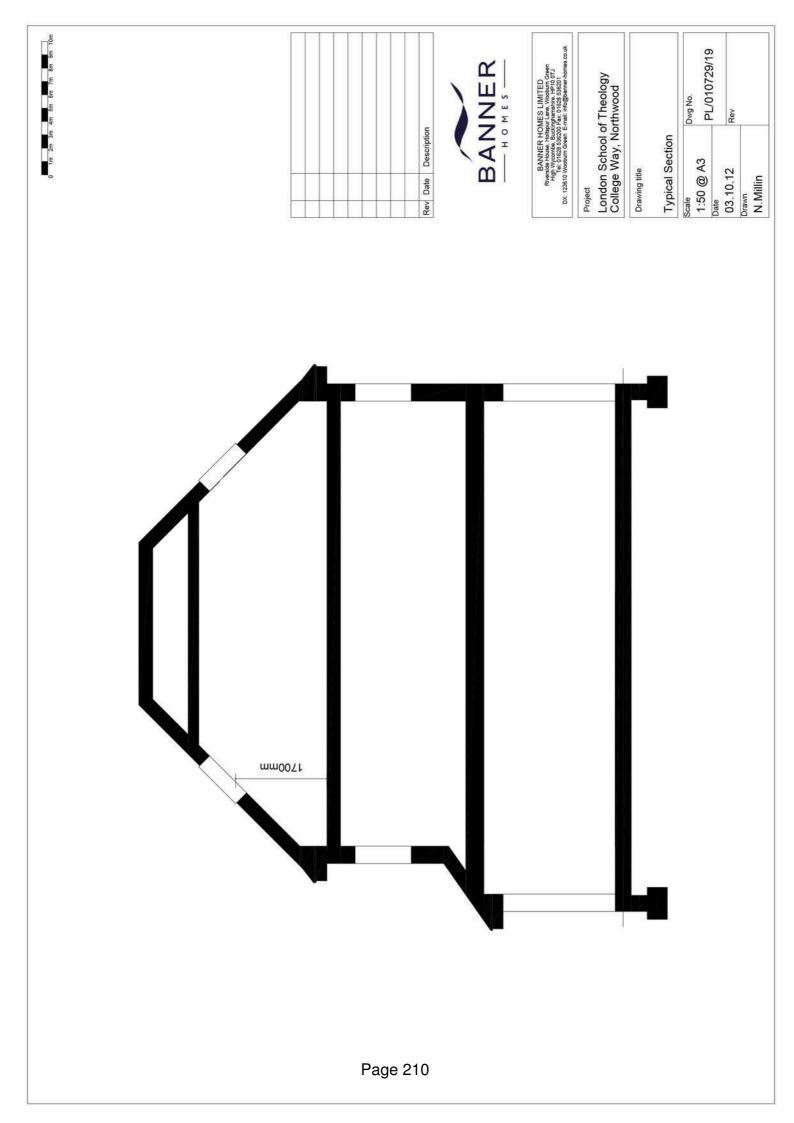
Page 205

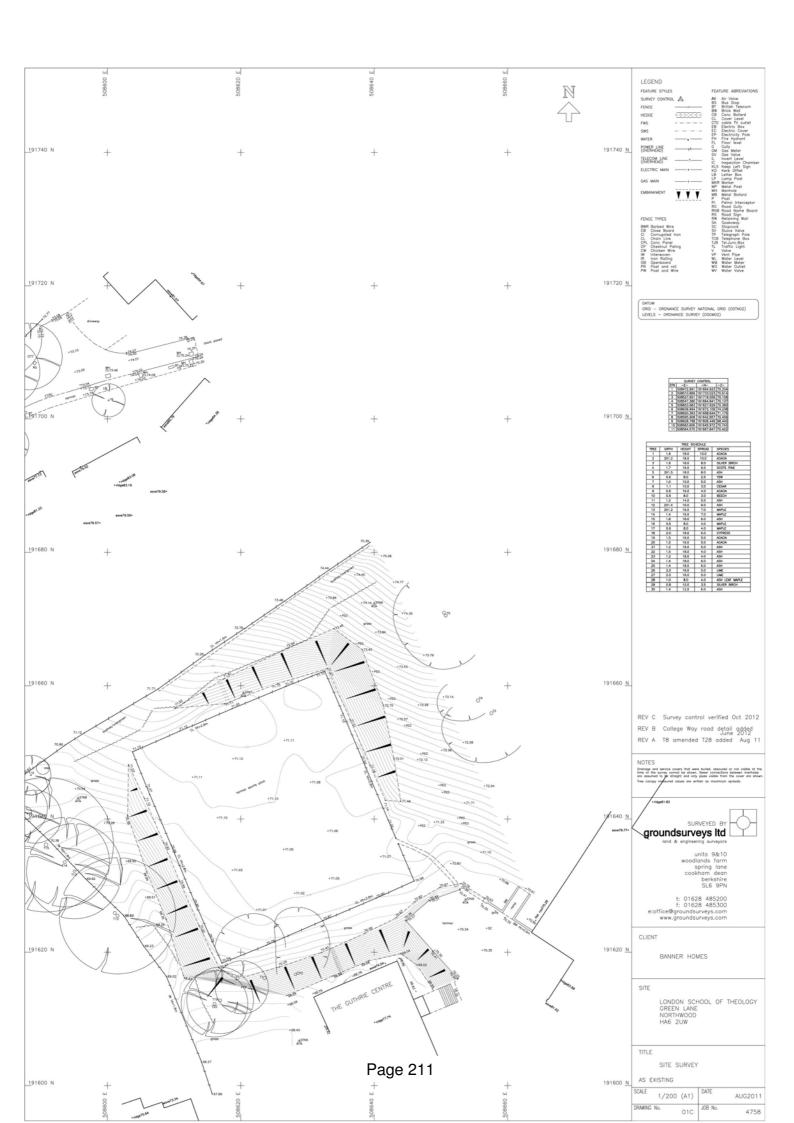


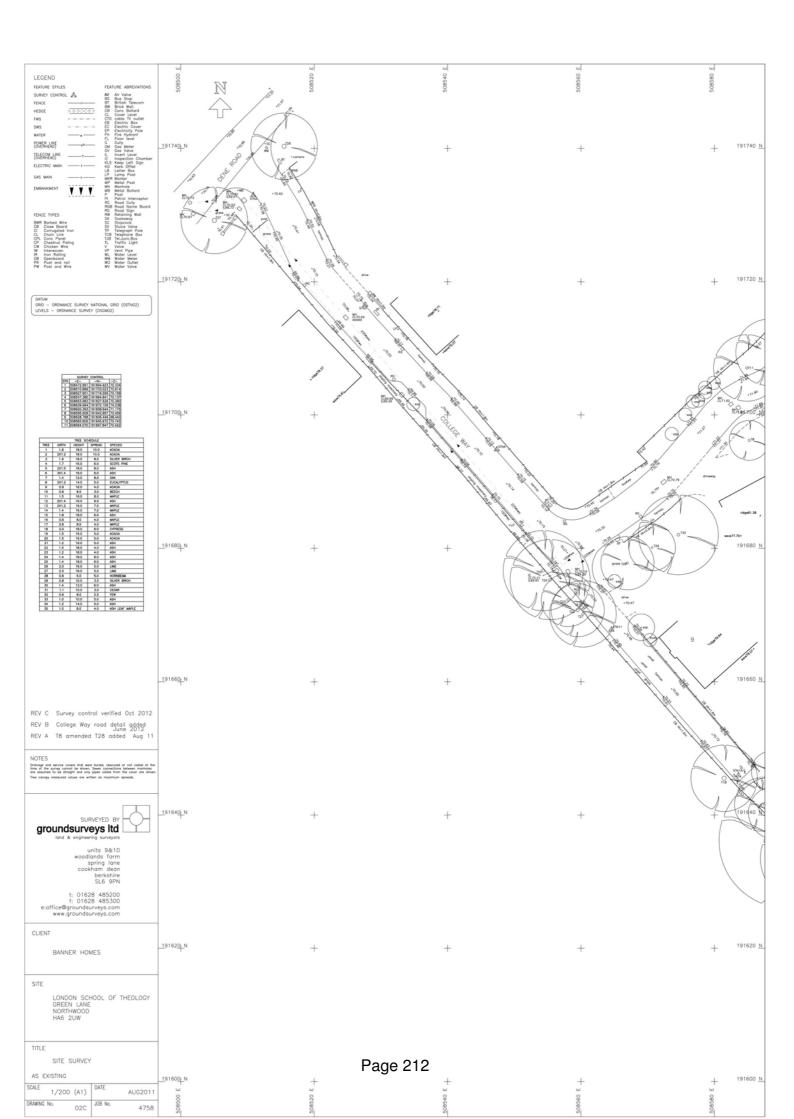


