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# North Planning Committee

Date:

**TUESDAY, 11 FEBRUARY** 

2014

Time:

6.00 PM

Venue:

COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8

**1UW** 

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

#### To Councillors on the Committee

Eddie Lavery (Chairman)
John Morgan (Vice-Chairman)
Raymond Graham
Michael Markham
Carol Melvin
David Yarrow
David Allam (Labour Lead)

Robin Sansarpuri

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Published: Monday, 3 February 2014

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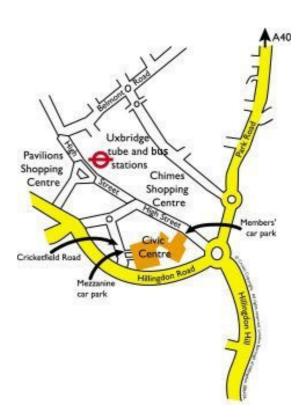
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# A useful guide for those attending Planning Committee meetings

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Mobile telephones - Please switch off any mobile telephones and BlackBerries before the meeting.

#### **Petitions and Councillors**

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

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

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

# How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

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

followed by any Ward Councillors;

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

#### About the Committee's decision

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

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

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

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

#### **Chairman's Announcements**

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- To sign and receive the minutes of the meetings held on 10 December 1 22 2013, 7 and 22 January 2014
- 4 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

## Reports - Part 1 - Members, Public and Press

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

# Non Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	39 Copse Wood Way, Northwood 11007/APP/2013/2426	Northwood	Two-storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling.  Recommendation: Approval	23 - 44
7	7 Maybank Gardens, Pinner 1621/APP/2013/3383	Northwood Hills	Conversion of roof space to habitable use to include raising of roof height, a rear dormer, 1 front rooflights and conversion of roof from hip to gable end with a new gable end window.  Recommendation: Refusal	45 - 52

# Non Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
8	29 Broadwood Avenue, Ruislip 33999/APP/2013/2808	Eastcote & East Ruislip	Part two storey, part single storey rear extension and raising of roof to allow for conversion of roofspace to habitable use to include installation of rooflights to side.	53 - 68
			Recommendation: Approval	
9	37 The Drive, Ickenham 24043/APP/2013/1738	Ickenham	Two-storey, 7-bedroom, detached dwelling with basement/lower ground level and habitable roofspace and single storey detached garage with associated access and amenity space (involving demolition of existing dwelling).	69 - 86
			Recommendation: Approval subject to S106 Agreement	
10	46 Dawlish Drive, Ruislip 49706/APP/2013/3361	Manor	Single storey front extension involving conversion of garage to habitable room (Part Retrospective).	87 - 94
			Recommendation: Refusal	
11	Littlehurst, Northgate, Northwood 31866/APP/2013/3686	Northwood	2 x two-storey, 5-bed detached dwellings with habitable roofspace and associated parking and amenity space, installation of vehicular crossover and retention of existing vehicular crossover, involving demolition of existing dwelling.	95 - 116
			Recommendation: Approval subject to S106 Agreement	
12	Any Items Transferred f	rom Part 1		
13	Any Other Business in Part 2			



# **Minutes**

#### **NORTH PLANNING COMMITTEE**

## 7 January 2014



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

Committee Members Present:

	Councillors Eddie Lavery (Chairman) John Morgan (Vice-Chairman) Raymond Graham
	Michael Markham
	David Allam (Labour Lead) Brian Stead
	Janet Duncan
	LBH Officers Present: Matthew Duigan, Planning Services Manager Adrien Waite, Major Applications Manager Manmohan Ranger, Transportation DC Consultant Victoria Boorman, Flood and Water Management Specialist Sarah White, Legal Advisor Charles Francis, Democratic Services
138.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies for absence were received from Councillor Carol Melvin and Councillor Brian Stead acted as substitute.
	Apologies for absence were received from Councillor David Yarrow, no substitute.
	Apologies for absence were received from Councillor Robin Sansarpuri and Councillor Janet Duncan acted as substitute.
139.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
140.	TO SIGN AND RECEIVE THE MINUTES OF 20 NOVEMBER AND 10 DECEMBER 2013 (Agenda Item 3)
	Were agreed as an accurate record.
141.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
142.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1
I	Page 1

	WILL BE CONCIDEDED IN DUDI IO AND THAT THE ITEMS	
	WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda	
	Item 5)	
	All items were considered in Part 1.	
143.	39 COPSEWOOD WAY, NORTHWOOD - 11007/APP/2013/2426 (Agenda Item 6)	Action by
	The item was withdrawn from the agenda by the Planning Services Manager ahead of the Committee meeting.	Matthew Duigan
144.	15 NICHOLAS WAY, NORTHWOOD - 16824/APP/2012/3220 (Agenda Item 7)	Action by
	The Chairman introduced the item and explained that the scheme had been previously considered at 30 October 2013 North Planning Committee meeting where most matters had been resolved. However, it had been established that a flood report had not been published to the public website in error and so had been subject to an additional consultation period.	Matthew Duigan & Adrien Waite
	The Chairman explained that in this particular case, he had used his discretion to allow the petitioners that spoke at 30 October 2013 meeting to speak again on the flood report without a petition. It was noted that this was highly unusual as the Council's Constitution provided guidance that petitions were required to address Planning Committees.	
	Officers introduced the report and explained that a geotechnical report had not been available to the public when the application was considered at 30 October 2013 meeting. As a result, a further period of consultation was undertaken and the application considered at this meeting would only focus on this consultation. It was noted that on the basis of all the information considered at both 30 October and 7 January 2014 meetings, the Council's Flood and Water Management Specialist considered that there was no material harm.	
	Referring to the addendum sheet, Officers highlighted that the increase of the footprint from 380 square metres to 416 square metres did not alter their view. In relation to Condition 10, it was noted that the word 'surface' should be deleted from point 1 and that three additional pieces of correspondence had been received since the agenda had been published which were summarised in the addendum sheet.	
	In accordance with the Constitution the petitioner addressed the Committee and the following points were raised:  • The application was error prone, inconsistent and should be rejected.	
	<ul> <li>The conditions in neighbouring gardens had been ignored by the structural engineering report.</li> <li>The report had ignored the impact of the removal of 21 mature</li> </ul>	
	trees from the site.  The report had not investigated the cumulative impact of the Page 2	

- scheme including the impact other basements locally and also the water run off down the slope from Copse Wood.
- The report did not refer to how an underground trench would be maintained as these systems would become blocked over time. Therefore, trenches would be ineffective.
- The report failed to apply the extra 30% climate change factor on the general increase in water run-off
- The application mentioned that soak ways would be used. However, these would be inappropriate for the development owing to the strata of thick clay which would require very deep excavation.
- The Council had still failed to demonstrate in the current report how the major reasons for refusal from the first application (regarding size and bulk) had been mitigated.
- An application at Number 7 Nicholas Way had been recommended for refusal on the grounds of size, scale, bulk, siting, design and appearance although this had a smaller footprint than the proposal at 15 Nicholas Way. Therefore, why had a much larger proposal been recommended for approval?
- At 30<sup>th</sup> October meeting, the Committee made a number of incorrect assumptions about the impact of the development based on the footprint only, and did not take into account the height of the proposal.

For clarification, the Committee asked the petitioner to explain their comments about the trench system. The petitioner reiterated their concerns that the gravel trenches would become blocked over time by water borne debris and a maintenance programme could not be implemented as the trenches were located 9 feet below the depth of the basement.

In response, the Council's Flood and Water Management Specialist confirmed that Officers had considered the ground conditions of neighbouring gardens and undertaken a site visit to number 15 Nicholas Way. The Officer also confirmed that the use of trench systems was considered best practice and had been used with success elsewhere. Noting the concerns about the maintenance of the trenches, the officer explained that these were unlikely to fill up because the trenches were lined with a geo-textile material to stop debris entering the trench system. Officers also commented that their analysis had incorporated the effects of climate change and how surface water run off could be controlled in the future.

A representative of the applicant or agent was invited to address the Committee but opted not to.

Discussing the application the Committee raised a number of points, including the implications of surface run off, the increased footprint of the proposal and the effectiveness of the water tanks incorporated into the design proposals. In response, the Committee were informed that surface water and ground water issues had been taken account of in principle in their recommendations about the scheme but that in many cases, the technical implementation of the scheme remained a Building Control matter. In relation to the footprint of the proposal, Officers

Page 3

reiterated their comments from the addendum, namely that the increased footprint did not constitute a reason for the refusal of the scheme. With regards to the water storage, Officers confirmed that the design was sufficiently large that it would be able to sustain a large scale event and that the design allowed for the gradual discharge of the tanks during a period of dry weather.  It was moved, seconded and on being put to the vote agreed to approve the application with five votes in favour, with one against.  Resolved —  That the application be Approved as per officer recommendation, addendum sheet and the changes listed above.	
145. LITTLE BOURNE FARM, NORTHWOOD ROAD, HAREFIELD - 63630/APP/2013/3294 (Agenda Item 8)	Action by
Officers introduced the report.	Matthew
It was noted that the building would not significantly increase the built up appearance of the site and would not result in an inappropriate development in the Green Belt. The Committee agreed that the application would not detract from the agricultural character of the immediate surrounding area and it was noted that there would not be an adverse impact along the adjacent highway.	Duigan & Adrien Waite
It was moved, seconded and on being out to the vote agreed that the application be approved.	
Resolved –	
That the application be approved, subject to the officer report and changes set out in the addendum. (Approved as per officer recommendation)	
146. <b>209 SWAKELEYS ROAD, ICKENHAM - 38490/APP/2013/3223</b> (Agenda Item 9)	Action by
Officers introduced the report and highlighted the changes set out in the addendum.	Matthew Duigan & Adrien Waite
Introducing the report, Officers confirmed that the application would have an acceptable impact on the visual amenities of the surrounding area and the residential amenity of the adjoining occupiers. The Committee also noted that the proposal incorporated adequate parking provision and complied with the Council's standards.	
It was moved, seconded and on being put to the vote agreed that the application be approved.	
Resolved –	

	That the application be Approved as per the officer recommendation and the addendum.	
147.	LAND FORMING PART OF NO 11 AND 11 DUCKS HILL ROAD, NORTHWOOD - 42254/APP/2013/2897 (Agenda Item 10)	Action by
	Officers introduced the report and highlighted the changes as set out in the addendum.  Referring to the overall scheme, officers explained that a previous	Matthew Duigan & Adrien Waite
	application had been dismissed at appeal because education contributions had not been agreed. Officers confirmed that the proposal before the Committee now incorporated these and as it was in keeping with the character and appearance of the surrounding area, the scheme was recommended for approval.	
	It was moved, seconded and on being put to the vote agreed that the application be approved.	
	Resolved –	
	That the application be Approved as per officer recommendation and addendum sheet.	
148.	UNIT B, NEW PETS AT HOME STORE, VICTORIA ROAD, RUISLIP - 60026/APP/2013/2989 (Agenda Item 11)	Action by
	Officers introduced the report and the changes set out in the addendum.	Matthew Duigan &
		Adrien Waite
	It was noted that the application concerned a change of use from Use Class A1 to mixed Use Class A1 / Sui Generis. Officers explained that they considered the proposal would not be harmful to the retail use of the site or harm the amenity of adjoining occupiers.	Adrien Waite
	Class A1 to mixed Use Class A1 / Sui Generis. Officers explained that they considered the proposal would not be harmful to the retail use of	Adrien Waite
	Class A1 to mixed Use Class A1 / Sui Generis. Officers explained that they considered the proposal would not be harmful to the retail use of the site or harm the amenity of adjoining occupiers.  The Committee welcomed proposals that made it more likely that retail	Adrien Waite
	Class A1 to mixed Use Class A1 / Sui Generis. Officers explained that they considered the proposal would not be harmful to the retail use of the site or harm the amenity of adjoining occupiers.  The Committee welcomed proposals that made it more likely that retail premises would remain open.  It was moved, seconded and on being put to the vote agreed that the	Adrien Waite
	Class A1 to mixed Use Class A1 / Sui Generis. Officers explained that they considered the proposal would not be harmful to the retail use of the site or harm the amenity of adjoining occupiers.  The Committee welcomed proposals that made it more likely that retail premises would remain open.  It was moved, seconded and on being put to the vote agreed that the application be approved.	Adrien Waite

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

# **Minutes**

### **NORTH PLANNING COMMITTEE**





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

	Committee Members Present: Councillors Eddie Lavery (Chairman) John Morgan (Vice-Chairman) Michael Markham Carol Melvin David Yarrow David Allam (Labour Lead) Robin Sansarpuri Brian Stead	
	LBH Officers Present: James Rodger, Head of Planning, Green Space s and Culture Matthew Duigan, Planning Services Manager Syed Shah, Highways Engineer Tin Brown, Legal Advisor Charles Francis, Democratic Services	
149.	APOLOGIES FOR ABSENCE (Agenda Item 1)	
	Apologies for absence were received from Councillor Raymond Graham with Councillor Brian Stead acting as substitute.	
150.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)	
	None.	
151.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 3)	
	None.	
152.	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)	
	All items were considered in Part 1.	
153.	ICKENHAM MANOR HOUSE - 32002/APP/2013/2732 (Agenda Item 5)	Action by
	Demolition of 2 garages and the erection of building to accommodate a double garage and studio, adjacent to existing barn	James Rodger & Matthew

Officers introduced the report and provided a joint presentation on applications 32002/APP/2013/2732 and 32002/APP/2013/2733.

Members noted that Ickenham Manor was a large detached grade 1 listed house located within the Ickenham Conservation Area and was located within the Green Belt.

Officers explained that the application sought the demolition of two small concrete construction garages and the erection of a new building that would link onto the side of an existing wooden frame barn to accommodate a double garage and a work studio with its own enclosed outdoor space set to the side (south) of the new building.

Members noted that key considerations included whether or not the application affected the openness or caused harm to the Green Belt. In discussing the application, Members agreed that the application constituted a natural evolution of the site and did not pose a threat to the Green Belt. The unanimous view indicated by Members was that the application did not have a significant impact/harm on the openness of the Green Belt. Legal advice was sought and the Officer confirmed that this was sufficient reason to overturn the Officer recommendation for refusal, as planning officers had previously stated that refusal reasons 2 and 3 could be dealt with by condition.

It was moved, seconded and on being put to the vote that the Officer recommendation was overturned and the application approved subject to the following conditions:

#### **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

## RES4 (plans)

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

Existing Site Plan (un-numbered)

Proposed Site Plan (un-numbered)

Existing & Proposed Floor Plan (un-numbered)

Planning, Design, Access & Heritage Statement

Proposed Ground Floor Plan (un-numbered)

Proposed Elevations (un-numbered)

Proposed Roof Plan (un-numbered)

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 Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

#### **RES7** (materials)

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## NONSC: (use of outbuilding)

The outbuilding building hereby permitted shall not be used at any time other than for purposes set out in the application. The outbuilding shall not be used for purposes such as a living room, bedroom, kitchen, or as a separate unit of accommodation. This restriction preventing the outbuilding from being used as habitable accommodation shall apply for so long as the out building is in existence.

REASON: To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential use, so as to protect openess of the Green Belt, the setting of heritage assets in the vicinity of the building and the amenity of adjoining residential properties in accordance with Policies OL1, OL5, BE10 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **NONSC** (management plan)

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

- i) A programme to demonstrate that the existing barn to be retained without being unnecessarily damaged or demolished.
- ii) The storage of demolition/construction materials on site and parking provisions for contractors during the development process, which shall ensure there is no damage to existing trees or heritage assets.

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

REASON: To safeguard the existing trees and heritage assets and the amenity of surrounding areas in accordance with Policy BE38, BE10 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### NONSC (archaeology)

No development shall take place until a scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority (who shall consult with GLASS). The scheme shall include:

A desk-based assessment using existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets.

Proposals for an archaeological field evaluation, involving exploratory fieldwork to determine if significant remains are present on the site and if so to define their character, extent, quality and preservation. The proposals for the field evaluation shall involve one or more techniques depending on the nature of the site and its archaeological potential, including excavation of trial trenches.

Details for how archaeological remains are to be preserved in-situ within a development how this will be achieved. This shall involve details of a design and methods statement for groundworks, including monitoring of their condition and take remedial action in the event of decay.

There after the development shall be undertaken in strict accordance with the approved scheme.

REASON: To ensure important archeological remains are not destroyed and to accord with policy BE3 of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **Informatives**

152.

153,

147.

199, You are advised that the decision of the Planning Committee was taken having formed the view that the openness of the Green Belt would not be harmed as a result of the proposal and in view of the significant size of the application site and its separation from neighbouring properties.

#### Resolved -

That the recommendation for refusal be overturned and the application be unanimously approved for the reasons set out above.

# 154. | ICKENHAM MANOR HOUSE - 32002/APP/2013/2733 (Agenda Item 6)

# Demolition of 2 garages and the erection of building to accommodate a double garage and studio, adjacent to existing barn (Listed Building Consent)

Officers introduced the report and provided a joint presentation on applications 32002/APP/2013/2732 and 32002/APP/2013/2733.

Subject to the decision taken in Item 5, Ickenham Manor House, 32002/APP/2013/2732, Members overturned the Officer recommendation for refusal and Approved the application subject to the following amendments:

## Action by

James Rodger & Matthew Duigan

#### **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

#### RES4 (plans)

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

Existing Site Plan (un-numbered)

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Existing & Proposed Floor Plan (un-numbered)

Planning, Design, Access & Heritage Statement

Proposed Ground Floor Plan (un-numbered)

Proposed Elevations (un-numbered)

Proposed Roof Plan (un-numbered)

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 Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

#### **RES7** (materials)

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### NONSC (archaeology)

No development shall take place until a scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority (who shall consult with GLASS). The scheme shall include:

A desk-based assessment using existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets.

Proposals for an archaeological field evaluation, involving exploratory

fieldwork to determine if significant remains are present on the site and if so to define their character, extent, quality and preservation. The proposals for the field evaluation shall involve one or more techniques depending on the nature of the site and its archaeological potential, including excavation of trial trenches.

Details for how archaeological remains are to be preserved in-situ within a development how this will be achieved. This shall involve details of a design and methods statement for groundworks, including monitoring of their condition and take remedial action in the event of decay.

There after the development shall be undertaken in strict accordance with the approved scheme.

REASON: To ensure important archeological remains are not destroyed and to accord with policy BE3 of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **NONSC** (management plan)

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

- i) A programme to demonstrate that the existing barn to be retained without being unnecessarily damaged or demolished.
- ii) The storage of demolition/construction materials on site and parking provisions for contractors during the development process, which shall ensure there is no damage to existing trees or heritage assets.

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

REASON: To safeguard the existing trees and heritage assets and the amenity of surrounding areas in accordance with Policy BE38, BE10 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **Informatives**

152.

153,

147,

#### Resolved -

That the recommendation for refusal be overturned and the application be unanimously approved for the reasons set out above.

# 155. LAND O/S SORTING OFFICE, JUNCTION OF EAST WAY AND PARK WAY - 59076/APP/2013/3635 (Agenda Item 7)

Replacement of existing 12.5m high monopole and one radio equipment cabinet with a new 12.5m high monopole with 2 equipment cabinets and ancillary works (Consultation under Schedule 2, Part 24 of the Town and Country Planning (General

Action by

James Rodger & Matthew Duigan

	Permitted Development) Order 1995) (as amended)	
	Officers introduced the report and provided a presentation.	
	Members were advised that the application sought prior approval to an existing telecommunications site so that 4G could be provided to the area.	
	Members discussed the application and agreed that the proposal was incongruous and visually obtrusive which would be out of keeping with the street scene and surrounding area.	
	It was moved, seconded and on being put to the vote agreed that the application be unanimously refused.	
	Resolved –	
	That the application be refused, as set out in the Officer report.	
156.	S 106 QUARTERLY MONITORING REPORT (Agenda Item 8)	Action by
	Officers introduced the report which set out financial information on s106 and s278 agreements in the North Planning Committee area up to 30 September 2013 where the Council has received and holds funds.	James Rodger & Matthew Duigan
	Resolved –	
	That the report be noted.	
	The meeting, which commenced at 7.07 pm, closed at 7.31 pm.	