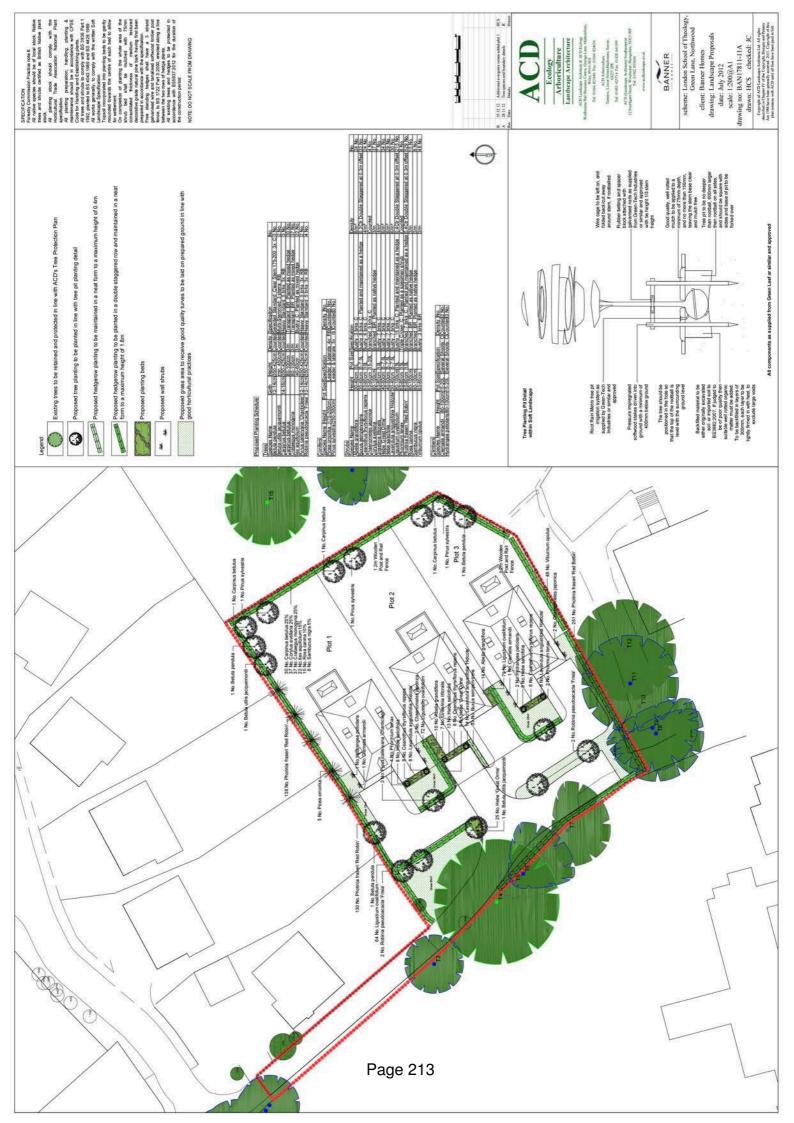


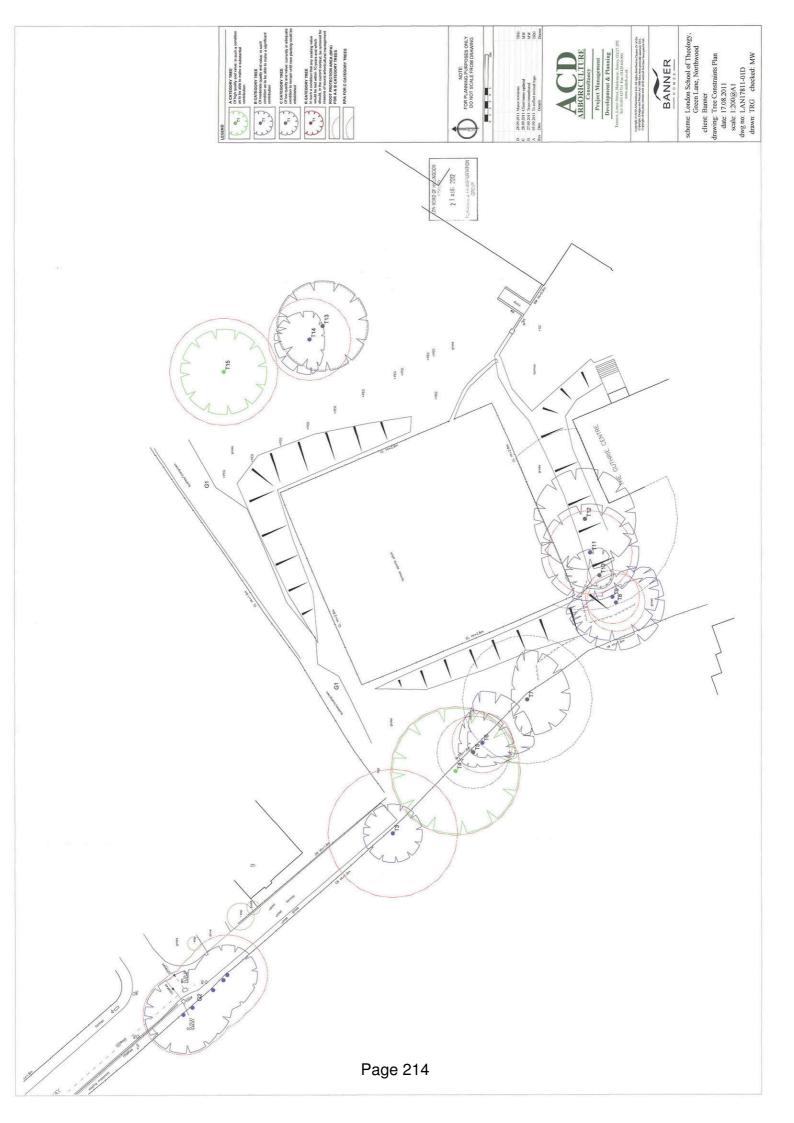






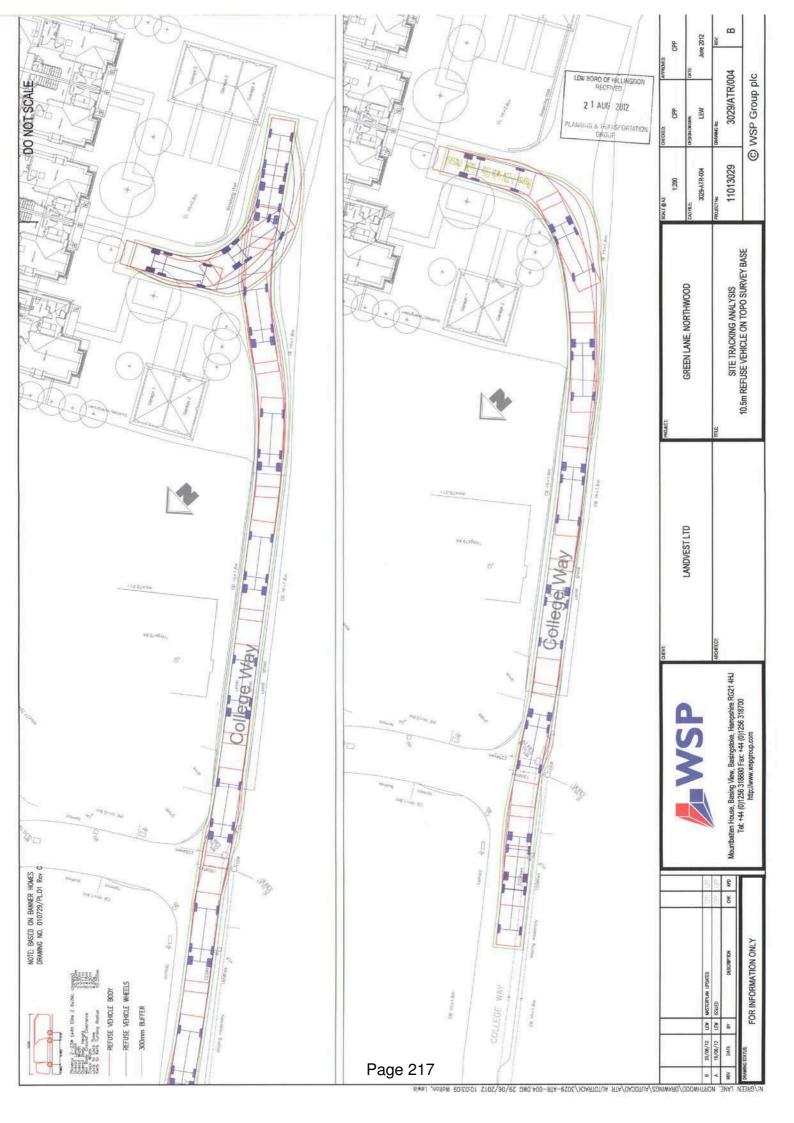


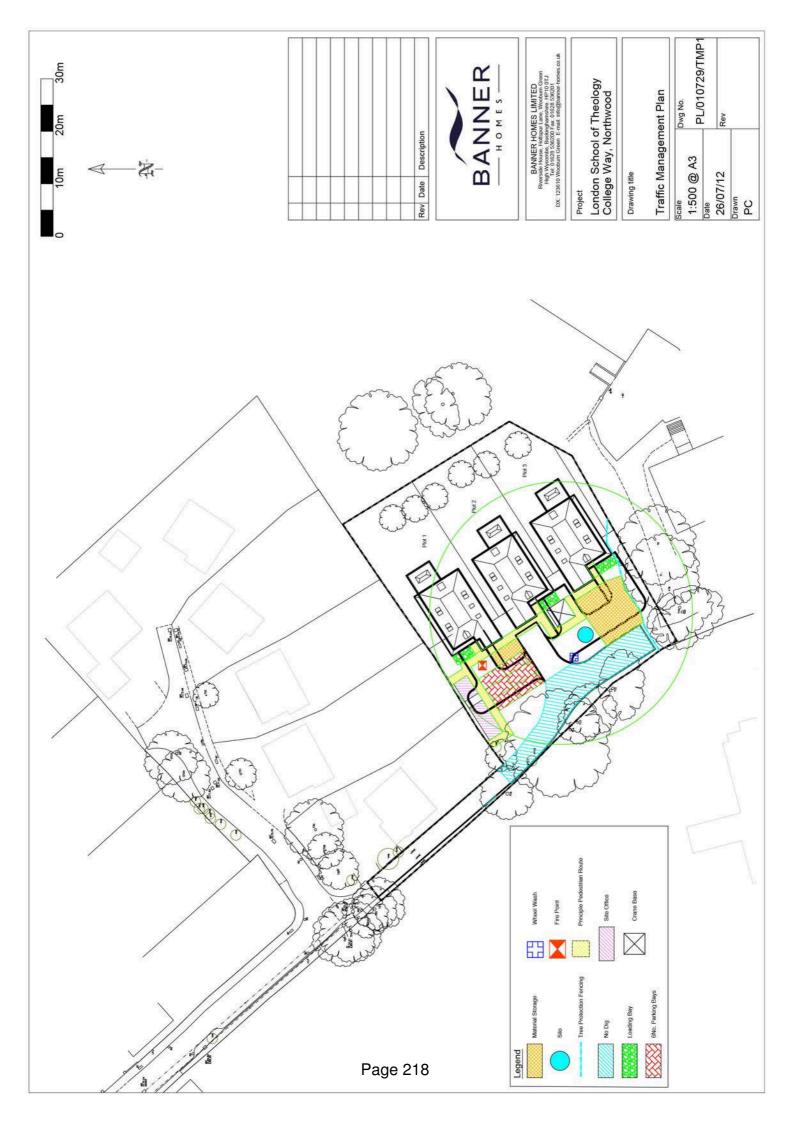


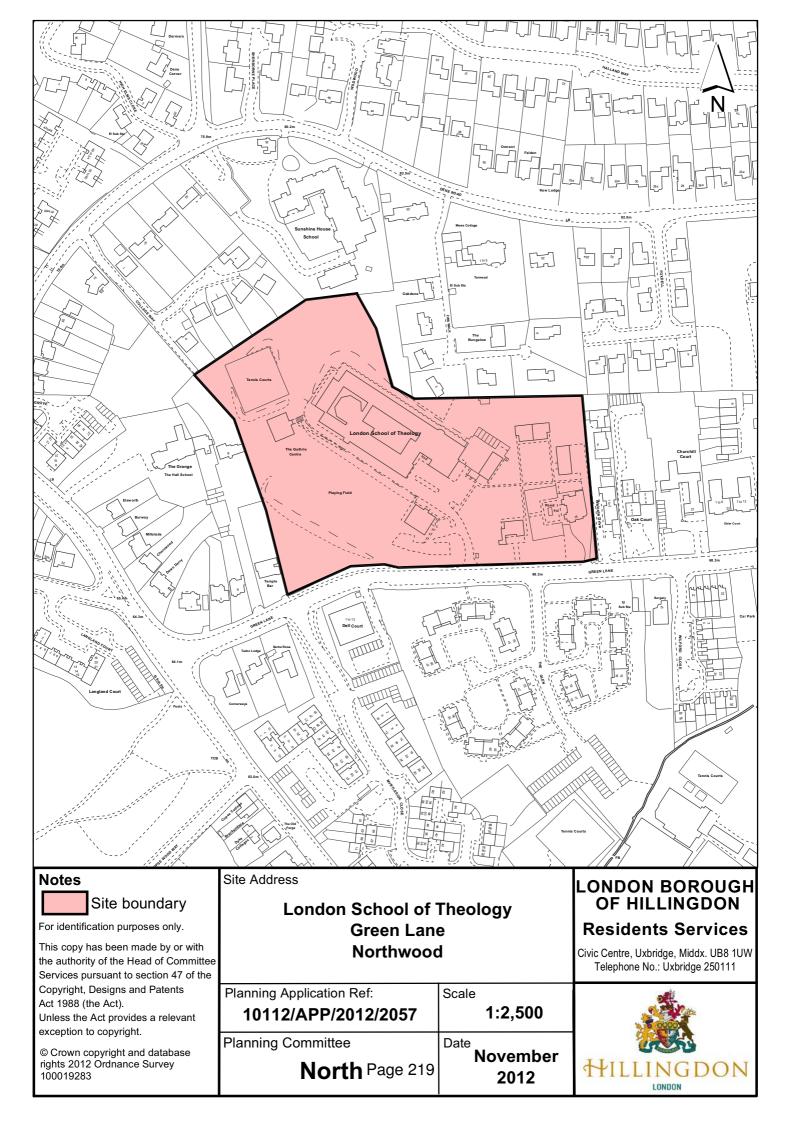








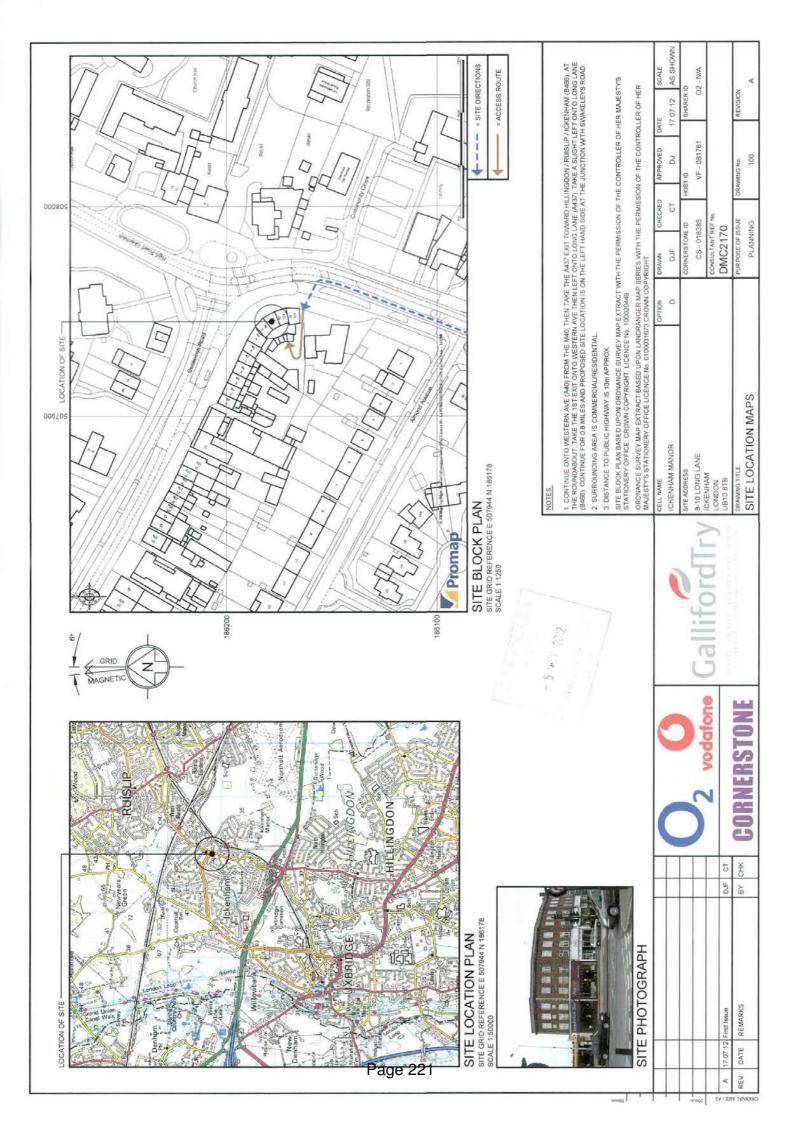