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

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# Public Document Pack

# **Minutes**

#### **NORTH PLANNING COMMITTEE**

**10 December 2013** 



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

	Committee Members Present: Councillors Eddie Lavery (Chairman
	John Morgan (Vice-Chairman)
	Raymond Graham
	Michael Markham Carol Melvin
	David Yarrow
	David Allam (Labour Lead)
	Mo Khursheed
	Also Present:
	Cllr David Simmonds (Items 10 and 11)
	LBH Officers Present:
	James Rodger, Head of Planning, Culture and Green Spaces
	Adrien Waite, Major Applications Manager  Manmohan Ranger, Highways Officer
	Sarah White, Principal Legal Advisor
	Danielle Watson, Democratic Services Officer
122.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies had been received from Councillor Robin Sansarpuri with Councillor Mo
	Khursheed substituting.
123.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING
120.	(Agenda Item 2)
	None.
124.	TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 30 OCTOBER
	2013 (Agenda Item 3)
	The minutes of the meetings held on 30 October 2013 were agreed as a correct record.
125.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item
	4)
	The Chairman confirmed that Item 8 – 116a Hallowell Road, Northwood –
	45407/APP/2013/2272 had been withdrawn from the agenda.
126.	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 5)

All items were considered in Part I, with the exception of item 13 which was considered in Part II.

# 127. LAND AT CROWS NEST FARM, BREAKSPEAR ROAD SOUTH, HAREFIELD 1113/APP/2013/1065 (Agenda Item 6)

Installation of compost storage unit with solar panels and mobile bio-bed unit, involving demolition of existing compost storage sheds.

Officers introduced the report and outlined details of the application.

The application related to the erection of a replacement building to be used in connection with an existing waste facility in the former farmyard of Crows Nest Farm which was within the Green Belt. This building would be used for the composting of green waste and involve the use of a mobile bio-bed.

In accordance with the Council's constitution a representative of the petition received in support of the proposals was invited to address the meeting. The lead petitioner, who was also the agent, spoke on behalf of the petitioners and raised the following points:

- A green roof would not be sustainable.
- Officers had made the suggestion to implement trellis work on the side of the building for a 'greener' effect.
- Thanked the Committee and officers.

Members questioned whether the new building would reduce any smells. The lead petitioner/agent informed the Committee that there was a strategy that would reduce potential smells with the mobile bio-bed odour removal unit.

Members confirmed they were happy to delegate the wording of condition 10 to the Head of Planning, Culture and Green Spaces.

Members noted that no objection had been received from the Environment Agency and that the proposals were not cited near residential properties.

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

Resolved – That the application be approved subject to the conditions and informatives set out in the officer's report, including the rewording of condition 10 which was delegated to the Head of Planning, Culture and Green Spaces.

#### 128. **56 THE DRIVE, ICKENHAM 4496/APP/2013/2358** (Agenda Item 7)

Two storey six-bedroom detached dwelling with habitable basement and roofspace involving the demolition of existing dwelling.

Officers introduced the report and outlined details of the application.

The site had an extensive planning history. However, the current proposal was very similar to one refused in 2008 with the main difference being a light reduction in the size of the dormers above the garage block. It was considered that the proposal would

raise the same issues as the previously refused 2008 application and would represent an obtrusive form of development out of keeping with the street scene.

In accordance with the Council's constitution a representative of the petition received in objection to the proposals was invited to address the meeting. The lead petitioner spoke on behalf of the petitioners and raised the following points:

- Previous applications had been refused for the same grounds.
- There was no improvement to the previous application.
- The garage was longer than previously proposed.
- The porch had been redesigned.
- The application was not a neighbourly development.
- There would be overshadowing and loss of light to neighbouring properties.
- 1<sup>st</sup> floor of the garage would protrude from the bulk.
- Key reasons for refusal were previously outlined in the application presented to Committee in 2008

The agent/applicant was not present at the meeting.

Members agreed with petitioners and stated there was no difference between the previous application in 2008 and this application. Members also questioned why overshadowing diagrams had not been included in the reasons for refusal. Officers agreed these would be included in the future if overshadowing was a reason for refusal.

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

Resolved – That the application be refused as per the officers' report.

#### 129. 116A HALLOWELL ROAD, NORTHWOOD 45407/APP/2013/2272 (Agenda Item 8)

2 x two storey, 3-bed, detached dwellings with habitable roofspace with associated parking and amenity space involving demolition of existing Use Class B1/B8 buildings.

This item was withdrawn by the applicant.

#### 130. **36 NICHOLAS WAY, NORTHWOOD 41018/APP/2013/1224** (Agenda Item 9)

Variation of condition No. 2 of planning permission ref 41018/APP/2011/1630 dated 12/09/2011 to regularise the position and appearance of the new house (Two storey, detached 5-bedroom dwelling with habitable roof space, associated parking and amenity space involving the demolition of existing 3- bed detached dwelling).

Officers introduced the report and referred members to the addendum sheet that had been circulated.

Officer explained that amendments had been made to the scheme that was originally approved. Site visits were undertaken by officers and it was determined that the building was erected in the correct location within the site. However, there were some discrepancies in the location of neighbouring buildings as plotted on the original plans. Page 17

Officers informed the Committee that the building sat slightly further forward of the neighbouring building than might have been expected, by 0.3 metres, and the separation from the neighbouring properties approximately 0.2 metres less than was expected. Officers stated that the 0.2 metres reduction in separation distance itself did not warrant a reason for refusal, however, the gables had been erected with what the Council's Conservation Officers considered to be substantive differences from the approved plans which were harmful to the area of Special Local Character.

Members noted that reason 1 for refusal should read 'deterioration' rather than 'determination'.

In accordance with the Council's constitution a representative of the petition received in objection to the proposal was invited to address the meeting. The lead petitioner raised the following points:

- Was a resident of No.34 Nicholas Way.
- Deviations from the plans were deliberate.
- Planning previously granted in 2011.
- Gables were 1 metre higher than previously approved.
- Over sized windows were never submitted for approval.
- The property was oversized and bulky.
- The front dormers were the wrong size.
- Was setting a precedent for other developers in the local area.
- The roof was higher than No.34 Nicholas Way.
- The building was sited incorrectly.

A representative of the applicant raised the following points:

- There had been 4 site visits from enforcement who were satisfied with the alterations.
- The footprint and position of the building were all as approved.
- There had been an error in the detailed design stage, although, it would be hard to spot the difference.
- The gable was the same width and depth as approved.
- There were several errors in the officers' report.
- The house at No.38 Nicholas Way was being demolished.
- Other properties had equal gables and hips.
- The Council had approved 16 Copsewood Way which was identical.
- The owner of the property was not a developer.

Members discussed the application and were not satisfied with the amendments made and concurred with the statement from the Council's Conservation Officer.

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

Resolved – That the application be refused as per the officers' report.

# 131. ICKENHAM MANOR HOUSE, LONG LANE, ICKENHAM 32002/APP/2013/2732 (Agenda Item 10)

Demolition of 2 garages and the erection of building to accommodate a double garage and studio, adjacent to existing barn.

Officers introduced the report and outlined details of the application.

The proposals were seeking approval for the demolition of 2 existing garages and the erection of an outbuilding to accommodate a double garage and studio. The existing barn would be retained and attached to the proposed structure.

A local Ward Councillor spoke regarding the proposals and made the following comments:

- The building was an historic grade I listed house.
- Ickenham Manor House was a family home, 2<sup>nd</sup> generation.
- The building was in a secluded location.
- Other listed buildings in the Borough such as Barra Hall and Breakspear House had planning approval.
- · Was formerly part of a group of buildings.
- A site visit should be conducted; this would give Members of the Committee an opportunity to see what was existing and what was proposed to change.

Members discussed the application and agreed it would be appropriate to conduct a site visit prior to a decision being made.

The recommendation to defer for a site visit was moved, seconded and on being put to the, vote was unanimously agreed.

Resolved - Deferred for a site visit.

# 132. ICKENHAM MANOR HOUSE, LONG LANE, ICKENHAM 32002/APP/2013/2733 (Agenda Item 11)

Demolition of 2 garages and the erection of building to accommodate a double garage and studio, adjacent to existing barn.

Officers introduced the report and outlined details of the application.

The proposals were seeking approval for the demolition of 2 existing garages and the erection of an outbuilding to accommodate a double garage and studio. The existing barn would be retained and attached to the proposed structure.

A local Ward Councillor spoke regarding the proposals and made the following comments:

- The building was an historic grade I listed house.
- Ickenham Manor House was a family home, 2<sup>nd</sup> generation.
- The building was in a secluded location.
- Other listed buildings in the Borough such as Barra Hall and Breakspear House had planning approval.
- Was formerly part of a group of buildings.

 A site visit should be conducted; this would give Members of the Committee an opportunity to see what was existing and what was proposed to change.

Members discussed the application and agreed it would be appropriate to conduct a site visit prior to a decision being made.

The recommendation to defer for a site visit was moved, seconded and on being put to the, vote was unanimously agreed.

Resolved - Deferred for a site visit.

133. WILLIAM OLD CENTRE, DUCKS HILL ROAD, NORTHWOOD 67902/ADV/2013/72 (Agenda Item 12)

Installation of 3 x non illuminated fascia signs, 1 x internally illuminated fascia sign and 1 x internally illuminated monolith.

Officers introduced the report and outlined details of the application.

The signage would have an appropriate appearance and would not be detrimental to the amenity of the area or pedestrian or highway safety.

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

Resolved – That the application be approved.

#### 134. **ENFORCEMENT REPORT** (Agenda Item 13)

The recommendations as set out in the officer report 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 be agreed.
- 2. That the Committee resolve 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.

This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

The meeting, which commenced at 6.00 pm, closed at 7.05 pm.

These are the minutes of the above meeting. For more information on any of the

resolutions please contact Danielle Watson on Democratic Services Officer - 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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# Agenda Item 6

Report of the Head of Planning, Sport and Green Spaces

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/2013/2426

**Drawing Nos:** An Ecology Survey of 39 Cope Wood Way, Northwood, Middlesex, HA6

2TZ

Shadow Study of the existing development illustrating the effect of the

proposed development

1176/P3/5 1176/P3/6 1176/P3/7 1176/P3/3 1176/P3/2 1176/P3/4 1176/P3/1

01 (Site Survey - As Existing)
Design and Access Statement

Code for Sustainable Homes Pre- Assessment

A Bat emergence survey at 39 Copse Wood Way, Northwood, Middlesex,

HA6 2TZ Tree Survey

 Date Plans Received:
 22/08/2013
 Date(s) of Amendment(s):
 15/12/2013

 Date Application Valid:
 27/08/2013
 22/08/2013

#### 1. SUMMARY

The application relates to 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 application is the second resubmission for a new dwelling at the site after permission was refused in 2013 under application reference 11007/APP/2013/1490 on the grounds of design, impact to neighbouring dwellings, absence of plans to show the protection of trees and failure to comply with lifetime homes standards.

After this refusal a new revised application was received under application reference 11007/APP/2012/2233. Although amended, it was not considered appropriate. A non-determination appeal was lodged against this scheme which is yet to be determined.

The applicant has now submitted the current scheme which is considered to be appropriate and on balance, would adhere to the design ethos of the Copsewood Estate and would provide good quality accommodation for future occupiers. The other issues at the site have also been addressed by the new proposal. Therefore, the application is recommended for approval.

The application is being reported to committee as two petitions both in support and in

objection to the scheme with over 20 signatures to the proposal were received.

#### 2. RECOMMENDATION

#### APPROVAL subject to the following:

#### 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 1176/P3/5, 1176/P3/6, 1176/P3/7, 1176/P3/3, 1176/P3/2, 1176/P3/4, 1176/P3/1, D & A, Code for Sustainable Homes Pre- Assessment, Ecology Survey October 2013, Tree Survey and Shadow Study 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 Two Saved UDP Policies (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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 RES7 Materials (Submission)

No development above sub-ground foundation level shall take place until details of all materials and external surfaces, including details of balconies and screens 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 5 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been

submitted to, and approved in writing by, the Local Planning Authority with respect to:

- 1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
- 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 6 RES9 Landscaping

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

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Means of enclosure/boundary treatments
- 2.b Car Parking Layouts
- 2.c Hard Surfacing Materials
- 2.d External Lighting
- 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

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

#### 8 HO7 No roof gardens

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

#### **REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 9 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 No.s 37 and 41 Copsewood Way.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 10 HO6 Obscure Glazing

The first floor window(s) facing No.s 37 and 41 Copsewood Way 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 11 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

#### 12 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.

#### 13 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

#### 14 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.

#### 15 HH-RCU3 Loss of Garage(s) to Living accommodation (Not Garage

Notwithstanding the profiles of Section 55 of the Town and Country Planning Act 1990, the garage(s) shall be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse as a residence.

#### **REASON**

To ensure that adequate off-street parking to serve the development is provided and retained, in accordance with policy AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **INFORMATIVES**

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

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

#### 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13 BE15 BE19	New development must harmonise with the existing street scene.  Alterations and extensions to existing buildings  New development must improve or complement the character of the
BE20 BE21 BE22	area. Daylight and sunlight considerations. Siting, bulk and proximity of new buildings/extensions. Residential extensions/buildings of two or more storeys.
BE23 BE24	Requires the provision of adequate amenity space. Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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
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 5.3	(2011) Sustainable design and construction
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

### 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 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.

#### 4 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

#### 5 I1 Building to Approved Drawing

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

#### 6 Property Rights/Rights of Light

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

#### 7 IT05 Wildlife and Countryside Act 1981

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

#### 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 scene which is 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 towards the brow of the hill, both comprising detached two storey houses.

There is a mature, protected Oak in the front garden and, amongst other smaller trees, a mature, protected Oak in the rear garden. The trees contribute to the arboreal/wooded character of the Copse Wood Estate Area of Special Local Character (CWEASLC) and have a high (collective) amenity value.

The land in front of the dwelling provides a driveway with space to park at least two cars.

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 proposed development comprises the erection of a two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of the existing detached dwelling.

The building would measure 8.81m high, 13.41m wide and 12.05m deep. The property

would be located 1.9m away from the boundary shared with No. 37 Copse Wood Way and 2.1m away from the side boundary line shared with No. 41 Copse Wood Way. The roof profile would be pitched with an inverted crown roof behind the main ridge. A single storey rear element would be located at the rear measuring 2.6m deep, 4m high and 7.9m wide. A small front dormer and rear inset dormer are proposed.

The proposed building would be laid out over three stories, including the rooms in the roof, with timber windows and timber doors.

The private garden area to the rear of the building measuring 557 square metres would be retained.

The proposal would provide accommodation on three floors. The ground floor would provide a drawing room, breakfast/kitchen area, a study, dining room, utility room and a single width garage. The first floor would comprise 4 bedrooms en-suite bedrooms, 1 of which would be a master suite with a walk-in wardrobe, and a siting area. The second floor would comprise the 5th ensuite bedroom, a leisure area and storage. The development would provide approximately 400 square metres of accommodation.

The existing crossover into the side would be retained, with parking also available on the driveway in front of the dwelling.

The applicant seeks to address the previous refusal reasons of application 11007/APP/2012/2233 and the potential reasons for refusal the Council had, with regards to application 11007/APP/2013/1490 (which is the subject of a non-determination appeal) by undertaking the following:

Changes from previously refused scheme ref. 11007/APP/2012/2233:

- changing the design concept from a mock Georgian to a more traditional vernacular design
- removing the large crown roof, replacing it with a smaller inverted crown roof
- reducing the rear element by 0.3m
- provided a tree survey and associated information

Changes from scheme subject to non determination appeal ref.11007/APP/2013/1490:

- a reduction in the width of the double garage to provide a single garage
- an increase in the separation distance to the south-western boundary
- stepping the scheme back to conform to the existing building line
- reducing the single storey rear element
- demonstrating that the 45-degree line of sight would be complied with
- meeting a number of lifetime home standards
- providing a tree survey and associated information

The applicant has also provided supporting information which includes a shadowing study and an ecology report.

#### 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/APP/2012/2233 39 Copse Wood Way Northwood

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

Decision: 03-01-2013 Refused

11007/APP/2013/1490 39 Copse Wood Way Northwood

Two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated

parking and amenity space involving demolition of existing detached dwelling

Decision: 08-10-2013 Refused

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

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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**

#### NON DETERMINATION APPEAL

During the course of the previous application ref. 11007/APP/2013/1490 it was made clear to the agent during two detailed telephone conversations and a e-mail dated 5 August 2013, that a number of changes would be required in order for the application to be acceptable. However given the number of objections received, it would be necessary to resubmit the scheme to allow for the required consultation. The requested changes comprised the following:

- reduction in the width of the double garage to provide a single garage
- stepping the scheme back to conform to the existing building line
- omitting the single storey rear element
- demonstrate that the 45-degree line of sight would be complied with
- meet a number of lifetime home standards

The agent expressed that the scheme may be withdrawn, however at a later date it was confirmed to the Planning Officer that the scheme should be determined. During this time an appeal for non-determination was submitted. Subsequently, a further application has been received (Ref. 11007/APP/2013/2426 - the current application) for a scheme making changes to the scheme which the Council initially suggested.

Although the Local Authority did not have the authority to determine the above application, it notified the Planning Inspectorate that the following refusal reasons would have been applied in the event that a non-determination appeal had not been lodged:

- 1.The proposed development by reason of its overall size, scale, bulk, width and design would result in the overdevelopment of the site which 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), Policies 3.5 and 7.4 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Layouts.
- 2. The proposed development, in relation to the single storey rear addition and raised patio area, 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, overly dominant and an un-neighbourly form of development, resulting in an undue 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Document HDAS: Residential Layouts.
- 3. 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.

4. The proposal has failed to demonstrate the proposed development will not disturb or harm a bat roost. Therefore, it has not been possible for the Council to determine the impacts of the proposal to an European Protected Species, contrary to Policy EC2 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### PREVIOUS PLANNING APPLICATIONS

Planning permission was refused on the 1 March 2013 (Ref. 11007/APP/2012/2233) for the erection of a two-storey 5-bedroom property involving the demolition of the existing property on the following grounds:

- 1. 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. 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. 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. 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.

The applicant seeks to address the above concerns by providing the following:

- 1. Changing the design concept from a mock Georgian to a more traditional vernacular design
- 2. Removing the large crown roof and replacing with a smaller crown roof

- 3. Reducing the rear element by 0.3m in depth.
- 4. Providing a tree survey and associated information.

#### 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:

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.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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
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 5.3	(2011) Sustainable design and construction
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

#### 5. Advertisement and Site Notice

**5.1** Advertisement Expiry Date:- Not applicable

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

#### 6. Consultations

#### **External Consultees**

2 neighbouring properties and the Northwood Residents Association were consulted. A site notice was also displayed on the 4 October 2013.

A petition has been received with 28 signatories in support of the proposal.

- 1 letter of objection and petition has been received with 24 signatories raising the following objections:
- 1. Design The design of the scheme is a considerable improvement
- 2. Overshadowing, enclosure, intrusion and loss of outlook
- 3. Overlooking- caused by the extent of the terrace and side study window
- 4. Loss of Trees and hedges
- 5. Contrary to Local Plan policies

The petition specifies that if in the event a number of amendments were undertaken to address the above concerns, then petitioners would withdraw their objection.

Additional information in the form of a bat emergence study and a shadow study were received during the course of the application. Accordingly a further 21 day consultation was undertaken on the 14 January 2014 and expires on the 4th February 2014. At the time of writing this report, no additional comments have been received as a result of the re-consultation.

#### **Internal Consultees**

Design and Conservation:

Copse Wood Estate Area of Special Local Character is designated as part of an Area of Special Local Character (ASLC). The Area of Special Local Character comprises a number of different road, however the general features within the area are lengthy, tree-lined avenues fronted by large detached dwellings set in generous grounds. This is a residential area of high quality, and a general sense of verdant spaciousness is exuded.