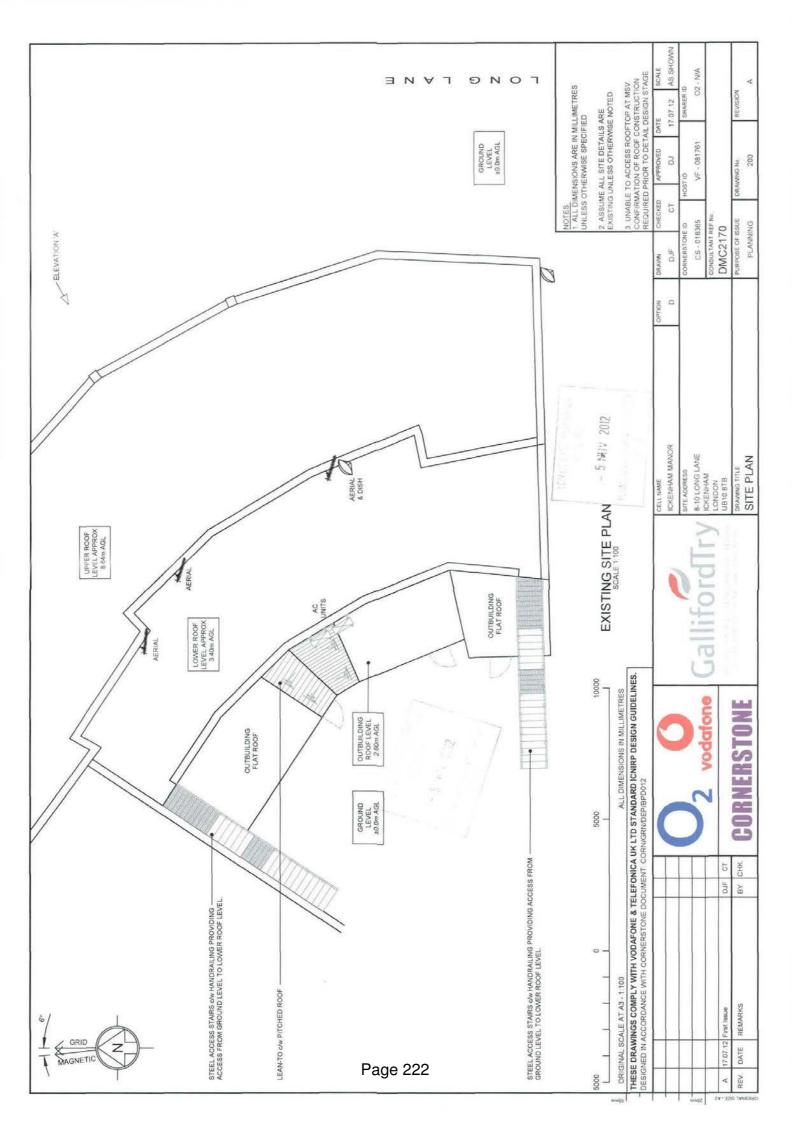


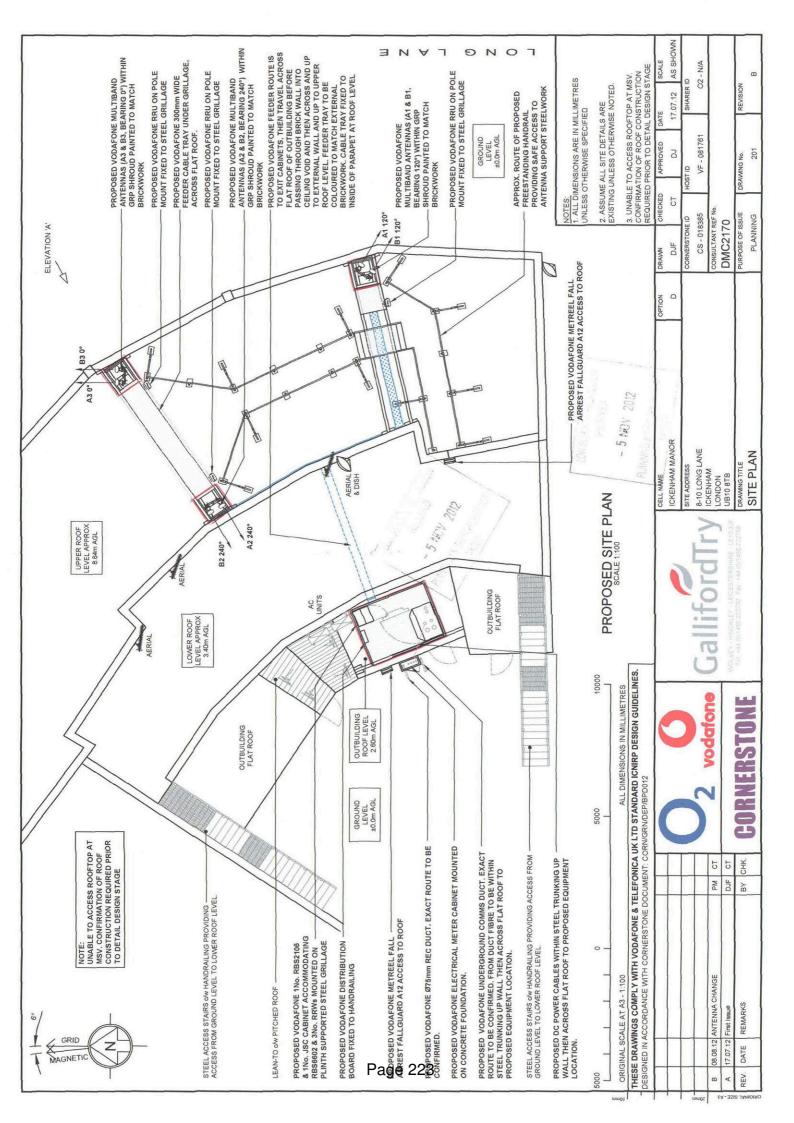
## **Report of the Head of Planning & Enforcement Services**