However, as acknowledged in a recent appeal decision relating to no. 36 Linksway, which also falls within the Copse Wood Estate Area of Special Local Character there has been recent development and redevelopment in the area and a wide variety of architectural styles is on display.

Nothing in the existing dwelling's features or appearance distinguishes it as being of particular architectural merit, and its demolition would not be objectionable. Further, the design of the building, which has been amended to have regard to comments on previous proposal, is considered to be acceptable and would integrate successfully within the surrounding street scene.

Accordingly, no objections are raised to the proposal in terms of the design or impact on the Area of Special Local Character.

#### Trees & Landscaping:

Tree Preservation Order (TPO) / Conservation Area: This site is covered by TPO 398. Significant trees / other vegetation of merit in terms of Saved Policy BE38 (on-site): There is a mature,

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protected Oak in the front garden and, amongst other smaller trees, a mature, protected Oak in the rear garden. The trees contribute to the arboreal / wooded character of the Copse Wood Estate Area of Special Local Character (CWEASLC) and have a high (collective) amenity value. The proposed tree protection is adequate. Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): None that will be affected. Recommendations: The landscaping plan (requested by condition) should show how the edge of the cell web structure will integrate with the parts of the existing lawn that are to be untouched; and should also explain (by way of notes) that the levels and small retaining brick wall will not be altered / removed (as per conversation with the applicant on-site on 26/09/2013). Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES8 (implementation of approved tree protection), RES9 (1, 2, 5, 6) and RES10.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

There is no objection to the principle of redeveloping the site to provide a larger residential dwelling.

Any planning proposal would need to accord with the design policies set out within Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design guidance contained within HDAS Residential Layouts.

#### 7.02 Density of the proposed development

The proposed development would have a density of 9.29 units per hectare and 92.93 habitable rooms per hectare. Whilst this is below the requirements of Policy 3.4 of the London Plan (July 2011), this is to be expected due to the size of the plot and nature of development on the Copsewood Estate. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

It is considered that the proposed development would harmonise with the character and appearance of the Copsewood Estate Area of Special Local Character. Further details with regards to this are included 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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area. Policy BE6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires two-storey developments in the Copsewood Estate to be 1.5m set-in from the side boundary.

It is acknowledged that the applicant has departed from the pseudo-georgian features of the previous proposal, and has proposed a more traditional design concept, with a assymetric design with articulated elevations, detailing and materials which are in keeping with the design ethos of the Copsewood Estate.

Policy 7.4 of the London Plan states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

The excessive amount of flat, crown roof has been reduced and replaced with a smaller inverted crown roof profile. The proposed crown roof, although not ideal, would be sunk below the ridge line by 600mm and thus would not appear conspicuous and would accommodate elevations which would provide visual interest and detailing.

Further, the detailing of the proposed development including the entrance surround/open porch, chimney, staggered projecting gables, timber frames and doors contribute to the visual amenity and character of the locality adhering with the vernacular 'cottage-in-the-woods' design premise of the Estate. It is considered that the design of the proposed house reflects the materials, design features and building heights predominant in the locality whilst providing an element of architectural individuality which is characteristic within the Copsewood Estate. Further the proposed development would be set back at least between 1.9m and 2.1m from the side boundaries in order to maintain key visual gaps between the properties.

The proposed building line has been stepped back from the original footprint to accord with the urban grain and building line of the surrounding properties.

The proposed single storey rear addition was previously considered 'boxy'. This has been reduced in height and width and would no longer dominate the rear of the property. Whilst the entire removal of this element would be preferable (as previously requested) it is considered that this element alone would not warrant a refusal.

The proposed development would now provide a good quality of urban design in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and would harmonise with the form of development in the street scene and the Copsewood Estate Area of Special Character, according with Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the Supplementary Planning Document (SPD) HDAS Residential Layouts.

#### 7.08 Impact on neighbours

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity

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 shared with No.37 Copse Wood Way and with lowered eaves that permit a first storey with rooms partially in the roofspace.

Based on the above, the previous application would have been refused due to the depth and extent of the single storey rear extension and terrace. The applicant has sought to address this issue through decreasing the depth of the rear extension from 4m to 2.6m deep; reducing the width of the rear element which in turn increases the separation distance between the rear extension and the boundary with No. 37 to 7.11m and the flank wall to flank wall of the single storey eextension to 13m. Furthermore, the terrace has also been reduced in depth to 3.13m, and would be 7.68m away from the main flank wall of No. 37.

A shadowing study which has been undertaken at differing times of the day (11am, 1pm, 3pm 5pm and 7pm) and is considered to demonstrate that the development would not result in an unacceptable increase in shadowing of neighbouring properties.

The windows of the proposed development would overlook the street of Copse Wood Way or the rear garden of the application site. The windows on the side elevation are proposed to be obscure glazed, to prevent the overlooking of No.41 Copsewood Way. The ground floor side window facing No.37 would provide a study. This is considered to be appropriate given its ground floor location and given that it doesnt directly overlook any windows.

Taking into account the above, it is considered that the proposed development would not unduly affect the amenities of No. 37.

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.

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. Therefore, the proposal is not considered to result in any significant overlooking of any neighbouring occupier, in accordance with Policy BE24 of the Hillingdon Local Plan (November 2012).

The proposed development would not cause any undue visual intrusion, loss of daylight or loss of sunlight by virtue of the siting and massing of the proposed development. Therefore, it is considered that the proposed development would not constitute an unneighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

#### 7.09 Living conditions for future occupiers

The size of the dwelling at well over 400sq.m and the size of the amenity space at over 400sq.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 proposed dwelling would continue to benefit from sufficient off road parking to the front driveway and a garage with space for two car and two bicycles. Therefore, the proposed development would comply with Policy AM7, AM9, 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 development has been amended to meet lifetime homes requirements and to provide disabled access through the front entrance and within the property.

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

Not applicable to this application.

#### 7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPING

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the retention of landscape features of merit and new landscaping and planting where possible.

The site is covered by TPO 398 and TPO 398 A1. The proposal suggests maintaining the protected trees at the front of the site and within the rear garden. A tree report has been submitted and the Tree Officer is satisfied that the proposal would accord with Policy BE38 of the Hillingdon Local Plan (November 2012).

#### **ECOLOGY**

Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that on site ecology features to be retained and enhanced where possible. Policy 7.19 of the London Plan requires biodiversity and natural heritage to be conserved and enhanced for the benefit of current and future Londoners within new developments.

The application is supported by two reports relating to ecological matter, these being 'An Ecology Survey of 39 Cope Wood Way, Northwood, Middlesex, HA6 2TZ' dated April 2013 and 'A Bat emergence survey at 39 Copse Wood Way, Northwood, Middlesex, HA6 2TZ' dated October 2013. The reports have been undertaken by an appropriate ecological practice and conclude that the development proposal will have no adverse impact on the habitat of any protected species.

In particular it should be noted that the additional information provided through the undertaking of a bat emergence survey has demonstrated that the proposal will not have any adverse impacts on bat roosts and therefore fully addresses the Local Planning Authorities concern set out in reason 4 of in respect of the non-determination appeal on application 11007/APP/2013/149.

Accordingly, the scheme would have no adverse impacts on ecology or habitat and would comply with Policy EC5.

#### 7.15 Sustainable waste management

Adequate refuse storage can be accommodated within the property.

#### 7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan requires the highest standards of sustainable design and construction in all developments to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. The applicant has proposed to meet Code for Sustainable Homes level 4. This has been

conditioned.

#### 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.

The proposed development would exceed 100sq.m providing 229sq.m of additional net floor area and therefore there would be a requirement to make a CIL contribution of £7979.06 which has been acknowledged by the applicant.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

None.

#### 8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in "Probity in Planning, 2009".

#### **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure

Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have "due regard" to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different "protected characteristics". The "protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have "due regard" to the above goals means that members should consider whether persons with particular "protected characteristics" would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances."

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

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

Not applicable to this application.

#### 10. CONCLUSION

The proposal has overcome the reasons for refusal relating to the impact on the amenity of the neighbouring occupiers, design and lifetime homes standards. It is considered that the proposed scheme would harmonise with the visual amenity and character of the Copsewood Estate Area of Special Local Character and would provide good quality accommodation for future occupiers.

Therefore, the application is recommended for approval.

#### 11. Reference Documents

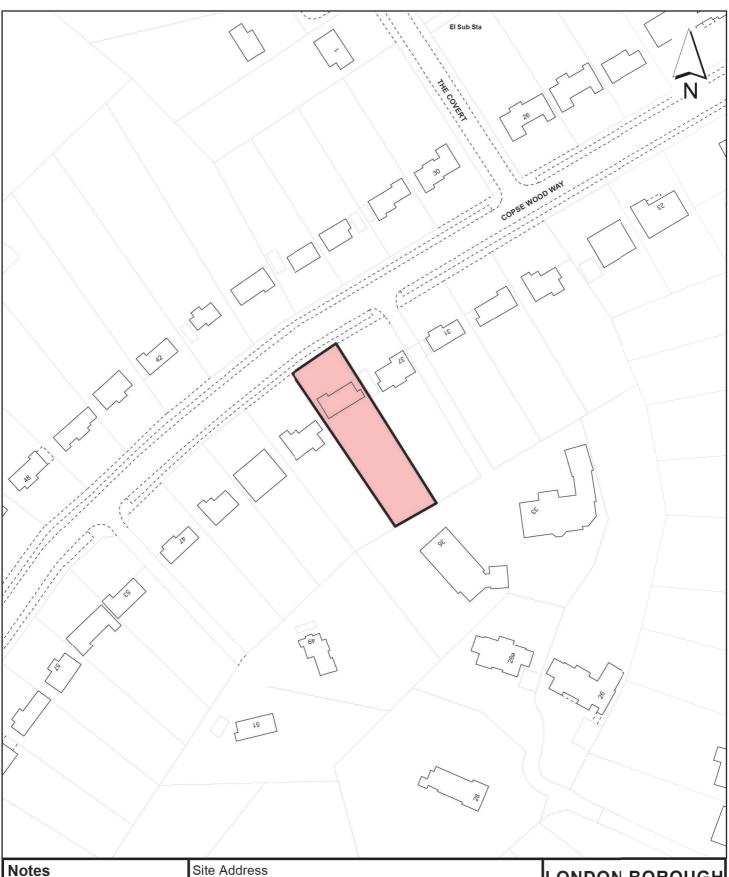
Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

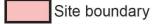
HDAS: Residential Layouts The London Plan 2011

The Mayor's London Housing Supplementary Planning Document

HDAS: Accessible Hillingdon National Planning Policy Framework

Contact Officer: Henrietta Ashun Telephone No: 01895 250230





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## 39 COPSEWOOD WAY NORTHWOOD

#### LONDON BOROUGH OF HILLINGDON Residents Services

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

Planning Application Ref:
11007/APP/2013/2426

Planning Committee

Scale
1:1,250

Date

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February 2014 This page is intentionally left blank

### Agenda Item 7

#### Report of the Head of Planning, Sport and Green Spaces

Address 7 MAYBANK GARDENS RUISLIP

**Development:** Conversion of roof space to habitable use to include raising of roof height, a

rear dormer, 1 front rooflight and conversion of roof from hip to gable end

with a new gable end window

LBH Ref Nos: 1621/APP/2013/3383

Drawing Nos: 3154/01 A

3154/02 B 3154/03 C 3154/04 A Location Plan

Date Plans Received: 14/11/2013 Date(s) of Amendment(s): 25/11/2013

**Date Application Valid:** 09/12/2013

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the west side of Maybank Gardens and comprises a two storey end-of-terrace with a hipped roof and a front projection with bay windows. To the rear is a single storey rear extension and a garage at the bottom of the garden. The application property adjoins No.5 to the south of the application site and No. 9 to the north. The street scene is residential in character and appearance comprising terraced properties. The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 1.2 Proposed Scheme

The application seeks planning permission for a loft conversion incorporating a hip to gable roof and rear dormer window with two gable windows and a front rooflight

The rear dormer window would have a flat roof, which would increase in height as it projects out, resulting in the dormer window being 0.25m higher than the ridge of the main roof. The dormer would be 3m deep, 4.25m wide and 2.145m high. The dormer would be set in from the sides of the roof by a minimum 0.50m and 0.25m from the eaves of the roof. The materials would match the existing property. One roof light is proposed on the front elevation and two gable windows to be obscure glazed and fixed shut below 1.7m above floor level. The proposal would comprise a third bedroom with an en-suite and store room.

It should be noted that there are inconsistencies on the elevational plans with regard to the width of the rear dormer and the height of the ridge, which differ between elevations. Given the application is recommended for refusal this is not considered to be an issue, however an informative should be added to ensure that this issue is addressed within any re-submission or subsequent appeal.

#### 1.3 Relevant Planning History

1621/APP/2004/1632 7 Maybank Gardens Ruislip

ERECTION OF PART SINGLE / PART TWO STOREY REAR EXTENSION

**Decision Date:** 30-07-2004 Refused **Appeal:** 

1621/APP/2004/2306 7 Maybank Gardens Ruislip

ERECTION OF A SINGLE STOREY REAR EXTENSION WITH THREE ROOFLIGHTS

**Decision Date:** 29-09-2004 Approved **Appeal:** 

1621/APP/2005/327 7 Maybank Gardens Ruislip

ERECTION OF SINGLE STOREY REAR EXTENSION WITH 3 ROOFLIGHTS

**Decision Date:** 17-03-2005 Refused **Appeal:** 

1621/APP/2005/890 7 Maybank Gardens Ruislip

ERECTION OF A SINGLE STOREY REAR EXTENSION (AMENDMENT TO PLANNING PERMISSION REF.1621/APP/2004/2306 DATED 29/09/2004)(RETROSPECTIVE

APPLICATION)

**Decision Date:** 03-05-2005 Approved **Appeal:** 

1621/APP/2013/1012 7 Maybank Gardens Ruislip

Conversion of roof space to habitable use to include raising of roof height, a rear dormer, 1 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision Date:** 12-06-2013 Refused **Appeal:** 

1621/APP/2013/1942 7 Maybank Gardens Ruislip

Conversion of roof space to habitable use to include a rear dormer, 1 front rooflights and conversion of roof from hip to gable end with a new gable end window

**Decision Date:** 05-09-2013 Refused **Appeal:** 

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

The proposal has previously been submitted under a Certificate of Lawful Development application ref.1621/APP/2013/1012. The application was refused because the proposal would exceed the height of the the highest part of the roof and it has not been demonstrated that the side gable windows are non-opening below 1.7m measured from the floor of the room in which the window is installed and that the roof lights would not protrude more than 150mm beyond the plane of the roof.

The applicant then submitted a planning application (ref.1621/APP/2013/1942), which was refused for the following reason:

The proposed hip-to-gable conversion, rear dormer window and skylights, by reason of their design, position, size, height, scale, bulk and design, would result in a discordant and intrusive feature that would be harmful to the appearance of the terrace and the character and appearance of the original property and the wider locality. Therefore, the proposal would be contrary to policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

#### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

5 neighbouring properties, The Eastcote Residents Association and Northwood Hills Residents Association consulted on 10th December 2013 and a site notice was also displayed on 20th December 2013. One letter of representation was received from the applicants with a petition with 20 signatures supporting the application. The comments are summarised below:

- 1. A number of revisions have been made to address the previously refused application including replacing the skylights with roof tiles, reducing the size of the dormer window and ensuring appropriate window opening heights. The skylight to the front of the property has been increased in size to allow natural light within the dormer.
- 2. A precedent has already been set for a hip to gable by 4 out of 5 terraced blocks which make up Maybank Gardens.
- 3. We also ask that the Committee grant permission for the raised sloping and flat roof to provide the minimum height recommended within a loft conversion. This is because of the low roof beam height of the terraced block. The neighbouring property No.9 has a loft conversion within the same end of terrace design, but this was only achieved by lowering the ceilings of the first floor of that property. This is a major undertaking and lowering the ceilings also significantly changes the original internal character of the house, which we do not wish to do.
- 4. The reason for the extension is to create an additional bedroom so the applicant's daughter and son do not have to share a bedroom.

(Officer comment: Issue Nos. 1, 2 and 3 are addressed in the main body of the report. Issue No.4 is not considered to be a planning consideration.

Northwood Hills Residents' Association:

There have been 2 other recent applications for a loft conversion at 7, Maybank Gardens. 1621/APP/2013 1942 and 1621/APP/2013/1012 both have been refused. The current changes which include raising the ridge height to accommodate the loft room are not acceptable. No. 7 Maybank Gardens forms part of a row of terraced houses, to raise the ridge height will be unsightly and detrimental to the surrounding area. We request that the application be refused.

#### 4. 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:

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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments

#### 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the existing property, the impact upon the visual amenities of the surrounding area, the impact on the amenity of adjoining occupiers, the provision of acceptable residential amenity space for the application site and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) is relevant to this application. Section 1 of this policy requires development to be of a high quality of design which enhances the local distinctiveness of the area and Section 2 requires that it makes make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties.

Policy BE13 of the Local Plan requires that the layout and appearance must harmonise with the existing street scene, policy BE15 goes on to state that extensions must be in keeping with the scale, form and architectural composition of the original building. Policy BE19 also states that new developments should complement or improve the amenity and character of the area.

HDAS: Residential Extensions paragraph 7.4 states roof extensions should relate well to the proportions, roof forms and massing of the existing house and its neighbours. Paragraph 7.5 states an extension should appear secondary to the size of the roof face within which it will be set.

HDAS: Residential Extensions paragraph 7.7 states dormer windows should be constructed in the centre of the roof and paragraph 7.7 states on terraced houses the dormer window should be set in at least 0.30m from the sides of the roof, 0.30m below the ridge level and 0.50m from the eaves. As such, the proposed dormer windows would be set in a minimum 0.50m from the sides of the roof, however would be higher than the ridge of the main roof, contrary to the above policies and guidance.

The proposed rear dormer window is considered to be out of proportion with the existing building, not in keeping with the character of the area, it would have a harmful affect on the appearance of the rear elevation and there would be oblique views from the street scene. The raised sloping roof of the dormer window would be visible from the highway

and would be out of character with the existing house and the surrounding area. As such, it is considered the proposed rear dormer window, by reason of its height and design would create a bulky addition to the roof and would be out of character with the original property and the surrounding area, in conflict with Local Plan Policies BE13, BE15 and BE19.

Furthermore, the proposal would result in a hip to gable conversion of the end-of-terrace property. The dwelling at the other end of the terrace still retains its original hip. Therefore, the hip to gable conversion is considered to have an unacceptable impact on the appearance of the terrace and the visual amenities of the surrounding area. The non-adjoining neighbour, No.9 Maybank Gardens, has undergone a hip to gable conversion, however, this is one of only a few hip-to-gable conversions and does not set a precedent and could not be considered to improve the visual amenities of the surrounding area.

Taking into consideration the rear dormer window at the neighbouring property, the proposal would not increase the impact of overlooking neighbouring gardens from a higher level. The proposed rooflight and obscure glazed gable windows, due to their height and angle would not directly overlook neighbouring properties. It is considered the proposed rear dormer and windows would not result in an unacceptable increase of overlooking, overdominance or loss of light into the rear gardens of neighbouring properties. The proposal is therefore in compliance with Policy BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered, that all the proposed habitable rooms, and those altered by the development still maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

Over 100sq.m of private amenity space would be retained and there would be sufficient space in the front garden to provide off-street parking space. As such, the proposal would not result in a loss of off-street parking and the proposal would comply with Policies BE23 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In conclusion, the proposal would have an unacceptable impact on the appearance of the dwelling and the visual amenities of the surrounding area. Therefore, this application is recommended for refusal.

#### 6. RECOMMENDATION

**REFUSAL** for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The proposed hip-to-gable conversion and rear dormer window, by reason of their design, size, height, scale, bulk and design, would result in a discordant and intrusive feature that would be harmful to the appearance of the terrace and the character and appearance of the original property and the wider locality. Therefore, the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

#### **INFORMATIVES**

- 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.
- You are advised that the submitted plans contain inconsistent details with regard to the width of the rear dormer and the height of the main roof ridge, which differ between the proposed rear, proposed front and proposed side elevations. Should a resubmission be made in order to address the reasons for refusal it should be ensured that all submitted drawings are accurate and consistent.