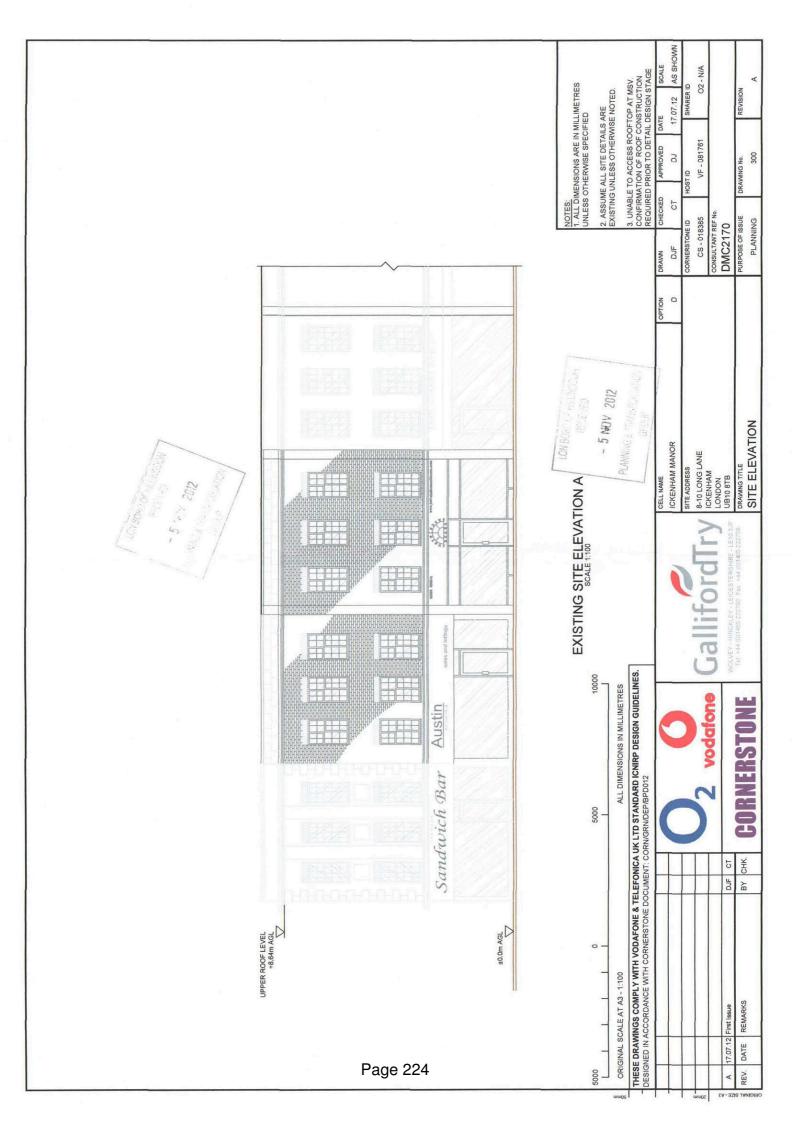
- Address 8-10 LONG LANE ICKENHAM
- **Development:** Installation at roof level of 6 telecommunications antennae shrouded within 3 replica 'dummy' chimneys and 2 associated equipment cabinets
- **LBH Ref Nos:** 68864/APP/2012/2744