#### **Standard Informatives**

- The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national

#### Part 1 Policies:

	PT1.BE1	(2012) Built Environment		
	I II.DLI	(2012) Built Environment		
Part 2 Policies:				
	AM14	New development and car parking standards.		
	BE13	New development must harmonise with the existing street scene.		
	BE15	Alterations and extensions to existing buildings		
	BE19	New development must improve or complement the character of the area.		
	BE20	Daylight and sunlight considerations.		
	BE21	Siting, bulk and proximity of new buildings/extensions.		
	BE22	Residential extensions/buildings of two or more storeys.		
	BE23	Requires the provision of adequate amenity space.		
	BE24	Requires new development to ensure adequate levels of privacy to neighbours.		

guidance.

BE38 Retention of topographical and landscape features and

provision of new planting and landscaping in development

proposals.

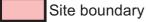
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,

Supplementary Planning Document, adopted December 2008

LPP 3.5 (2011) Quality and design of housing developments

Contact Officer: Mandeep Chaggar Telephone No: 01895 250230





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#### 7 Maybank Gardens Ruislip

Planning Application Ref: 1621/APP/2013/3383

Scale

1:1,250

**Planning Committee** 

North Application

Date

February 2014

# ONDON BOROUGH OF HILLINGDON Residents Services

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



## Agenda Item 8

Report of the Head of Planning, Sport and Green Spaces

Address 29 BROADWOOD AVENUE RUISLIP

**Development:** Part two storey, part single storey rear extension and raising of roof to allow

for conversion of roofspace to habitable use to include installation of

rooflights to side

LBH Ref Nos: 33999/APP/2013/2808

Drawing Nos: 3243/03 Rev. B

Location Plan to Scale 1:1250

3242/01

3242/02 Rev. D 3242/SK/01

Date Plans Received: 25/09/2013 Date(s) of Amendment(s): 25/09/2013

**Date Application Valid:** 07/10/2013

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the south side of Broadwood Avenue and comprises a two storey detached house with a hipped roof, part single storey front and side extension and a subordinate two storey part side extension with a hipped roof located to the east side.

The street scene is residential in character and appearance comprising two storey detached and semi-detached houses of varied design, and detailing. The majority of the properties in the immediate locality have been extended with single/two storey side and rear extensions.

The application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application site lies within the area covered by TPO No.235. There is a protected Oak tree, T4 in the rear garden of the application property.

#### 1.2 Proposed Scheme

The applicant seeks planning permission for a part two storey, part single storey rear extension and the raising of roof to allow for the conversion of the roofspace to habitable use to include installation of rooflights to side.

The single storey element would replace the existing conservatory and would extend 8.76m wide and 4m deep. The roof would be flat measuring 2.91m high. The single storey element would provide a new dinning/living area.

The two storey element would be set within the centre of the dwelling and would measure 4.12m wide, 4.0m deep and 7.41m high with a hipped roof profile. This area would provide

a new bedroom.

The existing roof has a crown roof element which the applicant wishes to extend 1m to form a fully hipped roof which would also assist in converting the roof space.

#### 1.3 Relevant Planning History

20314/APP/2000/929 31 Broadwood Avenue Ruislip ERECTION OF A TWO STOREY REAR EXTENSION

**Decision Date**: 15-08-2000 Approved **Appeal**: 20314/APP/2002/3008 31 Broadwood Avenue Ruislip

ERECTION OF A TWO STOREY SIDE EXTENSION AND TWO STOREY REAR EXTENSION AND AN INCREASE IN THE ROOF RIDGE HEIGHT AND ERECTION OF FRONT AND REAR DORMER WINDOWS (INVOLVING DEMOLITION OF EXISTING GARAGE)

**Decision Date:** 24-10-2003 Approved **Appeal:** 33999/83/1586 29 Broadwood Avenue Ruislip

Tree application (P)

**Decision Date:** 09-11-1983 Approved **Appeal:** 33999/A/92/0380 29 Broadwood Avenue Ruislip

Tree surgery to 1 Oak (T4) on TPO 235 including thinning the crown by 25% by the removal of branches of less than 2" diameter

**Decision Date:** 27-04-1992 Approved **Appeal:** 33999/APP/2000/2330 29 Broadwood Avenue Ruislip

**ERECTION OF A REAR CONSERVATORY** 

**Decision Date:** 31-01-2001 Approved **Appeal:** 33999/APP/2008/2971 29 Broadwood Avenue Ruislip

First floor front/side extension and new window to ground floor front.

Decision Date: 16-12-2008 Refused Appeal:06-OCT-09 Dismissed

33999/APP/2010/1374 29 Broadwood Avenue Ruislip

Erection of a first floor front extension and conversion of roofspace to habitable use involving the erection of a crown roof with front and rear dormers and 2 rooflights to sides and new window to existing front.

**Decision Date:** 20-09-2010 Refused **Appeal:** 33999/APP/2011/414 29 Broadwood Avenue Ruislip

Erection of a two storey side extension (involving part demolition of the existing single storey front/side extension)

**Decision Date:** 11-05-2011 Approved **Appeal:** 64728/APP/2008/2108 27 Broadwood Avenue Ruislip

Part single storey, part two storey front extension, two storey rear extension and conversion of roofspace for habitable use including the installation of rooflights to all elevations.

**Decision Date:** 16-09-2008 Refused **Appeal:** 

64728/APP/2008/2834 27 Broadwood Avenue Ruislip

Erection of a part two storey, part single storey and first floor front extension involving demolition of existing garage, two storey rear extension and the conversion of roofspace for habitable use involving the installation of 5 rooflights.

**Decision Date:** 19-11-2008 Approved **Appeal:** 

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

The applicant sought planning permission for a single/two storey side/front infill extension 33999/APP/2011/414 which was granted on the 11 May 2011. This consent has been implemented, however, it appears that this wasn't completed in accordance with the approved plans, which approved a small set back in the principal elevation and the existing floor plans show this as flush. However, this would not affect the determination of the current application, which would regularise the design as part of any approval.

Planning permission was refused for the erection of a first floor front extension and conversion of roofspace to habitable use involving the erection of a crown roof with front and rear dormers and 2 rooflights to sides and new window to existing front ref. 33999/APP/2010/1374, on the 29 September 2010 on the following grounds:

- 1. The proposed first floor side/front extension, by reason of its siting and design incorporating a crown roof and front catslide roof that would be substantially different from the hipped roof on the original house would represent an incongruous and visually intrusive form of development which would fail to harmonise with the character, proportions and appearance of the original house. It would detract from the appearance of the original house and the street scene and surrounding area generally. The proposal is therefore contrary to Policies BE13, BE15 and BE19, of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Supplementary Planning Document HDAS: Residential Extensions.
- 2. The proposed rear dormer by virtue of its position, size, scale, bulk and design would represent a visually intrusive and overdominant form of development in relation to the enlarged house which would be out of character with the existing and adjoining properties and detrimental to the visual amenities of the street scene and the area in general, contrary to Policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Documents HDAS: Residential Extensions.

Planning permission was refused 16 December 2008 and dismissed at appeal for a first floor front/side extension and new window to ground floor front ref. 33999/APP/2008/2971 on the following grounds:

1. The proposed first floor side extension, by reason of its siting, overall size, height, design and proximity to the side boundary, would result in an unacceptable closing of the visually open gap between this and the neighbouring property, 31 Broadwood Avenue, giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and character and appearance of the area. The proposal is therefore contrary to Policies BE13, BE19 and BE22, of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Supplementary Planning

Document HDAS: Residential Extensions.

- 2. The proposed first floor side/front extension, by reason of its siting, forward of the front elevation wall of the original house and incorporating a gable end pitched roof that would be substantially different from the hipped roof on the original house and its two storey part side extension, would appear as a visually intrusive and incongruous addition to the original house and would detract from its appearance and architectural composition. The extension would be detrimental to the visual amenities of the street scene and local area generally. The proposal is therefore contrary to Policies BE13, BE15 and BE19, of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Supplementary Planning Document HDAS: Residential Extensions.
- No. 31 directly east of the application has been extended with a two storey side and two storey rear extension together with front and rear dormers and the extension of the roof height. This was granted in 2002.

No. 27 to the west of the site has been extended with a part two storey, part single storey and first floor front extension involving demolition of existing garage, two storey rear extension and the conversion of roofspace for habitable use involving the installation of 5 rooflights. This was approved in 2008.

#### 2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- Not applicable
- **2.2** Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

2 neighbouring occupiers and Ruislip Residents Association were consulted. A Site Notice was also displayed on the 15 October 2013. 2 objections were received from adjoining occupiers (it is noted that one adjoining occupier submitted a number of separate objections) on the following basis:

- i. Contrary to HDAS
- ii. This is out of character with the neighbouring properties
- iii. Does not comply with building line
- iv. Terracing effect
- v. Overdominance
- vi. Overshadowing
- vii. Loss of outlook
- viii. Loss of sunlight
- ix. Overlooking caused by upper floor windows
- x. Overlooking of patio
- xi. Bedroom larger than neighbouring bedrooms
- xii. More building will in result more flooding
- xiii. This protrusion beyond the building line especially taking into account the closeness of neighbouring properties does not complement or improve the amenity and character of the area and neighbouring properties
- xiv. The extension will increase the GF by approx 50% to a depth front to back of 14.1 m from its present depth of 9.9m approximately which will result in large dark internal spaces with no natural light

xv. The depth of all the houses on the road front to back represented by the building line including our house No 31 and No 27 (both recently extended) and other recently extended houses is approx 10.7m

xvi. This proposed GF extension will protrude beyond all the neighbouring houses and is out of character for the area. This GF extension is not subordinate to the original property xvii. The FF is obtrusive, unsightly and totally out of character with the existing house xviii. over development of the property and the site

xix. The original concept for the houses in this street, this area was originally a wood which was afforded the right to be developed on the understanding that the mature oak and other trees TPO'S were retained and this is a consideration on all applications to help retain the vistas and the green nature of the views afforded around the properties

xx. The rear protrusion of the proposed extension will greatly affect vistas along the rear of all the properties

xxi. Poor designs

xxii. Approval of this scheme will result in a reduction in quality of development in the area and is contrary to numerous planning policies and guidelines"

xxiv. The plans submitted for the proposed rear ground and first floor extension do not show the full spread of the mature oak tree which is subject to a preservation order TPO. xxv. The size of the oak with the intrusion of the proposed development into the garden of number 29 would further severely restrict our right to light.

#### Ruislip Residents Association:

We are writing in support of near neighbour objections to the proposed alterations entailing part two storey, part single storey rear extension and raising of roof to allow for conversion of roofspace to habitable use including installation of roof lights to side. The application conflicts in a number of key areas with the Hillingdon Design and Accessability Statement Supplementary Planning Document-Residential Extensions.

The increased bulk of the extended dwelling would exceed the existing building line of neighbouring properties and it would not be subordinate to the existing as required by (HDAS). It would be out of character with other properties and raising the roof could lead to overlooking of immediate property and thereby loss of amenity. It would also not be in keeping with the existing street scene and character of the area.

In summary we believe these are valid reasons for refusal but in any event would request that the case be referred to full planning committee for decision and we be kept informed.

No.31 Broadwood Avenue has also submitted an independent daylight and sunlight report which makes the following observations/conclusion:

We have undertaken a Preliminary Review of the daylight, sunlight and rights of light issue. We have concluded that the proposal is likely to breach the preliminary BRE 45 degree test for planning in respect of the rear lounge window.

A referral has been received from two Ward Councillors for the scheme to be heard and determined at Planning Committee.

**INTERNAL** 

Trees and Landscaping

This site is covered by TPO 235. There is a large, protected Oak tree (T4 on TPO 235) in the rear garden. It is a high value tree and warrants protection during development and long-term retention. Given that construction-related activity and storage of materials could cause damage to the tree, protective fencing (in accordance with BS 5837:2012) should be erected across the rear garden, approximately 10m from the rear of the house to protect the Oak. The various trees in/around the garden are shown on the plans, however the Oak should be shown as retained and the location of protective fencing should also be shown on the plans. Subject to the revision of the plans and conditions RES8 (implementation) and RES10, this scheme is considered acceptable in terms of Saved Policy BE38 of the UDP.

OFFICER COMMENT: Amended plans have been received and the relevant conditions have been imposed.

#### 4. 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:

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.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction

#### 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the existing property, the impact upon the visual amenities of the surrounding area, the impact on the amenity of adjoining occupiers, the provision of acceptable residential amenity space for the application site and car parking provision.

#### Character of the Property

Policy BE15 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all extensions and alterations to harmonise with the architectural composition of the original house.

Section 3.0 of the adopted Supplementary Planning Document HDAS: Residential Extensions requires single storey rear extensions to be no more than 4.0m deep and 3.0m high with a flat roof.

Section 6.0 discusses two-storey rear and first floor rear extensions. Paragraph 6.4 states that the extension should be designed to appear subordinate to the original house. In particular extensions should not protrude too far from the rear of the property, as such guidelines have been imposed. On the basis that the 45-degree line of sight is not breached, then a maximum depth can be applied. In this case, in order for an extension to appear subordinate, the maximum depth permitted for a detached property is 4m.

Paragraph 6.6 states that the height of the building should not exceed the height of the existing building. The roof should be subordinate and approximately 500mm below the existing ridge.

The depth, width, height and roof profiles of the proposed single storey and two storey rear extension would be consistent with Sections 3.0 and 6.0 adopted Supplementary Planning Document HDAS: Residential Extensions and the materials proposed match the existing house. Thus, it is considered that the proposed extension by virtue of its size, scale, height and general proportions would harmonise with the existing property in terms of its character and appearance. The proposal would therefore comply with Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Supplementary Planning Document HDAS: Residential Extensions Sections 3.0 and 6.0.

#### Visual Amenities of the Streetscene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require all extensions to harmonise with the streetscene and complement or improve the character of the area.

It is noted that the majority of the properties in the immediate locality have been extended and the application site appears smaller in terms of its height and bulk than the directly adjoining neighbours. The raising of the ridge height would provide a fully hipped roof profile which would be preferable than the current roof profile which appears somewhat disjointed. Furthermore the height of the roof would sit below the ridge height of the adjoining properties and would not appear prominent.

The rear of the property has been extended with a ground floor conservatory, which it is proposed to demolish as part of the development. It is considered that the proposed rear extensions would comply with the requirements of the adopted Supplementary Planning Document HDAS: Residential Extensions and would appear subordinate and in keeping with surrounding extensions.

The proposed first floor rear extension would be set in a considerable distance from each

of the side boundaries such that it would ensure that the separation between the neighbouring properties is sufficient, at first floor level, to not result in any form of a terracing effect at the rear or over-dominance. This set in would result in a centralised first floor rear extension, which in terms of its overall size, scale, bulk and height would be subordinate to the main dwelling.

Overall, it is considered that the overall siting, size, scale, massing and bulk of the proposed development would ensure that it would have an acceptable impact on the surrounding area and harmonise with the visual amenities of the locality. It is therefore considered that the proposed development would comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Impact on Neighbouring Properties

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) 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 Policies BE20 and BE24 resists any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

Section 6.2 states that "two-storey rear extensions will only be allowed where there is no overdominance, over-shadowing, loss of outlook or daylight." In order to assess this, any extensions at first floor level "should not extend beyond a 45-degree line of sight taken from the nearest of the first floor window of any room of the neighbouring property".

No. 31 to the east of the application site currently projects 1.20m beyond the existing building line of the application site (this does not take into account the existing conservatory which is proposed to be demolished). No. 27 currently projects 1.10m beyond the original building line of the application site (again not taking into account the existing conservatory).

Objections have been received regarding the potential impact on the neighbouring occupiers in terms of loss of daylight, sunlight, outlook, overlooking and overdominance. Furthermore, an independant daylight and sunlight report has also been submitted by a neighbouring occupier on the basis that the proposed development would breach the Building Research Establishment (BRE) Standards. Paragraph 6.21 of HDAS takes into account findings from the Building Research Establishment's report for Daylight and Sunlight, 1991. Paragraph 6.22 explains that in order to ascertain the impact a two-storey rear extension would have on the daylight and sunlight of a neighbouring property, the 45-degree line of sight is implemented and used to assess the impact.

As demonstrated in the applicants plans, the proposed two storey element would not breach the 45-degree line of site from the neighbouring properties nearest habitable room windows. In addition the proposed 4m deep single/two storey rear extension development would be sited 2.8m beyond the rear building line of No. 31 Broadwood Avenue and 2.9m beyond the rear building line of No. 27 Broadwood Avenue.

The two storey element would be positioned in the centre of the rear of the property and would be sited 3.3m away from the shared boundary of No. 31. As No. 31 extends to the boundary with the application site, the flank-to-flank wall separation distance would also

be 3.3m. The two storey element would be set in 3.32m away from the shared boundary with No. 27 and 4.66m away from its flank wall, thus ensuring that the two storey section of the extension would not breach the 45 degree guideline from either neighbouring occupier.

Whilst the neighbouring occupiers BRE assessment concludes the extension would breach the 45 degree guideline, it is clear from the plans provided that it would only be the single storey element which would breach this guideline. The BRE assessment does not include any calculations as to light levels which would be received into the applicant's dwelling and the neighbouring occupier has requested the applicant to pay for such a survey. However, the element which breaches the 45 degree guideline complies with the Council's depth and height guidance. Therefore, the Council's standard on the acceptability of single storey elements and their impacts on neighbouring dwellings concludes that the impact would be acceptable. Taking this into consideration, asking the applicant to undertake the additional survey at their own cost is not considered reasonable, as the Council is satisfied the impact to the neighbouring occupiers is acceptable, with regards to loss of light.

It is also noted that the proposed rear extensions would not have any windows on the side elevation directly facing the adjoining occupiers which would avoid any overlooking. The proposed roof lights would be positioned a level above head height and would provide oblique views to the east and west, which are considered acceptable and similar to those of the adjoining occupiers.

The proposed extension by virtue of its siting, height, depth and positioning of windows would not cause any undue loss of daylight, sunlight, visual intrusion, overdominance or loss of privacy. Therefore it is considered that the proposed development would not constitute an un-neighbourly form of development and would be in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Garden Space

The resulting amenity space of 270 square metres would exceed 100 square metres which is considered adequate for a four bedroom property, and would be in compliance with paragraph 5.13 of HDAS and policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Trees and Landscaping

There is a blanket TPO235 on the site and there is a large, protected Oak tree (T4 on TPO235) in the rear garden. The applicant has submitted a block plan to demonstrate that the Oak Tree would be retained and protective fencing would be erected to ensure that contruction related activity would not harm the tree, given its distance to the proposed extension. In addition, tree protection conditions have been recommended and the Trees and Landscaping Officer has no objection after the submission of the amended plan. As such the scheme would accord with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Parking

The application proposal would not result in the loss of parking on the site. Two parking

spaces are available at the front of the property which would be sufficient for the extended property. Therefore it is considered that the proposed development would not impact on existing on-site parking in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Other Issues

A neighbouring occupier has raised the issue of drainage and flooding in their garden. The site is not within Flood Zones 2 or 3 or within a Critical Drainage Area. Therefore, there is no requirement for a flood risk assessment to be undertaken as part of the proposal and the application complies with Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Conclusion

The proposed development complies with the Policies of the of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and is recommended for approval.

#### 6. 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 Location Plan, 3242/01, 3242/02 Rev. D, 3243/03 Rev. B & 3242/SK/01.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

#### 3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building 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 Hillingdon Local Plan: Part Two Saved UDP 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 27 and 31 Broadwood Avenue.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **5** RES8 Tree Protection

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

- 1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
- 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **6** 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **INFORMATIVES**

- 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.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

#### **Standard Informatives**

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

#### Part 1 Policies:

PT1.BE1	(2012) Built Environment			
Part 2 Policies:				
BE13	New development must harmonise with the existing street scene.			
BE15	Alterations and extensions to existing buildings			
BE19	New development must improve or complement the character of the area.			
BE20	Daylight and sunlight considerations.			
BE21	Siting, bulk and proximity of new buildings/extensions.			
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.			
AM14	New development and car parking standards.			
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008			
LPP 3.5	(2011) Quality and design of housing developments			
LPP 5.3	(2011) Sustainable design and construction			

- You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings,

installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building

Control,

3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

- You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

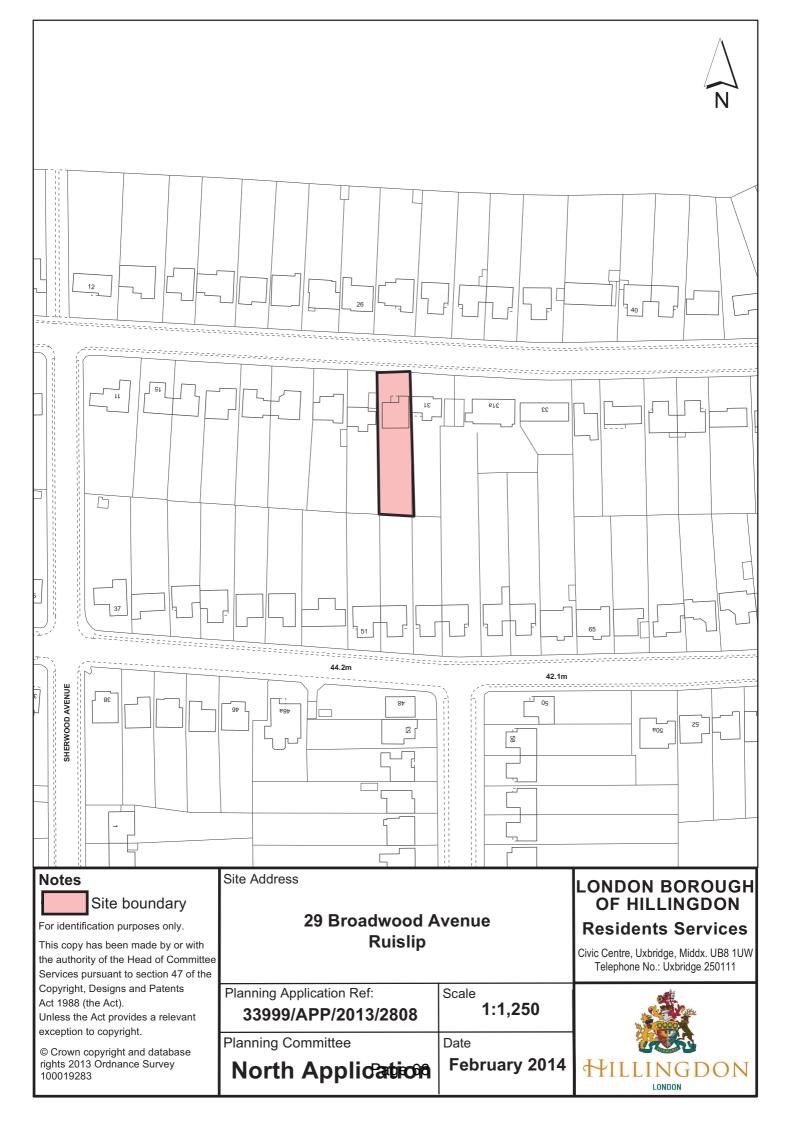
- Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
  - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact Highways Maintenance Operations, Central Depot Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Henrietta Ashun Telephone No: 01895 250230



## Agenda Item 9

#### Report of the Head of Planning, Sport and Green Spaces

Address 37 THE DRIVE ICKENHAM

**Development:** Two storey, 7-bedroom, detached dwelling with basement/lower ground level

and habitable roofspace and single storey detached garage with associated

access and amenity space, involving demolition of existing dwelling

**LBH Ref Nos**: 24043/APP/2013/1738

**Drawing Nos:** Photographs

Location Plan to Scale 1:1250 Design and Access Statement

BAS114-06

BAS114-07 Rev. A BAS114-08 Rev. A BAS114-09 Rev. A

BAS114-02

BAS114-03 Rev. A BAS114-04 Rev. A BAS114-05 Rev. A

BAS114-01 BAS114-10 BAS114-11 BAS114-12 BAS114-13

Date Plans Received: 24/06/2013 Date(s) of Amendment(s):

**Date Application Valid:** 09/07/2013

### 1. SUMMARY

This application is for a larger replacement detached two-storey, 7-bedroom house with a basement/lower ground level and accommodation in the roof space.

The new house would be set further back on its plot but would have a similar alignment with that of its neighbours. The impact of the proposal upon the street scene and the amenities of neighbouring properties is considered acceptable.

The scheme is recommended for approval, subject to the recommended conditions and a S106 contribution for education, commensurate with the development.

#### 2. RECOMMENDATION

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

- 1. That the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:
- (i) A financial contribution of £13,728 for education facilities and places
- 2. That if any of the heads of terms set out above have not been agreed and the

North Planning Committee - 11th February 2014 PART 1 - MEMBERS, PUBLIC & PRESS

S106 legal agreement has not been finalised within 6 months of the date of deicision, 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 contributions towards additional education places required as a consequence of the demands created by the proposed development. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (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 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 BAS114-02, BAS114-03 Rev. A, BAS114-04 Rev. A, BAS114-05 Rev. A, BAS114-06, BAS114-07 Rev. A, BAS114-08 Rev. A, BAS114-09 Rev. A, BAS114-10, BAS114-11, BAS114-12 and BAS114-13 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 Two Saved UDP Policies (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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 RES7 Materials (Submission)

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

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

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 5 RES9 Landscaping (car parking & refuse/cycle storage)

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

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Means of enclosure/boundary treatments
- 2.b Car Parking Layouts
- 2.c Hard Surfacing Materials
- 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 6 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 35a and 39 The Drive.

#### **REASON**

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

### 7 RES13 Obscure Glazing

The rearmost side drawing room ground floor and en-suite first floor window(s) facing 35a and windows facing 39 The Drive 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### 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 the 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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

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

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

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

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

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

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

#### **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

#### 10 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.

#### 11 RES18 Lifetime Homes/Wheelchair Units

The residential unit hereby approved shall be built in accordance with Lifetime Homes Standards, as set out in the Council's Supplementary Planning Document HDAS: 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 NONSC Non Standard Condition

The roof area of the orangery type conservatory adjoining the side boundary with No. 35a The Drive shall not be used as a roof garden or other type of amenity space.

#### **REASON**

To safeguard the privacy of the occupiers of the adjoining property, in accordance with Policies BE19 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### 13 NONSC Non Standard Condition

Prior to the occupation of the replacement house, the existing house on site shall be demolished and the access arrangements, off-street car parking and landscaping works shown on Drw. No. BAS114-02 shall be implemented.

#### Reason:

To ensure that adequate amenities are provided and that adequate amenities are provided for occupiers of the proposal in accordance with Policies BE19, BE20, BE21, BE24 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

NONSC

**P4**ior to the commence Norm Standard Conedition ground investigation shall be undertaken to determine the risk of flooding to and from the new development. The investigation must be accompanied by appropriate mitigation if there is a risk of flooding to or from the proposed development. The investigation and mitigation details should be submitted to and approved in writing by the Local Planning Authority prior to works commencement. The development must then proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

#### Reason

To minimise the risk of flooding to and from the proposed development in accordance with the NPPF and Policy 5.12 of the London Plan.

#### **INFORMATIVES**

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

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

## 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF1	
NPPF6	
NPPF7	
NPPF10	
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.13	(2011) Parking
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 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
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 BE22	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.
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
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

#### 3 |2 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.

#### 4 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).

#### 5 |5 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.

#### 6 Property Rights/Rights of Light

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

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

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

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

8

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 western side of The Drive and comprises a traditional large detached two storey house on an extensive plot, with large single storey

rear extensions/outbuildings and a detached garage at the side served by two vehicular accesses. The existing property is set forward on its plot compared to the adjoining properties (Nos. 35A and 39), although it's siting does follow the closer original relationship of properties on this side of the road to the south of No. 35A.

No. 35A is an infill bungalow development which is sited close to the rear garden boundary of the application site. No. 39 is a modern re-development, as are adjoining properties to the north, comprising of very large two/three storey houses with large crown roofs and pastiche classical features which have a similar siting to No. 35A.

The site has an urban fringe location, with the Uxbridge Golf Club adjoining the site to the west which forms part of the Green Belt and the Colne Valley Regional Park. Ground levels fall away at the rear and also from the north to the south, allowing views over the adjoining golf course through the mature trees which mark the rear boundary. The site is covered by TPO 316.

#### 3.2 Proposed Scheme

This application seeks permission to demolish the existing property and erect a large detached two storey 7 bedroom house, with a basement/lower ground level at the rear and accommodation in the roof space, together with a detached triple garage in the front garden and associated access and landscaping works.

The proposed replacement house would be set further back on its plot as compared to the existing house so that it would be set back approximately 50m from The Drive and occupy a similar position to that of its immediate neighbours. The house would have a two storey aspect at the front, and due to the ground levels which slope down towards the rear, a three storey aspect at the rear with the exposed basement/lower ground floor. With an overall width of 22.3m, the house would maintain minimum gaps of 2.1m and 2.5m to the side boundaries with Nos. 35a and 39 respectively.

The main house would have a depth of 12.4m and it's design incorporates 3 projecting gables at the front, with the centrally sited gable having the greater projection of 1.75m and a large centrally sited gable at the rear projecting 3.1m from the main rear elevation to give an overall maximum depth to the house above the lower ground floor/basement level of 17.3m. A number of the rooms at the rear would have french doors and juliette balconies.

The roof would comprise a modest sized crown roof with side chimney, and have a maximimum height of 10.1m (excluding the chimney) and an eaves height of 6.0m as measured on the front elevation. The roof would incorporate two small gabled dormers on the front and rear elevations with a recessed balcony area within the rear gable.

On the lower ground floor at the rear, to the side of the gable adjoining No. 35a would be a single storey orangery type addition with a clerestorey lantern light which would project some 2.5m from the main rear elevation of the house (so as not to project beyond the rear gable) and on the side adjoining No. 39 would be a single storey extension which would house a swimming pool and project 6.7m (3.6m beyond the rear gable). On the ground floor above the pool enclosure would be a similar orangery type conservatory structure with a lantern light which would align with the rear elevation of the gable and the roof of the pool enclosure would be used as a balcony area.

The front garden layout would retain the existing in and out access arrangements with a semi-circular drive, with a spur accessing the detached garage sited further to the rear

within the front garden on the boundary with No. 39. This would be 11.3m by 7.0m and have a hipped roof.

The basement/lower ground floor at the rear would involve the installation of retaining walls within the rear garden to align with the side elevations of the proposed house to maintain existing ground levels at the sides of the rear garden.

### 3.3 Relevant Planning History

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

There have been two applications submitted for residential extensions to the existing house.

## 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
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM6	(2012) Flood Risk Management
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.CI1	(2012) Community Infrastructure Provision
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		
NPPF6		
NPPF7		
NPPF10		
LPP 3.4	(2011) Optimising housing potential	
LPP 3.5	(2011) Quality and design of housing developments	
LPP 3.8	(2011) Housing Choice	
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions	
LPP 5.3	(2011) Sustainable design and construction	
LPP 5.13	(2011) Sustainable drainage	
LPP 5.15	(2011) Water use and supplies	
LPP 6.3	(2011) Assessing effects of development on transport capacity	
LPP 6.13	(2011) Parking	
LPP 7.2	(2011) An inclusive environment	
LPP 7.3	(2011) Designing out crime	

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LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
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
НЗ	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010
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**

4 neighbouring properties, the Residents' Association of the Drive and the Ickenham Residents' Association. A site notice was displayed on site on 30/7/13, with a closing date of 20/8/13. 1

response has been received, although this does not raise any material planning matters.

#### **Internal Consultees**

#### CONSERVATION AND URBAN DESIGN OFFICER:

Whilst the proposed house is of a large scale, it is not dissimilar in size to other recently approved developments within the immediate area. The frontage of the proposed house would be set well back from the road and would be of a fairly simple, traditionally inspired design, which with a careful choice of materials could be quite attractive within the local street scene. The rear elevation is less successful, but on balance no objections are raised to the proposal.

#### SUSTAINABILITY OFFICER:

I have had a look at the application with respect to the probability of groundwater flooding. The site is in an area that is deemed to have a low probability of groundwater flooding. However, any basement development has inherent implications for and from sub surface flooding problems and ground conditions.

With regards to planning, the Council needs to consider the probability of the flooding impact alongside the ability for a basement to be constructed in a manner that would withstand groundwater flooding.

The Council accepts that it is entirely reasonable to believe there is a solution for this development given the relatively low probability of groundwater flooding. However, there is still a need to ensure that future occupiers of the dwelling are not exposed to a poorly designed development that does not adequately consider the flood risk. The following condition is therefore necessary:

#### Condition

Prior to the commencement of development a ground investigation shall be undertaken to determine the risk of flooding to and from the new development. The investigation must be accompanied by appropriate mitigation if there is a risk of flooding to or from the proposed development. The investigation and mitigation details should be submitted to and approved in writing by the Local Planning Authority prior to works commencement. The development must then proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

#### Reason

To minimise the risk of flooding to and from the proposed development in accordance with the NPPF and Policy 5.12 of the London Plan.

#### 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

The application site forms part of the 'developed area' and the proposal is for a replacement house, albeit a significantly larger one so that there is no objection in principle to the scheme.

#### 7.02 Density of the proposed development

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

Not applicable to this application.

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#### 7.04 Airport safeguarding

Not applicable to this application.

#### 7.05 Impact on the green belt

The site is on the edge of the Green Belt, however given its distance from the boundary and that it is a replacement dwelling, the proposal would not impact unduly on the Green Belt

## 7.06 Environmental Impact

Not applicable to this application.

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

In terms of the impact upon the street scene, there would be no objection to siting the house further back on its plot as this would replicate the similar siting of the immediately adjoining properties.

The house would maintain undeveloped gaps of 2.1 to 3.5m and 2.5 to 2.7m with the side boundaries adjoining Nos. 35A and 39 respectively, which would satisfy Policy BE22 of the Hillingdon Local Plan - Part Two Saved UDP Policies (November 2012) and is comparable to the set back distances of surrounding properties.

In terms of the street scene, the front elevation of the replacement house would be well proportioned with a fairly traditional appearance. The spacing of the projecting gables and bay windows would assist with the breaking up of the wide frontage of the property. Furthermore, crown roofs and front dormer windows are charateristic on this part of The Drive.

The rear elevation of the propoerty does appear somewhat unwieldy, mainly due to its three stroey height and the level of fenestration. However, part of the lower ground/basement level would be below the adjoining ground level so that it would not appear unduly conspicuous. The Council's Conservation/Urban Design Officer considers that the scheme acceptable on design grounds.

The proposal therefore accords with Policies BE13 and BE19 of the Hillingdon Local Plan - Part Two Saved UDP Policies (November 2012).

#### 7.08 Impact on neighbours

The only residential properties that would potentially be materially affected by the proposed scheme are the two adjoining properties.

As regards the adjoining bungalow at No. 35A, this property is sited on lower ground and extends along a 35m depth of the side boundary. The front elevation of the proposed house would be sited approximately 4m forward of its front elevation. The nearest windows to the shared side boundary in the front elevation of the adjoining property serve a living room. The proposed siting of the new house would allow for a 45 degree line of sight to be maintained from this window. On the side elevation of No. 35a are a number of windows. The forwardmost side window facing the application site serves a wc, with the next openings being a door and window serving the laundry area. These are all obscure glazed and would have the main bulk of the new house immediately adjacent. The next openings along are two clear glazed windows which are the only external windows serving a dining room. These windows would be sited to the rear of the main rear elevation of the proposed house. The outlook from this habitable room is currently restricted, being within 1m of a 1.8m high boundary fence. It is considered that the outlook from this habitable room would not be made significantly worse to justify a refusal of permission, particulkarly as this room benefits from having internal glazed french doors and windows which open

up the room into the rest of the open plan bungalow. The next window along is clear glazed and serves a gymnasium area and the main bulk of the new house would have less of an impact upon the outlook from this room. This room also has a projecting skylight above. Next is a porthole window and two other windows, all of which are obscure glazed which serve a bathroom.

As regards privacy, the proposed house does not contain any main habitable room windows in its side elevation facing No. 35A. A condition is recommended to ensure the rearmost ground floor side window serving a drawing room and a first floor en-suite window would be obscure glazed and non-opening. A condition is also required to ensure that the roof above the orangery type conservatory on this boundary is not used as a roof garden/amenity space. The first floor balcony area would also be entirely enclosed by the gable and would not permit any greater overlooking of adjoining properties than a traditional window.

As regards the impact upon No. 39, this property towards the rear is sited on slightly higher ground as compared to the application property. The front elevation of the proposed new house would not contain any side windows above ground floor level and be set slightly behind the front elevation of No. 39 with the main rear elevation of the house aligning with that of No. 39. The neighbouring property only contains non-habitable room windows above ground floor level in its side elevation which are obscure glazed and secondary windows at ground floor which face the boundary fence. As the ground floor orangery type conservatory on this boundary would only project some 3.1m from the main rear elevation of the house and the basement/lower ground floor pool enclosure which although it would project further into the rear garden, would only have a height of some 1.25m above existing ground levels, these elements of the proposal would not breach a 45 degree angle of sight from the nearest rear facing windows on the neighbouring property. A condition would ensure that the roof area of the ground floor orangery type conservatory would not be used as a roof garden/amenity area.

As regards the proposed garage in the front garden, this would be sited approximately 9m forward of the neighbouringh propertiesd front elevation, immediately adjacent to their detached garage so that it would not have any significant adverse impacts upon this property.

As such, it is considered that subject to the recommended conditions, there would be no significant adverse impacts upon the neighbouring properties.

### 7.09 Living conditions for future occupiers

This is a very large house with an internal floor area in excess of 1,130sqm which satisfies the Mayor's relevant standards. Furthermore, all habitable rooms would have an adequate outlook and natural lighting.

Even with setting the house further back on its plot, a rear garden area of 1,500sqm would be retained which would easily satisfy ther Council's 100sqm standard for 4 or more bedroomed houses and would be commensurate with the character of the area.

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

The proposal is for a replacement house that would utilise the existing access arrangements. As such, the proposal would not result in any significant increase in traffic generation or be prejudicial to highway and pedestrian safety as compared to the current situation, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2012).

The proposed access and car parking layout is acceptable. Although the triple garage would provide an additional car parking space as compared to the Mayor's maximum standards, the proposal is for a very large property within an area with a low PTAL score (1b). Given that the existing layout could already allow very many cars to park on the driveway, the triple garage is not so significant as to justify a refusal of the scheme.

#### 7.11 Urban design, access and security

These issues are covered in other sections of the report.

#### 7.12 Disabled access

A Lifetime homes condition is recommended.

## 7.13 Provision of affordable & special needs housing

Not applicable to this application.

## 7.14 Trees, Landscaping and Ecology

There are no existing trees that would be affected on this part of the site and the proposed plans would make suitable provision for a landscaping scheme, which has been conditioned for subsequent approval.

The proposal involves a replacement house sited further back on its plot which would allow space for an appropriate landscaping scheme to enhance the street scene.

The site has negligible importance for ecology.

#### 7.15 Sustainable waste management

Not applicable to this application.

### 7.16 Renewable energy / Sustainability

A condition requiring the development to meet Level 4 of the Code for Sustainable Homes is recommended.

#### 7.17 Flooding or Drainage Issues

The site is within Flood Zone 1, which is the lowest level of risk and would not require the submission of a flood risk assessment.

There is an issue relating to the probability of the flooding impact alongside the ability for a basement to be constructed in a manner that would withstand groundwater flooding. However, the Council accepts that it is entirely reasonable to believe there is a solution for this development given the relatively low probability of groundwater flooding and thus a conditionas recommended by the Sustainability Officer, is recommended.