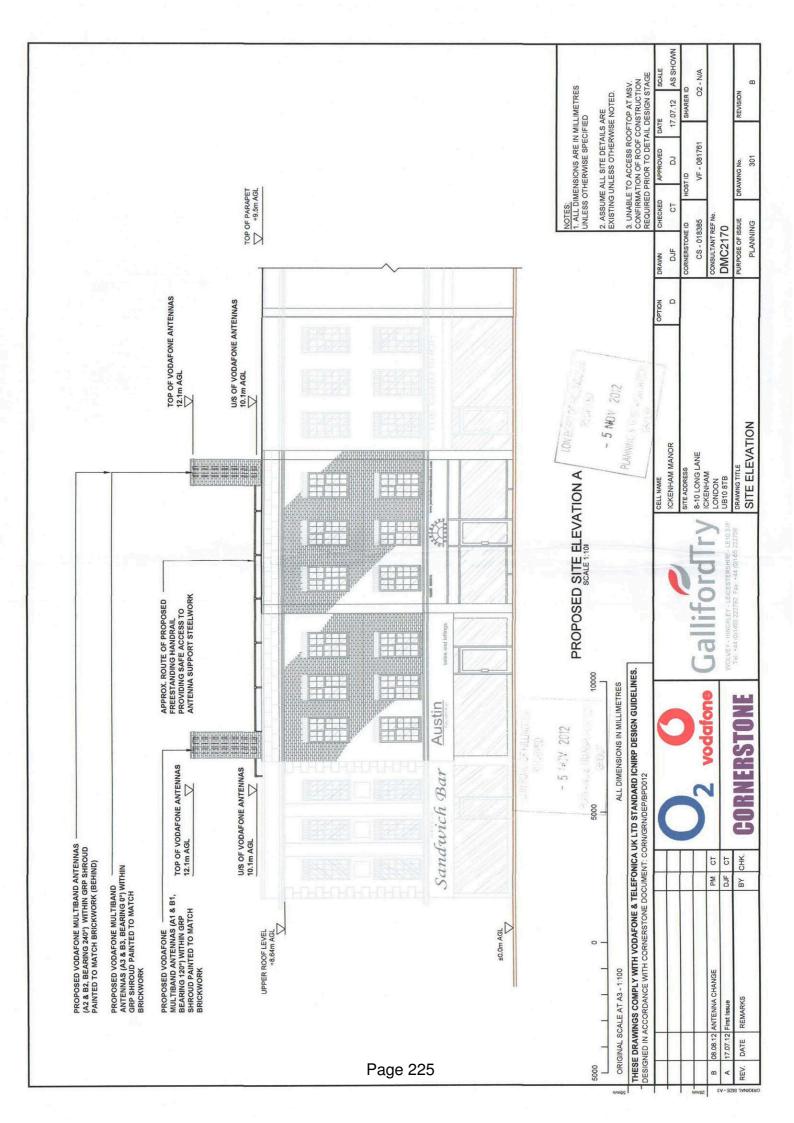
Date Plans Received:05/11/2012Date(s) of Amendment(s):Date Application Valid:05/11/2012

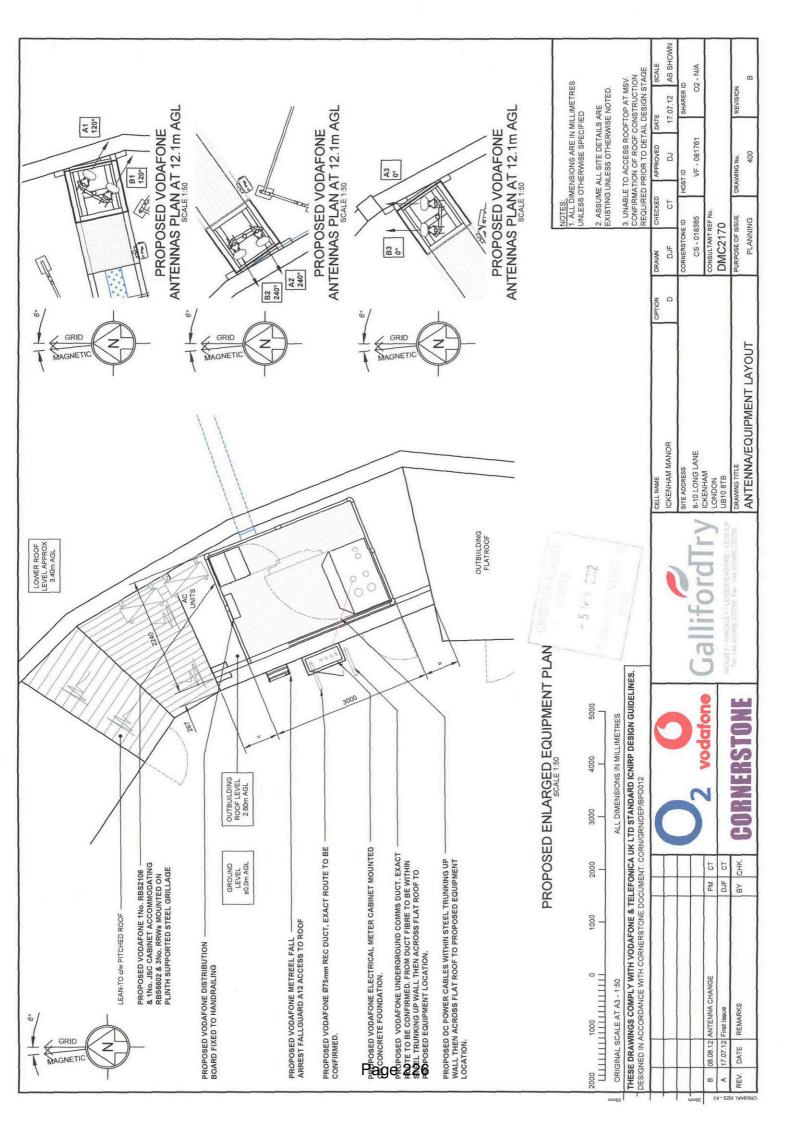


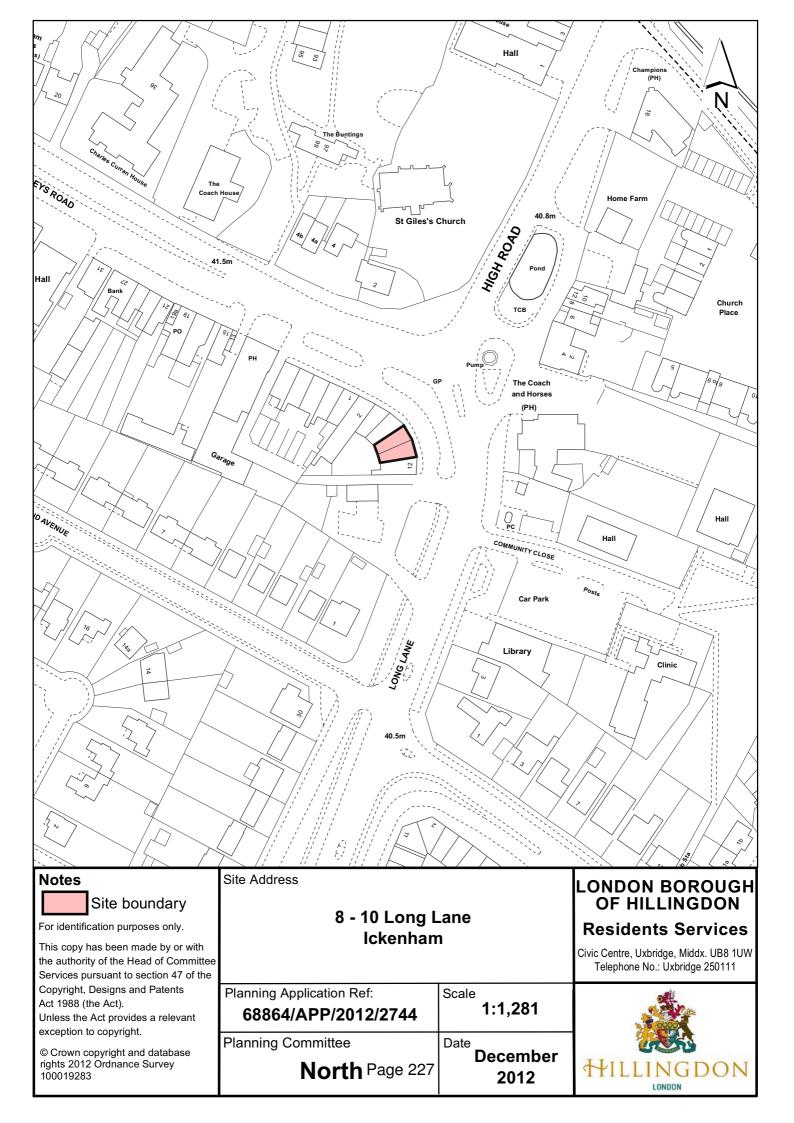












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## Agenda Item 15



Meeting:	North Planning Committee		
Date:	Thursday 3 rd January 2013	Time:	7.00pm
Place:	Committee Room 5, Civic Centre, Uxbridge		

## **ADDENDUM SHEET**

Items: 6	Page: 9	Location: Former RAF West Ruislip, High Road, Ickenham	
Amendments/Additional Information:			Officer Comments
<ol> <li>In Drw. Nos, add Material board including the following materials:         <ol> <li>Roofing - RAL 73321 - Mid Grey</li> <li>Rainscreen cladding RAL 7004 Grey</li> <li>Ibstock Parham Red- facing brick</li> <li>Cast stone string course, colour</li> </ol> </li> </ol>		21 - Mid Grey g RAL 7004 d- facing brick	1. For amendment.
(vi) Alu 700 balu cop	nie Ilar smooth rend minium Powder 0 - Grey (windo ustrading, rainwa ings) eborn block - Na	Coated - RAL ws, ater pipes and	
2. Amend condition 4 by replacing 'all materials and external surfaces, including details of balconies' with 'the design and materials of the balconies, external doors and windows'.		g details of materials of the	2. For correction.
3. Delete condition 5.			3. A material board has already been submitted. Although the Council's Conservation/Urban Design Officer was concerned with the colour of the Fireborn block brick, although described as 'natural blue', it is in fact a darkish grey which the agent has also now confirmed as being the correct colour description taken from the manufacturer's catalogue. As such, it is considered an appropriate colour as part of the palette of materials.
	7 at 2.d, within I 'details of staff		4. For clarification.

5. Delete condition 9.	5. Condition 7 at 2.b already covers cycle storage.
6. Delete condition 15.	6. The Highway Engineer advises that car parking management on a scheme of this size and nature would be a matter for the care home operator.
7. Add condition COM30.	7. For correction.

Items: 7	Page: 39	Location: 51 The Drive, Ickenham	
<b>Amendments/Additional Information:</b> This Item has been withdrawn from the agenda by the Head of Planning.		from the	Officer Comments

Items: 8	Page: 61	Location: 101 Victoria Road, Ruislip		
Amendments/Additional Information:			Officer Comments	
Condition 7 should read as follows:				
Prior to the commencement of works on site, full details of the provision to be made for the secure and covered storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided on site prior to the premises being brought into use and thereafter maintained.				
REASON To ensure satisfactory provision is made for the storage of waste and recycling, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).				
With regard to condition 4, given the location of the site within a reasonably busy shopping area which includes late evening uses on Sundays/Bank and Public holidays, the condition as set out on Page 62 is considered too restrictive and should be amended to read:		sonably busy late evening ıblic holidays, ge 62 is		
The premises shall only be used for the preparation, sale of food and drink and clearing up between the hours of 08:00 and 23:00 Monday to Saturdays, and 1000 to 2200hrs on Sunday, and Bank/Public Holidays. There shall be no staff allowed on the premises outside these hours.		rink and of 08:00 and nd 1000 to /Public aff allowed on		

REASON
To safeguard the residential amenity of the
occupiers and nearby properties, in
accordance with Policies OE1 and OE3 of
the Hillingdon Local Plan: Part Two - Unitary
Development Plan Saved Policies
(November 2012).

Items: 10	Page: 87	Location: London School of Theology, Green Lane, Northwood		
Amendments/Additional Information:		Officer Comments		
1. In heading of Condition 6, delete '(including refuse/cycle storage)'.		1.	For correction.	
<ul> <li>2. Condition 10 should read:</li> <li>The first floor bathroom and en-suite windows in the side elevations of the houses 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.</li> <li>REASON To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two - Unitary</li></ul>		2.	For clarification given typing over-run on agenda.	
Development F (November 20 3. Delete cond	,	cies	3.	For correction to avoid duplication of condition
				8.
4. Delete cond	ition 14.		4.	The Highway Engineer advises that speed restriction and lighting is not required on this part of College Way, which is a private road.
5. Add additior	al condition:		5.	For amendment on advice of Highway Engineer.
and notwithsta the submitted p wide kerbed ver road leading to the side fence be submitted to the LPA. The v	mmencement of nding the details plans, details of erge provided in the developme of No. 9, Colleg p and approved rerge shall be re o long as the destence.	s shown on a 250 mm the access nt adjoining e Way shall in writing by tained		
safety is not pr	highway and pe ejudiced, in acc of the Hillingdon 12).	ordance with		

6. A letter has also been received from legal firm acting for applicant (Banner Homes) advising that their client has no control over adjoining school grounds and it would be ultra vires to require their client to comply with a condition requiring construction traffic to be brought through college grounds which would need the consent of a third party. The letter also advises that they do have full rights of access along College Way.	6. This is noted and it is not considered appropriate to specify a route for construction traffic given the modest nature of the proposed development.
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