#### 7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

#### 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, planning obligations should be sought to mitigate the impact of the development of education provision.

The applicant has agreed to these proposed Heads of Terms, which are to be secured by

way of the S106 Agreement. 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 saved UDP.

The development would also be liable for the Mayoral CIL.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

None.

## 8. Observations of the Borough Solicitor

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

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

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

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

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

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

Not applicable to this application.

#### 10. CONCLUSION

The proposed dwelling would be set further back on its plot but would have a similar alignment with that of its neighbours. The impact of the proposal upon the street scene and the amenities of neighbouring properties is considered acceptable. The scheme is therefore recommended for approval.

#### 11. Reference Documents

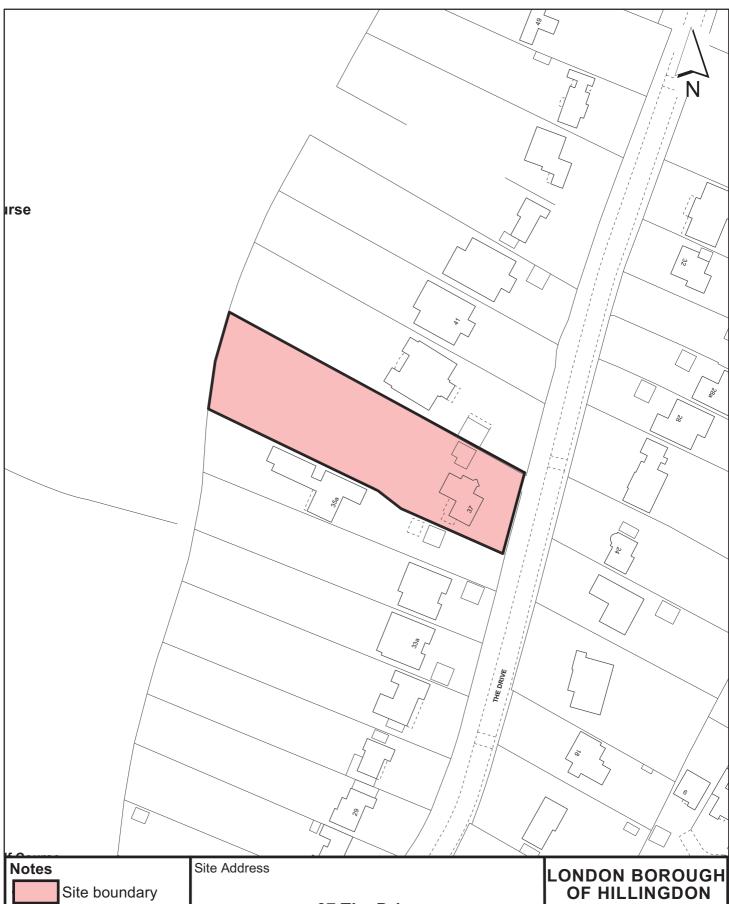
NPPF (March 2012) London Plan (July 2011)

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Hillingdon Local Plan (November 2012)

HDAS: Residential Layouts HDAS: Accessible Hillingdon Consultation responses

Contact Officer: Richard Phillips Telephone No: 01895 250230



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## 37 The Drive **Ickenham**

Planning Application Ref:

24043/APP/2013/1738

**Planning Committee** 

North Application

## Scale

1:1,250

Date

February 2014



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



## Agenda Item 10

Report of the Head of Planning, Sport and Green Spaces

Address 46 DAWLISH DRIVE RUISLIP

Development: Single storey front extension involving conversion of garage to habitable

room (Part Retrospective)

LBH Ref Nos: 49706/APP/2013/3361

**Drawing Nos:** P202 REV D

P203 REV D P201 REV C

P101

Date Plans Received: 12/11/2013 Date(s) of Amendment(s): 12/11/2013

**Date Application Valid:** 27/11/2013

## 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is situated on the south side of Dawlish Road and comprises a twostorey terraced dwelling with an existing single storey rear extension serving a kitchen, a front porch and two parking spaces to the front of the property. The external walls of the building are covered in white render and the roof is made from red tiles.

The dwelling has also undergone a two storey side extension with flat roof and a recent single storey front extension, which is the subject of the current application that has been completed in red brick.

The neighbouring property No.44 Dawlish Road to the west, also a two storey property, has a single storey rear extension and a rear dormer window. To the east exists No.48 Dawlish Road, a two storey property with a single storey rear extension.

The street scene is residential in character and appearance comprising predominantly terraced properties. The site is situated within a developed area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 1.2 Proposed Scheme

The application seeks retrospective planning permission for the conversion of the garage into a bedroom and shower room. In addition Part Retrospective planning permission is sought to reduce the depth of the existing front extension by 0.2m. The front porch extension would measure 4.93m wide, 1m deep and 3.60m high to the pitched roof and 2.85m to the eaves. The extension has been completed using red bricks.

#### 1.3 Relevant Planning History

49706/A/95/0138 46 Dawlish Drive Ruislip

Erection of a single-storey rear extension

**Decision Date:** 21-03-1995 Approved **Appeal:** 

49706/APP/2012/1427 46 Dawlish Drive Ruislip Proposed Satellite dishes to the rear of the dwelling.

Decision Date: 31-07-2012 NFA Appeal:

49706/APP/2012/509 46 Dawlish Drive Ruislip

Single storey rear extension, single storey front extension and conversion of existing integral garage to habitable room for use as a bedroom (Part Retrospective)

**Decision Date:** 30-04-2012 Refused **Appeal:** 

49706/APP/2013/1286 46 Dawlish Drive Ruislip

Single storey front extension involving conversion of garage to habitable room (Retrospective)

**Decision Date:** 10-07-2013 Refused **Appeal:**18-OCT-13 Dismissed

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

This application is a resubmission of planning application ref. 49706/APP/2013/1286 for a single storey front extension involving conversion of garage to habitable room (retrospective). This application was refused on 10th July 2013 for the following reason:

1. The front extension, by virtue of its size, scale bulk and design, results in an incongruous and overly dominant addition which is detrimental to the architectural composition of the existing building, the visual amenities of the street scene and the wider area. The development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The applicant submitted an appeal (ref.APP/R5510/D/13/2203730), which was dismissed on 18th October 2013.

The application site is also subject of an Enforcement Notice (53160/303/1) which was served on 25th March 2013 and took effect on 30th April 2013 which required the applicant to:

- i) Demolish the front porch;
- ii) Remove from the land of all (sic) debris and building materials resulting from compliance with requirements (i) above.

The applicant has lodged the current scheme in an attempt to overcome the reasons that the previous scheme was refused.

#### 2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- Not applicable
- 2.2 Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

- 6 neighbours and the Ruislip Residents Association were notified by letter on 28th November 2013. A site notice was also displayed on 5th December 2013. One letter received with the following objections.
- 1) This planning application, including existing and proposed plans, is too large scale for the property. The resulting property is more than twice the original size when it was first built and it is not in tune with the character of the area.
- 2) The single storey front extension should be subordinate in scale to the property. The scale, design and appearance of this extension are over-sized, over-dominant and at odd with the existing dwelling. It diminishes the scale, design, character and appearance of the bay window. The extension protrudes forward beyond the bay window, as well as being wider than the bay window.
- 3) This single storey front extension, together with the rainwater goods, is unacceptably closing the open gap between properties, in conjunction with the previous two-storey extension, it is clearly demonstrating the "terraced appearance". Prior to this extension, there was a clear visual separation between No. 46 and my property because of the different front building lines. This terraced effect has a long-term detrimental impact to the visual character and appearance of the street scene.
- 4) Section of my side exterior wall was previously accessible for maintenance purposes has now been obstructed by this single storey front extension. The extension is also extremely close to my property. Its roof design has rainwater gushing down directly onto my side exterior wall.
- 5) The digging of foundation is very worrying due to proximity of the extension to my property. This application, including existing and proposed plans, is out of character and not in harmony with the existing street scene as well as the wider area.

(Officer comment: The above issues are addressed in the main body of the report).

Trees and Landscape: No objection.

#### 4. 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:

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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

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

Supplementary Planning Document, adopted December 2008

LPP 3.5 (2011) Quality and design of housing developments

#### 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and the availability of parking.

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. Policy BE15 allows proposed extensions to existing buildings where they harmonise with the scale, form, architectural composition and proportions of the original building. BE19 ensures new development complements or improves the amenity and character of the area.

HDAS: Residential Extensions paragraph 8.2 states porch extensions when combined with a garage conversion may be integrated with a forward extension of the garage not exceeding 1.0m. Furthermore, the depth of any porch extension must not extend beyond the line of any bay window.

Whilst the current scheme seeks to overcome previous concerns, the front extension would be 1m deep and extend beyond the bay window, contrary to guidance. It is considered the front extension, by reason of its depth, height and width would change the face of the building and detract from the character and appearance of the street scene in conflict with Policies BE13, BE15 and BE19.

The difference between the current scheme and the previously refused scheme is the depth of the porch would be reduced by 0.20m. The appeal inspector commented "because of its size, forward position and appearance, the extension unacceptably diminishes the bay window and dominates the front elevation of the house. The extension therefore comprises an incongruous addition which is out of keeping with the existing dwelling. In turn it detracts from the character and appearance of the street scene and wider area."

Officers are of the view that the 200mm reduction in the depth of the extension has not adequately overcome these issues and the comments of the appeal inspector are still considered valid.

The Supplementary Planning Document (SPD) HDAS: Residential Extensions: Section 11.0: Front gardens and parking, states you should avoid creating the appearance of a car park rather than a residential street, and that appropriate materials should be used.

The conversion of the garage into a habitable room would result in the loss of a parking space. There is hard-standing space to allow 1 additional car to be parked without overhanging the pavement and causing an obstruction, and it is therefore considered that pedestrian and vehicular safety would not be adversely affected by this proposal, and that the proposal would comply with Section 11.3 of the SPD: Residential Extensions and with Policy AM7 of Local Plan. There is currently no soft landscaping within the frontage of the site.

It is considered that all the habitable rooms altered by the proposal, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

The resultant amenity space would be significantly over 100 sq.m which would be in excess of paragraph 3.13 of HDAS: Residential Extensions requirement.

In conclusion, the proposed front extension would have a detrimental effect on the existing house and the character and appearance of the street scene. As such, the proposal is considered to be unacceptable and contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the SPD HDAS: Residential Extensions paragraph 8.2 and is therefore recommended for refusal.

#### 6. **RECOMMENDATION**

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

#### 1 NON2 Non Standard reason for refusal

The front extension, by virtue of its size, scale bulk and design, results in an incongruous and overly dominant addition which is detrimental to the architectural composition of the existing building, the visual amenities of the street scene and the wider area. The development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

#### **INFORMATIVES**

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.

#### **Standard Informatives**

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

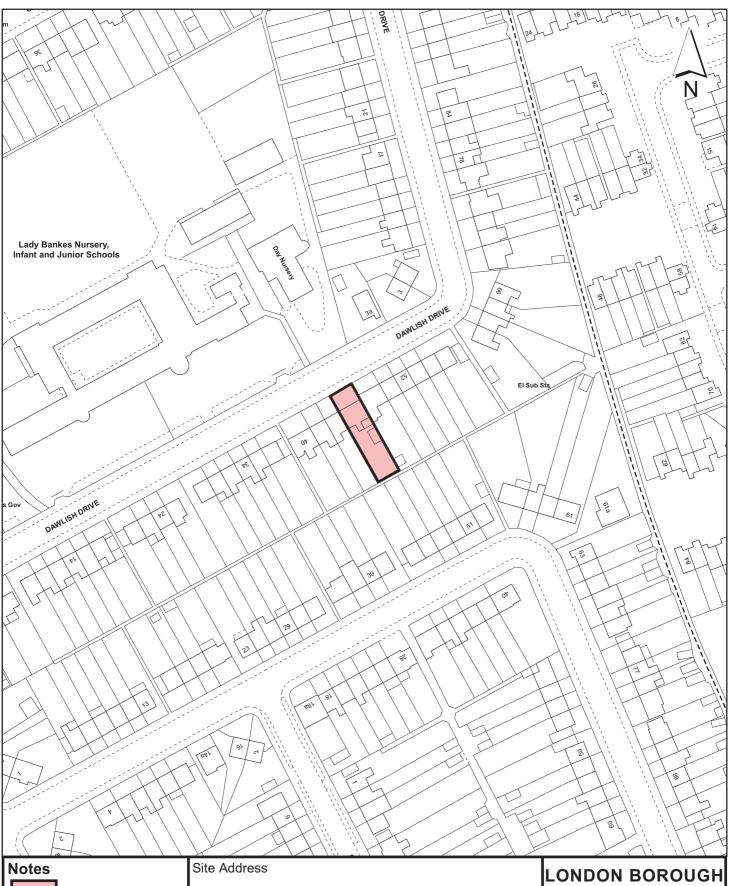
The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national

#### Part 1 Policies:

PT1.E	BE1 (20	12) Built Environment
Part 2 Policies	:	
AM14	l Ne	w development and car parking standards.
BE13		w development must harmonise with the existing street ene.
BE15	Alt	erations and extensions to existing buildings
BE19		w development must improve or complement the character of e area.
BE20	Da	ylight and sunlight considerations.
BE21	Sit	ing, bulk and proximity of new buildings/extensions.
BE24		equires new development to ensure adequate levels of privacy neighbours.
BE38	pro	etention of topographical and landscape features and ovision of new planting and landscaping in development oposals.
HDAS		esidential Extensions, Hillingdon Design & Access Statement, pplementary Planning Document, adopted December 2008
LPP :	3.5 (20	011) Quality and design of housing developments

guidance.

Contact Officer: Mandeep Chaggar Telephone No: 01895 250230





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## 46 Dawlish Drive Ruislip

Planning Application Ref:

49706/APP/2013/3361

**Planning Committee** 

North Application

## Scale

1:1,250

Date

February 2014

## **OF HILLINGDON Residents Services**

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



# Agenda Item 11

Report of the Head of Planning, Sport and Green Spaces

Address LITTLEHURST NORTHGATE NORTHWOOD

**Development:** Demolition of existing dwelling and erection of 2 x two storey, 5-bed detached

dwellings with habitable roofspace, installation of vehicular crossover and

retention of existing vehicular crossover

**LBH Ref Nos**: 31866/APP/2013/3686

**Drawing Nos:** 1159/P3/6

1159/P3/1 1159/P3/2 1159/P3/3 1159/P3/4 1159/P3/5 1159/P3/9 Rev. A

1159/P3/7 1159/P3/8

1159/P3/10 Rev. A

1159/P3/11 1159/P3/12 1159/P3/13

Design and Access Statement Code for Sustainable Homes Report

CellWeb TRP Tree Protection System Details

Method Statement

13010

Tree Protection Plan Rev. B Tree Contraints Plan Rev. A

Arboricultural Implications Assessment and Method Statement

Tree Sheets

 Date Plans Received:
 11/12/2013
 Date(s) of Amendment(s):
 11/12/2013

 Date Application Valid:
 18/12/2013
 12/12/2013

#### 1. SUMMARY

The application seeks planning permission for the demolition of the existing house and its detached side garage and the erection of two detached 5-bedroom dwellings, both with roofspace accommodation, integral single garages and associated access and landscaping.

The application site is located on the northern side of Northgate, some 85m to the east of its junction with Ducks Hill Road. Contained within the site is a detached two storey house with a detached side garage on a 0.15ha plot of land. A new detached house has recently been built to the rear of Littlehurst and Woodhurst on land which originally formed part of their rear gardens, with a further new dwelling also erected to the east.

A previous application was approved at the site under application reference 31866/APP/2012/2717 on 16th January 2013 for the erection of two detached dwellings.

The current scheme differs from the previous in the following ways:

North Planning Committee - 11th February 2014 PART 1 - MEMBERS, PUBLIC & PRESS

#### Plot 1

- · Front gable widths reduced by 300mm from 5400mm to 5100mm.
- · Depth of rear two storey structure increased by 1994mm, reducing the extent of the single storey structure above the breakfast/family area.
- · Back left rear gable introduced. Width to match approved right hand side gable at 5400mm wide.
- · One rear dormers removed, and replaced with two high level roof lights.
- · Roof span increased. Main roof pitch reduced by 2.5 degrees to compensate. Roof height increased by 174mm.
- · Bedroom 1 window removed, and replaced with Juliet balcony.
- · Additional roof lights added and dormer from rear roof slope removed to leave one dormer.

#### Plot 2

- · First floor extended forward by 300mm at front above low level roofs and 1949mm at rear between rear gables, creating a back right rear gable to match the width of the existing at 5425mm wide.
- · One rear dormers removed, and replaced with two high level roof lights.
- · Extent of rear single storey structure reduced and covered by increased two storey structure 1355mm.
- · Roof pitch front to back reduced to compensate for increase in span depth. The proposed ridge level has increased by 383mm.
- · Bedroom 1 window removed, and replaced with Juliet balcony.
- · Additional roof lights added.

The parking/access arrangement and rear amenity spaces would be unaffected.

The proposed development consists mainly of alterations to the appearance of the dwellings which were previously approved under application reference 31866/APP/2012/2717. These alterations are considered to have had an acceptable impact on the appearance of the dwellings, on the visual amenities of the wider Copse Wood Estate and on the residential amenity of the adjoining occupiers. Therefore, subject to a legal agreement being finalised for the required planning obligation, the application is recommended for approval.

#### 2. RECOMMENDATION

- 2.1 That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:
- i) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:
- a) A contribution of ££12,796 towards capacity enhancements in local educational establishments made necessary by the development;
- 2.2 That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.
- 2.3 That officers be authorised to negotiate and agree the detailed terms of the

#### proposed agreement.

2.4 That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this report, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture then delegated authority be granted to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The development has failed to secure obligations relating to capacity enhancements in local educational establishments made necessary by the development. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations SPD.'

- 2.5 That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture 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.
- 2.6 That if the application is approved, the following conditions be imposed:

#### 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 1159/P3/1, 1159/P3/2, 1159/P3/3, 1159/P3/4, 1159/P3/5, 1159/P3/6, 1159/P3/8, 1159/P3/9 Rev. A, 1159/P3/10 Rev. A and 1159/P3/12 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 adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (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 adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 4 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, 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 adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 5 RES12 No additional windows or doors

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

#### **REASON**

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

### 6 RES13 Obscure Glazing

The first floor windows within the side elevations of the dwellings hereby approved 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 - Saved UDP Policies (November 2012).

### 7 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 adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 8 RPD6 Fences, Gates, Walls

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected other than those expressly authorised by this permission.

**REASON** 

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

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

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

ii. include a timetable for its implementation; and

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

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

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

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

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

#### **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

#### 10 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.

## 11 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the approved plans:

- 1) Vehicular Means of Access into the site [1159/P3/1]
- 2) The parking areas including any driveways and garages [1159/P3/1]

#### 3) Amenity Space [1159/P3/1]

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

#### **REASON**

To ensure that appropriate means of vehicular access and car parking is provided in accordance with Policy AM2, AM7 and AM14 of the adopted Hillingdon Local Plan: Part Two - Saved Policies (November 2012).

#### 12 RES8 Tree Protection

No site clearance or construction work shall take place until the Tree Protection Measures contained within the Tree Contraints Plan Rev A, Tree Protection Plan Rev B and Arboricultural Implications Assessment have been implemented in strict accordance with the details contained within these approved documents and plans

Thereafter, 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 13 RES9 Landscaping (car parking & 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 Means of enclosure/boundary treatments
- 2.c Car Parking Layouts
- 2.d Hard Surfacing Materials
- 2.e External Lighting
- 2.f Other structures (such as play equipment and furniture)
- 3. Other
- 3.a Existing and proposed functional services above and below ground
- 3.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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

#### 14 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### 15 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with Lifetime Homes, as set out in the Council's Supplementary Planning Document HDAS: 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

#### 16 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.

#### 17 RES23 Visibility Splays - Pedestrian

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

#### REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **INFORMATIVES**

#### 

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

## 2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and
	implementation of road construction and traffic management schemes
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.
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to

Protection of the character and amenities of surrounding properties

OE1	and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 8.3	(2011) Community infrastructure levy
NPPF	

#### 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 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.

#### 4 I1 Building to Approved Drawing

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

#### 5 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to

demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

#### 6 |2 Encroachment

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

#### 7 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.

#### 8 | 16 | Property Rights/Rights of Light

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

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

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

- A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.
- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

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

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

## **10** I14C Compliance with Building Regulations Access to and use of You are advised that the scheme is required to comply with either:-

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

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

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

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

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

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

#### 11

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 £22,996.41 from Section 8 of Spreadsheet 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

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the north side of Northgate, some 85m to the east of its junction with Ducks Hill Road. Contained within the site is a detached two storey house with a detached side garage, on a 0.15ha plot of land. A new detached house has recently been built to the rear of Littlehurst and Woodhurst on land which originally formed part of their rear gardens, with a further new dwelling also erected to the east.

This is an established residential area which predominantly comprises large detached properties of varying design on spacious and green plots. The area forms part of the Copsewood Estate, Northwood Area of Special Local Character as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site together with neighbouring gardens contains many mature trees, many of which are protected by TPO 131.

#### 3.2 Proposed Scheme

The application seeks planning permission for the demolition of the existing house and its detached side garage and the erection of two detached 5-bedroom dwellings, both with roofspace accommodation, integral single garages and associated access and landscaping. The houses would have a similar set back from Northgate as the existing and adjoining houses and would maintain gaps of approximately 1.5m to 1.9m to their side boundaries.

A previous application was approved at the site under application reference 31866/APP/2012/2717 on 16th January 2013. The current scheme differs from the previous in the following ways:

#### Plot 1

- · Front gable widths reduced by 300mm from 5400mm to 5100mm.
- · Depth of rear two storey structure increased by 1994mm, reducing the extent of the single storey structure above the breakfast/family area.
- · Back left rear gable introduced. Width to match approved right hand side gable at 5400mm wide.
- · One rear dormers removed, and replaced with two high level roof lights.
- $\cdot$  Roof span increased. Main roof pitch reduced by 2.5 degrees to compensate. Roof height increased by 174mm.
- · Bedroom 1 window removed, and replaced with Juliet balcony.
- · Additional roof lights added and dormer from rear roof slope removed to leave one dormer.

#### Plot 2

- $\cdot$  First floor extended forward by 300mm at front above low level roofs and 1949mm at rear between rear gables, creating a back right rear gable to match the width of the existing at 5425mm wide.
- · One rear dormers removed, and replaced with two high level roof lights.
- · Extent of rear single storey structure reduced and covered by increased two storey

structure 1355mm.

- · Roof pitch front to back reduced to compensate for increase in span depth. The proposed ridge level has increased by 383mm.
- · Bedroom 1 window removed, and replaced with Juliet balcony.
- · Additional roof lights added.

The parking/access arrangement and rear amenity spaces would be unaffected.

#### 3.3 Relevant Planning History

31866/82/0538 Littlehurst, 29 Northgate Northwood

Tree application (P)

Decision: 30-04-1982 Approved

31866/A/93/0289 Littlehurst, 29 Northgate Northwood

Erection of a two-storey side extension and rear dormer incorporating french windows

Decision: 31-03-1993 Approved

31866/APP/2010/23 Littlehurst And Land Forming Part Of Woodhurst Northgate Northwoo

Erection of 2 five-bedroom two storey detached dwellings with integral garages and associated landscaping and erection of 1 five-bedroom, two storey detached dwelling including basement, 3 attic rooms, detached garage, associated landscaping and new access road (involving demolition of existing single storey side extension to adjacent existing dwelling 'Woodhurst'.)

**Decision:** 01-12-2010 **Appeal:** 03-12-2010 Withdrawn

31866/APP/2012/2717 Littlehurst Northgate Northwood

2 x two storey, 5-bed, detached, dwellings with habitable roofspace with associated parking and landscaping and installation of vehicular crossover to front involving demolition of existing dwelling

Decision: 16-01-2013 Approved

31866/APP/2013/3355 Littlehurst Northgate Northwood

Details pursuant to discharge conditions 3 (Ground and Floor Levels), 4 (Materials), 9 (Sustainable Urban Drainage), 10 (Code for Sustainable Homes), 12 (Site Survey), 13 (Tree Protection) and 16 (Educational Facilities) of planning permission ref: 31866/APP/2012/2717 dated 16/01/2013; 2 x two storey, 5-bed, detached, dwellings with habitable roofspace with associated parking and landscaping and installation of vehicular crossover to front involving demolition of existing dwelling

Decision: 03-01-2014 Refused

31866/B/93/0707 Littlehurst, 29 Northgate Northwood

Erection of a two-storey side extension (Variation of planning permission ref. 31866A/93/289 dated 31.3.93; Relocation of proposed window from rear to side elevation)

Decision: 07-06-1993 Approved

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

(2012) Built Environment

(2012) Housing Growth

A previous application for 2 x 5 bedroom detached dwellings was approved at the site under application reference 31866/APP/2012/2717 on 16th January 2013.

#### 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

PT1.H1

OE7

OE8

H3

H4

Part 2 Policies:		
AM7	Consideration of traffic generated by proposed developments.	
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes	
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.	
BE5	New development within areas of special local character	
BE13	New development must harmonise with the existing street scene.	
BE15	Alterations and extensions to existing buildings	
BE19	New development must improve or complement the character of the area.	
BE20	Daylight and sunlight considerations.	
BE21	Siting, bulk and proximity of new buildings/extensions.	
BE22	Residential extensions/buildings of two or more storeys.	
BE23	Requires the provision of adequate amenity space.	
BE24	Requires new development to ensure adequate levels of privacy to neighbours.	
OE1	Protection of the character and amenities of surrounding properties and the local	

North Planning Committee - 11th February 2014 PART 1 - MEMBERS, PUBLIC & PRESS

Mix of housing units

measures

Development in areas likely to flooding - requirement for flood protection

run-off - requirement for attenuation measures

Loss and replacement of residential accommodation

Development likely to result in increased flood risk due to additional surface water

R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 8.3	(2011) Community infrastructure levy
NPPF	

#### 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 occupiers and the Northwood Residents Association were notified of the proposed development on 20th December 2013 and a site notice was erected on 9th January 2014. No response received.

#### **Internal Consultees**

TREES AND LANDSCAPING

Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 131

Significant trees/other vegetation of merit in terms of Saved Policy BE38: There are several trees on and close to the site, two of which are prominent features in the local landscape. These are the Copper Beech on the frontage of Littlehurst and the mature Ash in the rear garden, behind the house at Littlehurst. The submitted tree report and tree protection plan provide adequate protection for these trees.

Scope for new planting (yes/no): This matter can be dealt with by condition.

North Planning Committee - 11th February 2014 PART 1 - MEMBERS, PUBLIC & PRESS

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES8 (implementation of submitted tree protection details); RES9 (1, 2, 6); and RES10.

#### ACCESS OFFICER

The Access Officer raised some initial concerns over the scheme with regards to level access, the downstairs WC and the provision of a potential future wet room. The applicant has submitted amended plans to address these issues, with the exception of level access to the rear. This cannot be achieved due to ground levels and the previous approval at the site did not accommodate this.

#### **EPU**

No objection subject to the addition of the control of environmental nuisance from construction work informative.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The proposal is for the re-use of an existing residential site to provide more residential dwellings. The principle of the residential development at the site was established by the previous approval in 2013 and the proposal is considered to comply with the National Planning Policy Framework and Policy H1 of the Hillingdon Local Plan (November 2012).

#### 7.02 Density of the proposed development

The density matrix is only of limited value when looking at small scale infill development such as that proposed here. In such cases, it is often more appropriate to consider how the scheme harmonises with its surroundings. However, the site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 1b (where 6 is the most accessible and 1 the least). Using the Mayor's guidance, taking the largest average habitable room unit size of 3.8 - 4.6, the matrix recommends a density of 35 - 55 u/ha and 150-200 hr/ha. This proposal equates to a density of 14 u/ha and 167 hr/ha. Although the number of units is below that recommended by the Mayor, given the predominance of large properties within the surrounding Copsewood Estate, Northwood Area of Special Local Character, the scheme does harmonise with the character of the area and no objections are raised on density grounds.

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

The size and siting of the proposed development has been largely established by the previous approval at the site. The dwellings would maintain a 1.95 metre distance separation to the side boundary lines shared with Drakes Hollow to the north and Woodhurst to the south and maintain a separation of 3 metres between the two proposed buildings, therefore, complying with Policy BE22 of the Hillingdon Local Plan (November 2012).

The proposed design alterations to the front of the building are minimal, with the reduction of the gable ends of plot 1 being a welcomed change to their appearance. The recessed sections of plot 2 have come forward by 0.3 metres, but this has made little impact to their appearance or the appearance of the principle elevation. To the rear, each building is proposed to have a twin set of gable ends with hipped roof, which is considered to have had an acceptable impact on the appearance of the buildings. The overall impact of the proposals, when compared to the previous approval, are considered to be proportionate amendments to the approved scheme and would have an acceptable impact on the appearance of the Copse Wood Estate, Area of Special Local Character, in accordance with Part 1 Policy BE1 and Part 2 Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan.

#### 7.04 Airport safeguarding

The proposal would raise no airport safeguarding concerns.

#### 7.05 Impact on the green belt

Not applicable to this application.

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

See section 7.03 of the report.

#### 7.08 Impact on neighbours

#### DAYLGHT AND SUNLIGHT

The impact on the neighbouring dwellings was considered acceptable under the previous approval at the site. The main difference between the approvals is the near two metre first floor additions to each of the proposed dwellings. The proposed enlargement to plot 1 would not breach the 45 degree guideline taken from Drakes Hollow to the north, given the garage block which is attached on the southern side of this building. Likewise, the first floor addition to unit 2 would not breach the 45 degree guideline from Woodhurst to south, given the proposed building lines and distance separation. Therefore, the proposed development would have an acceptable impact in terms of light and outlook, in accordance with Part 2 Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

#### OUTLOOK

The rear elevations of the proposed dwellings would be set at least 24 metres from the principal elevation of the new dwelling to the north, ensuring sufficient distance to prevent harmful overlooking. There would be no first floor side facing windows which could not be obscure glazed, therefore, the proposed development would result in no significant overlooking of any adjacent occupier and would comply Part 2 Policy BE24 of the Hillingdon Local Plan (November 2012).

#### 7.09 Living conditions for future occupiers

#### INTERNAL FLOOR AREA

The smallest unit would provide an internal floor area of over 375 square metres. This is well in excess of the minimum standard of 139 square metres for a 5 bedroom dwelling contained within Annex 4 of the Mayors Housing SPG. Therefore, the internal floor area would provide an acceptable living standard for future occupiers in accordance with Policy 3.5 of the London Plan (July 2011).

#### **EXTERNAL AMENITY SPACE**

Each dwelling would be provided with in excess of 185 square metres of external garden space, which would exceed the maximum standard for a 4+ bedroom dwelling of 100 square metres. Therefore, the external amenity space would provide an acceptable living standard for future occupiers in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012).

#### LIGHT AND OUTLOOK

It is considered that all the proposed habitable rooms would have an adequate outlook and source of natural light, therefore complying with Policy BE20 of the Hillingdon Local Plan (November 2012) and Policy 3.5 the London Plan (2011).

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

The parking arrangements are generally considered acceptable with each dwelling

benefiting from 1 garage space and driveway parking. Vehicular visibility splays of 2.4m x 43m should be demonstrated for the proposed access points to the new dwellings. However, the applicants have only proposed visibility splays of 33 metres.

The site is located on the northern side of Northgate approximately 110 metres to the southeast of its junction with Duck's Hill Road. This junction has a traffic regulation order on it restricting access turning from Ducks Hill Road into Northgate to local buses and cycles only. Just to the north of the site is a bend in Northgate which restricts the speed of traffic approaching from the northwest.

The traffic speed survey submitted with the application demonstrates that the 85th percentile speed over the survey period is 22.1 mph at the intervisibility point to the northwest of the site access. As such, the splays of 33 metres is considered acceptable in this instance and is the same as the previously approved scheme. The pedestrian visibility splays of 2.4m x 2.4m on land within the applicant's ownership can be secured via condition.

The bus stop to the front is shown to be retained and its siting midpoint between the two plots would ensure that the bus stop remain unaffected by the proposal. Therefore, the proposed development would comply with Part 2 Policies AM7, AM14 and BE19 of the Hillingdon Local Plan (November 2012).

Space for bicycles is shown in the garage, which is sufficient size to park a car and two bicycles. Therefore, the scheme is in accordance with Policy AM9 of the Hillingdon Local Plan (November 2012).

#### 7.11 Urban design, access and security

The proposed development would not raise any urban design or access issues. A condition is recommended to ensure the scheme complies with the principles of Secure By Design.

#### 7.12 Disabled access

The Access Officer raised some initial concerns over the scheme with regards to level access, the downstairs WC and the provision of a potential future wet room. The applicant has submitted amended plans to address these issues, with the exception of level access to the rear. This cannot be achieved due to ground levels and the previous approval at the site did not accommodate this. Therefore, the scheme is considered to be in accordance with Policy 3.8 of the London Plan (November 2012).

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

This site is covered by TPO 13. There are several trees on and close to the site, two of which are prominent features in the local landscape. These are the Copper Beech on the frontage of Littlehurst and the mature Ash in the rear garden, behind the house at Littlehurst. The submitted tree report and tree protection plan provide adequate protection for these trees in accordance with Policy BE38 of the Hillingdon Local Plan (November 2012). The Trees and Landscaping Officer has raised no objection to the scheme, subject to the appropriate landscaping and tree protection conditions.

#### 7.15 Sustainable waste management

The application show a suitable location of a refuse storage area, which is close enough to the highways for collection.

#### 7.16 Renewable energy / Sustainability

The applicant has submitted a Code for Sustainable Homes Pre-assesment as part of the application. This is dated from October 2012 and doesn't appear to be to Code for Sustainable Homes Level 4, which is the standard the Council now requires. Therefore, a condition for the dwellings to be designed to Code for Sustainable Homes Level 4 is recommended to ensure the scheme complies with Policies 5.1, 5.2 and 5.2 of the London Plan (2011).

#### 7.17 Flooding or Drainage Issues

The site is not within a Flood Zone or within a Critical Drainage Area.

#### 7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

None received.

#### 7.20 Planning obligations

The proposed development would add additional residential accomodation which would provide more than 6 habitable rooms. Therefore, in accordance with with the Council's Supplementary Planning Document Planning Obligations (July 2008), Revised Chapter 4 of this document (September 2010) and Policy R17 of the Hillingdon Local Plan (November 2012) a planing obligation towards educational facilities is required. This has been calculated as £12,796 and the applicant has begun proceeding towards a unilateral undertaking being provided for this sum and this is the reason why the application is being present to committee.

The proposal would trigger a CIL liability which is calculated to be £22,996.41.

#### 7.21 Expediency of enforcement action

None required.

#### 7.22 Other Issues

No further issues for consideration.

#### 8. Observations of the Borough Solicitor

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

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

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

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

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

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

Not applicable to this application.

#### 10. CONCLUSION

The proposed development consists mainly of alterations to the appearance of the dwellings which were previously approved under application reference 31866/APP/2012/2717. These alterations are considered to have an acceptable impact on the appearance of the dwellings, on the visual amenities of the wider Copse Wood Estate and on the residential amenity of the adjoining occupiers. Therefore, the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan (November 2012);

The London Plan (July 2011);

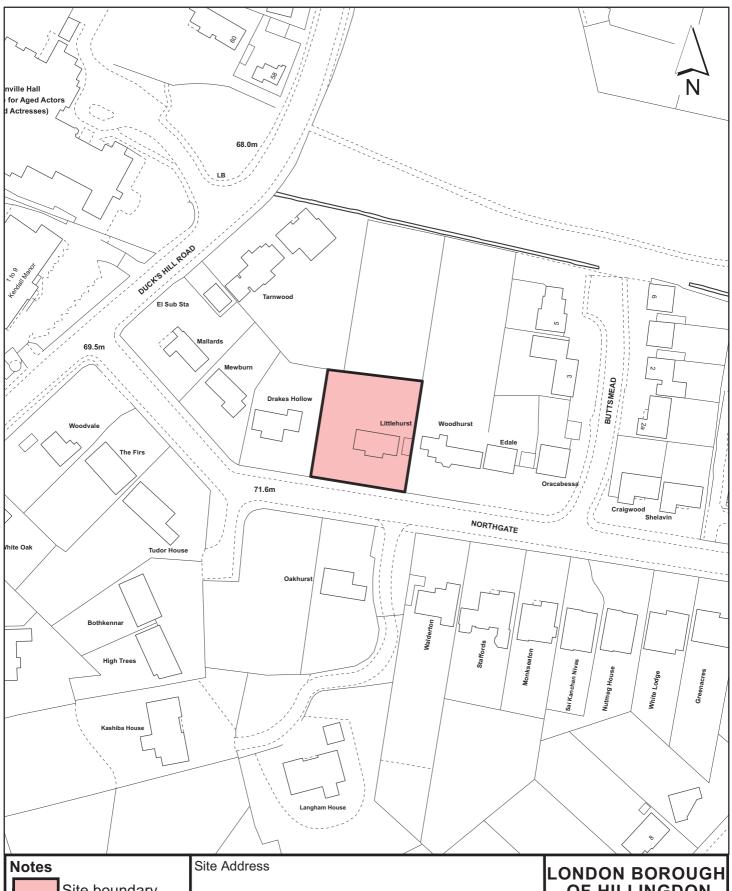
National Planning Policy Framework;

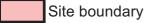
Hillingdon Supplementary Planning Document: Planning Obligations (July 2008) and Revised Chapter 4 (September 2010);

Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006); Hillingdon Design and Accessibility Statement: Accessible Hillingdon (May 2013);

GLA's Supplementary Planning Guidance - Housing.

Contact Officer: Alex Smith Telephone No: 01895 250230





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#### Littlehurst, Northgate **Northwood**

Planning Application Ref:

31866/APP/2013/3686

**Planning Committee** 

North Application

Scale 1:1,250

Date

February 2014

### LONDON BOROUGH OF HILLINGDON **Residents Services**

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



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# Plans for North Planning Committee

11th February 2014





#### Report of the Head of Planning, Sport and Green Spaces

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 detache

dwelling

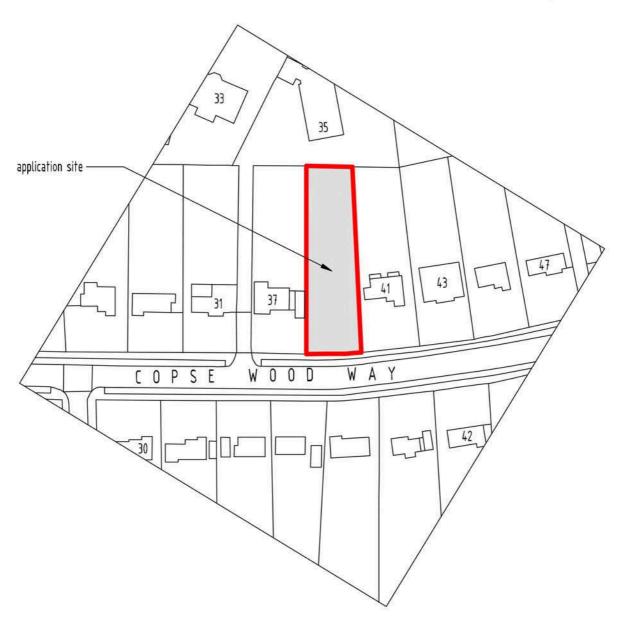
**LBH Ref Nos**: 11007/APP/2013/2426

 Date Plans Received:
 22/08/2013
 Date(s) of Amendment(s):
 15/12/2013

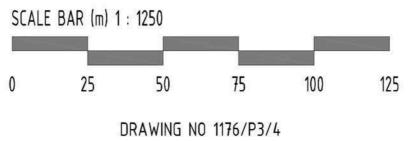
 Date Application Valid:
 27/08/2013
 22/08/2013

# LAND AT 39 COPSE WOOD WAY NORTHWOOD, MIDDLESEX, HA6 2TZ 03/04/2013

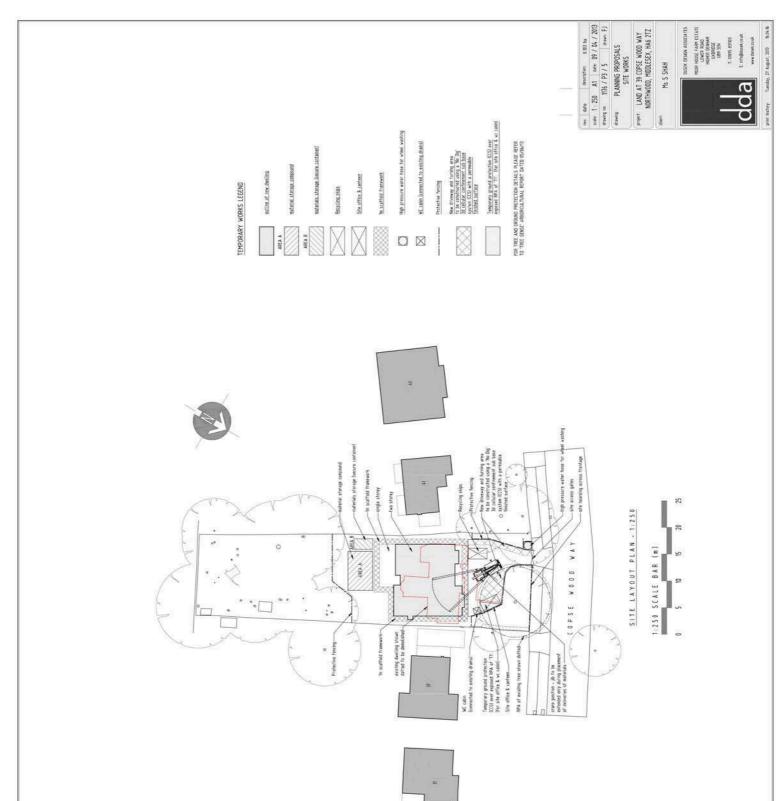




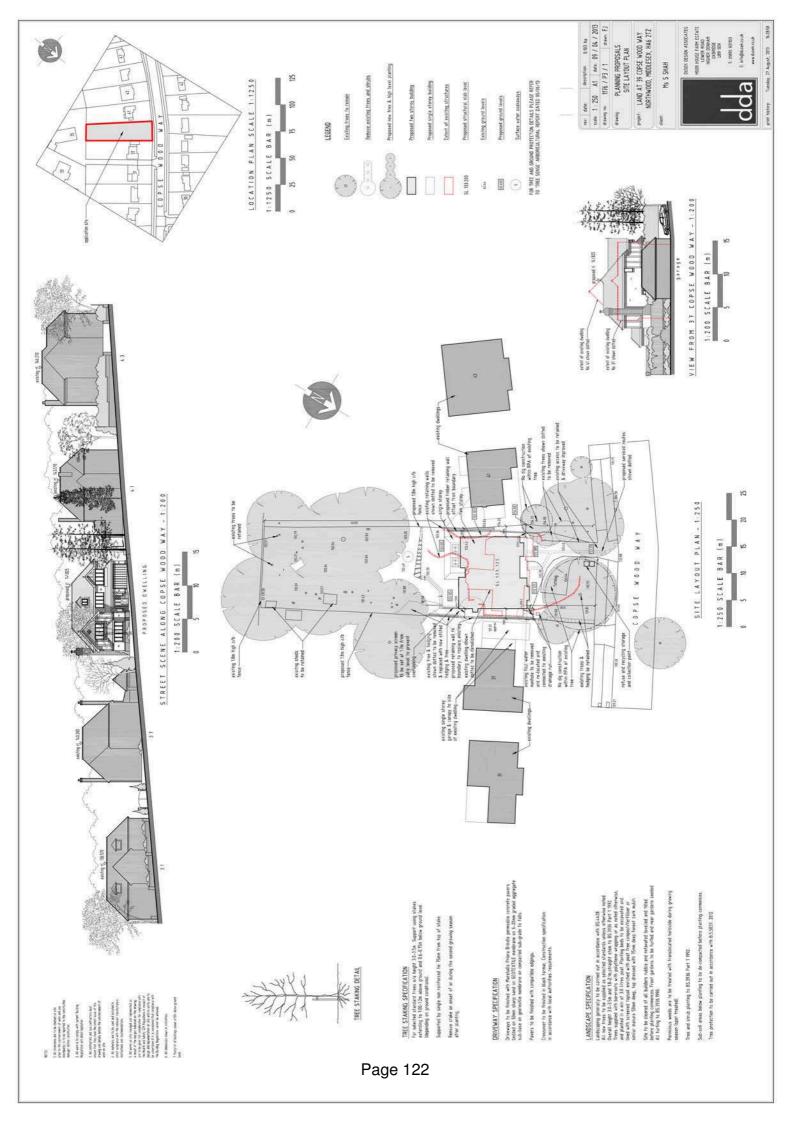
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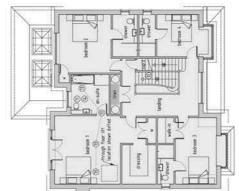




 
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FIRST FLOOR PLAN - 1:100

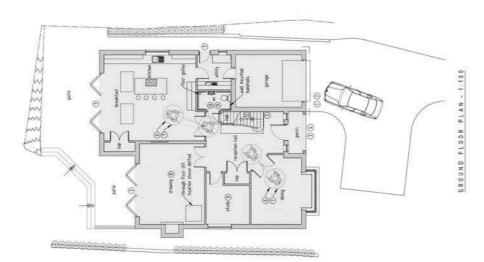




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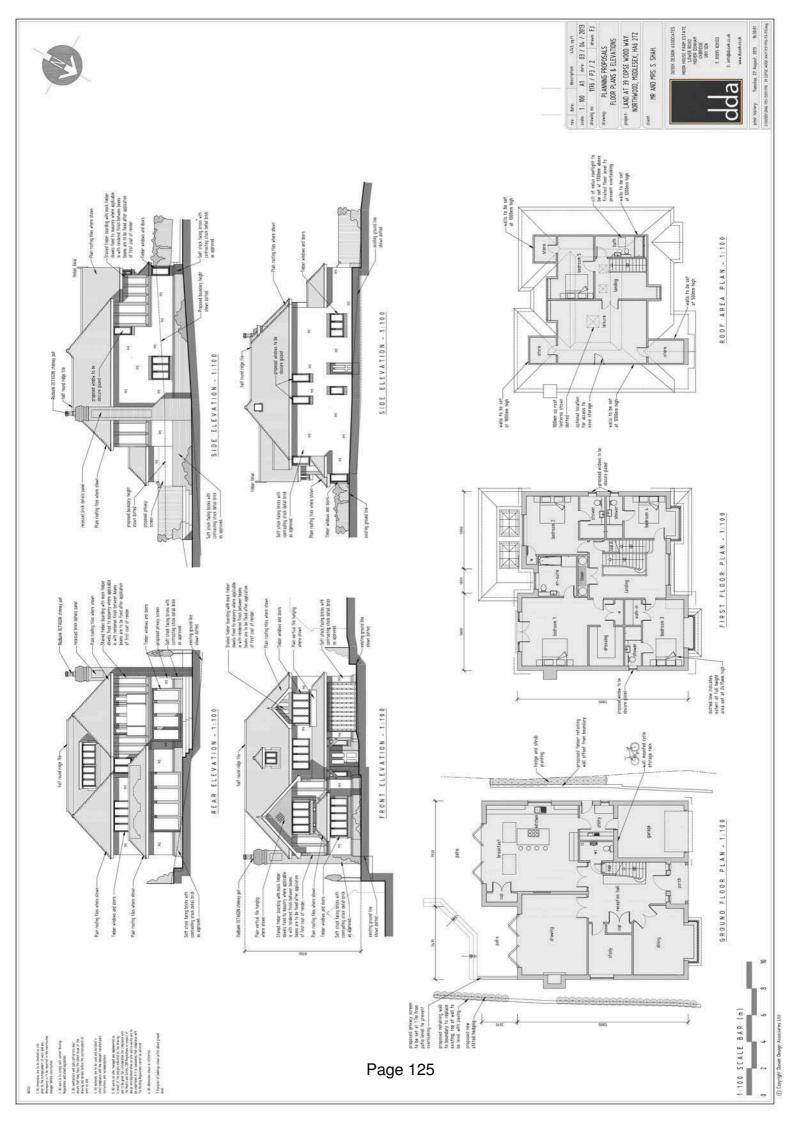


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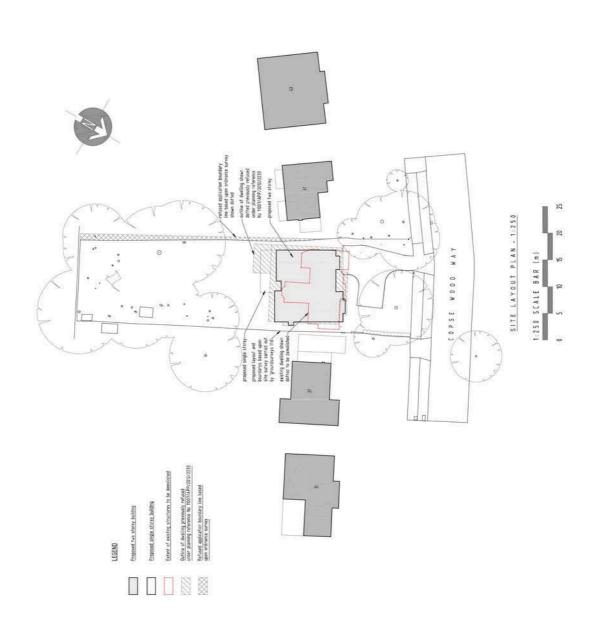
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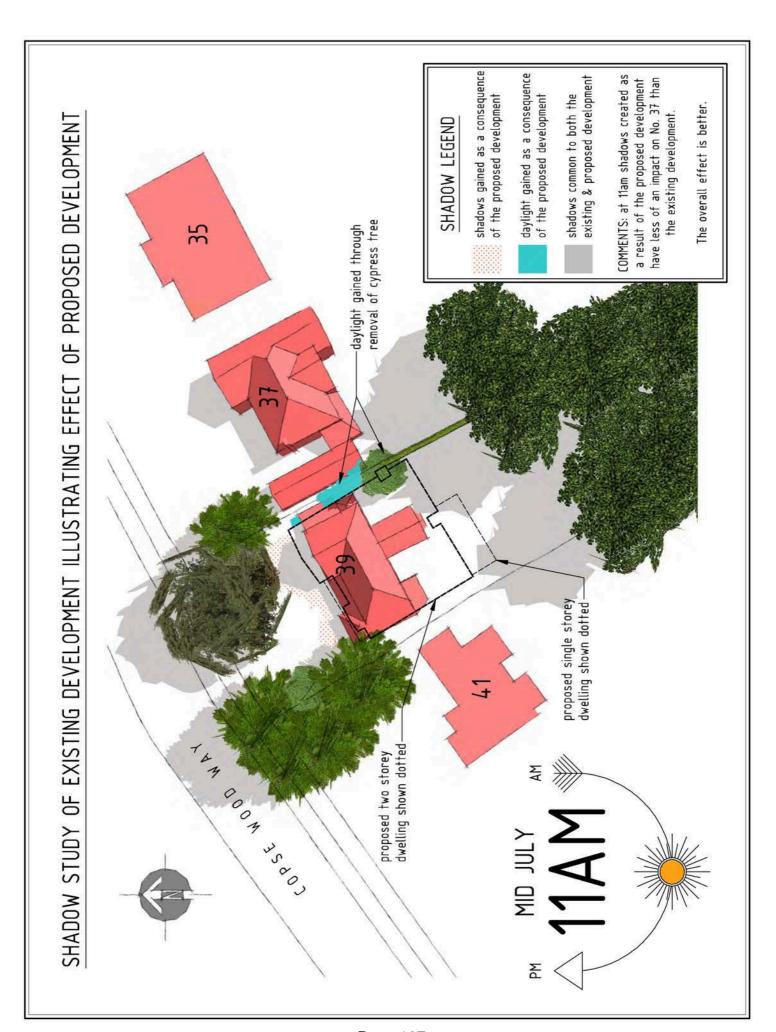


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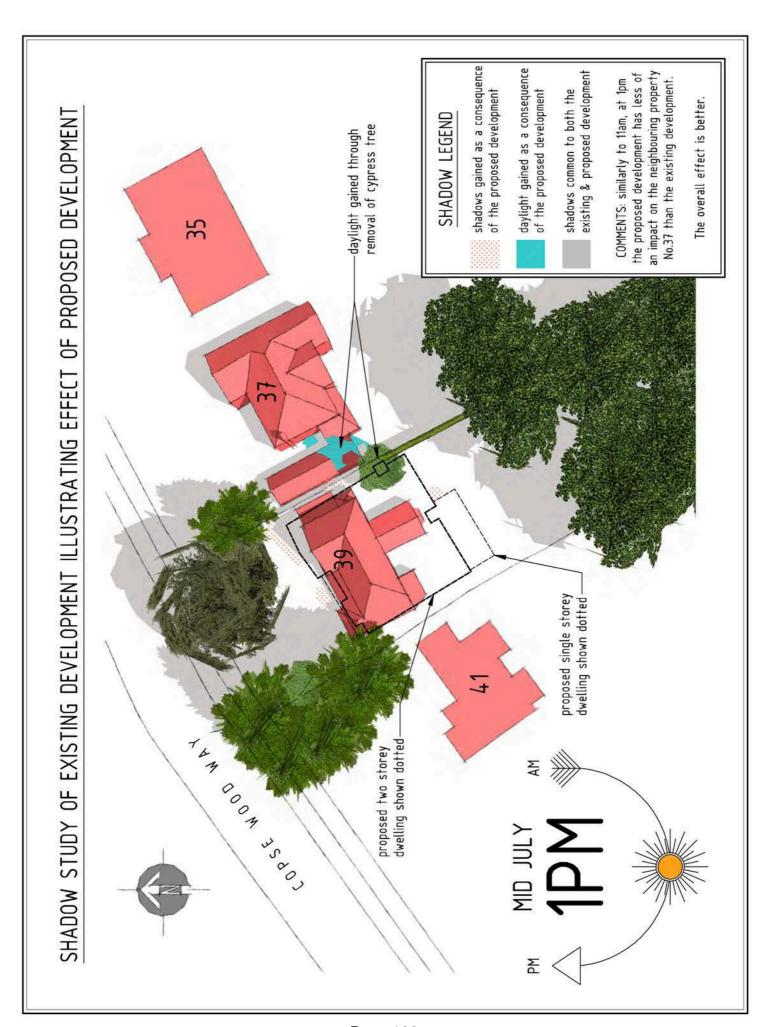




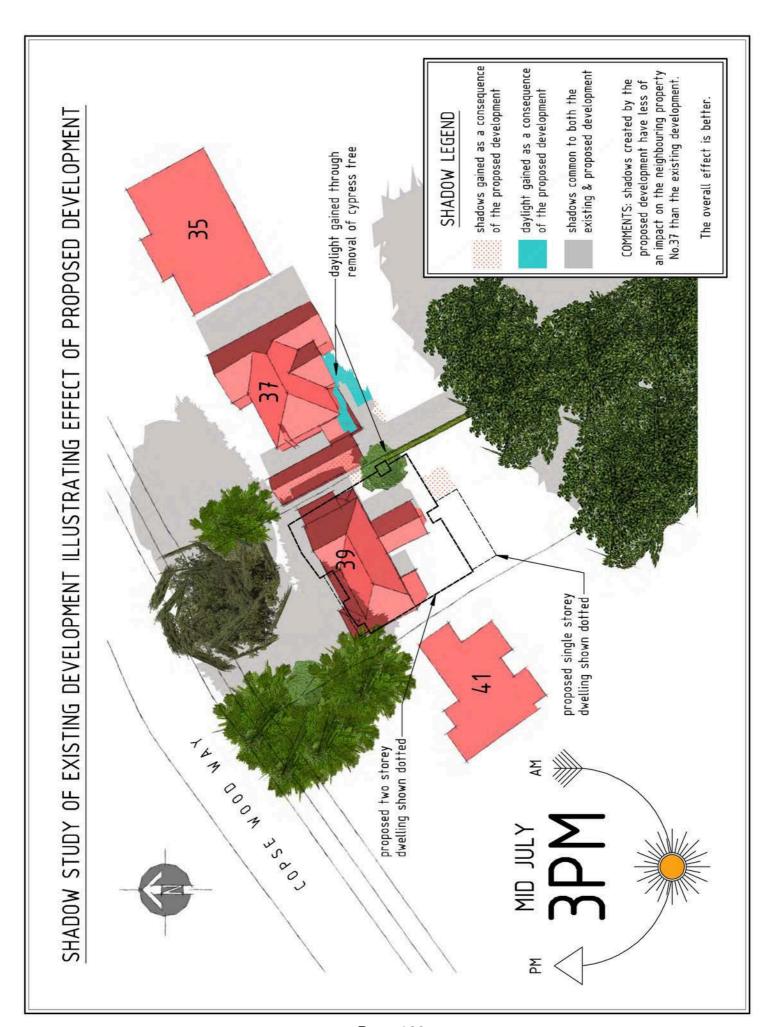




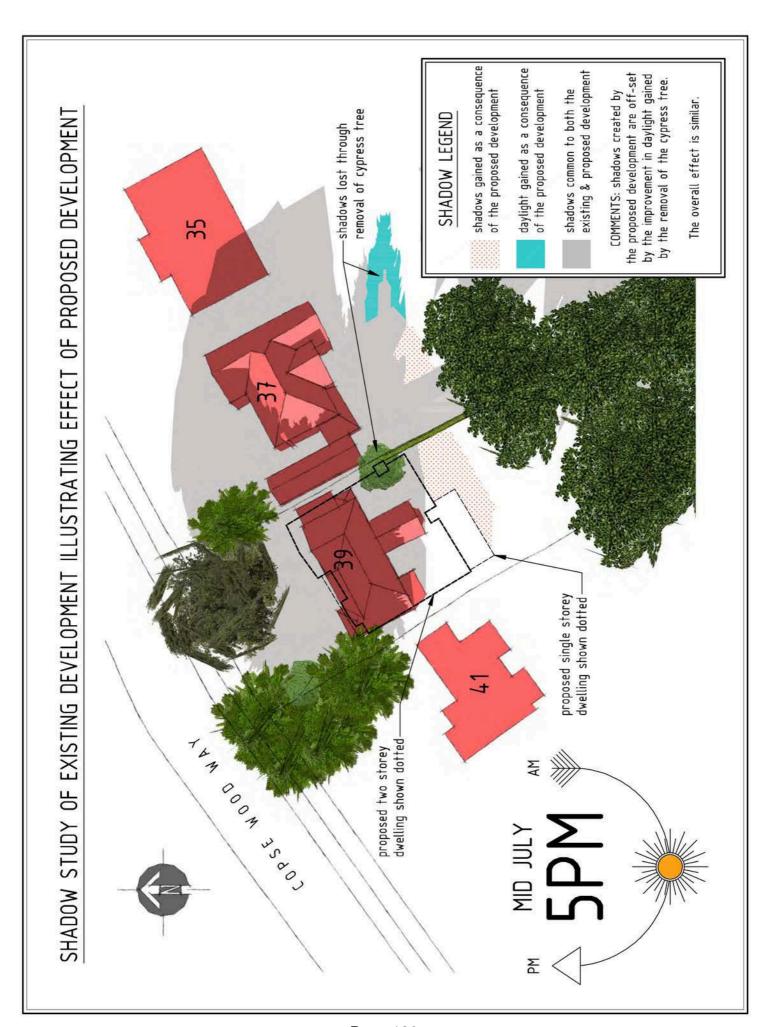
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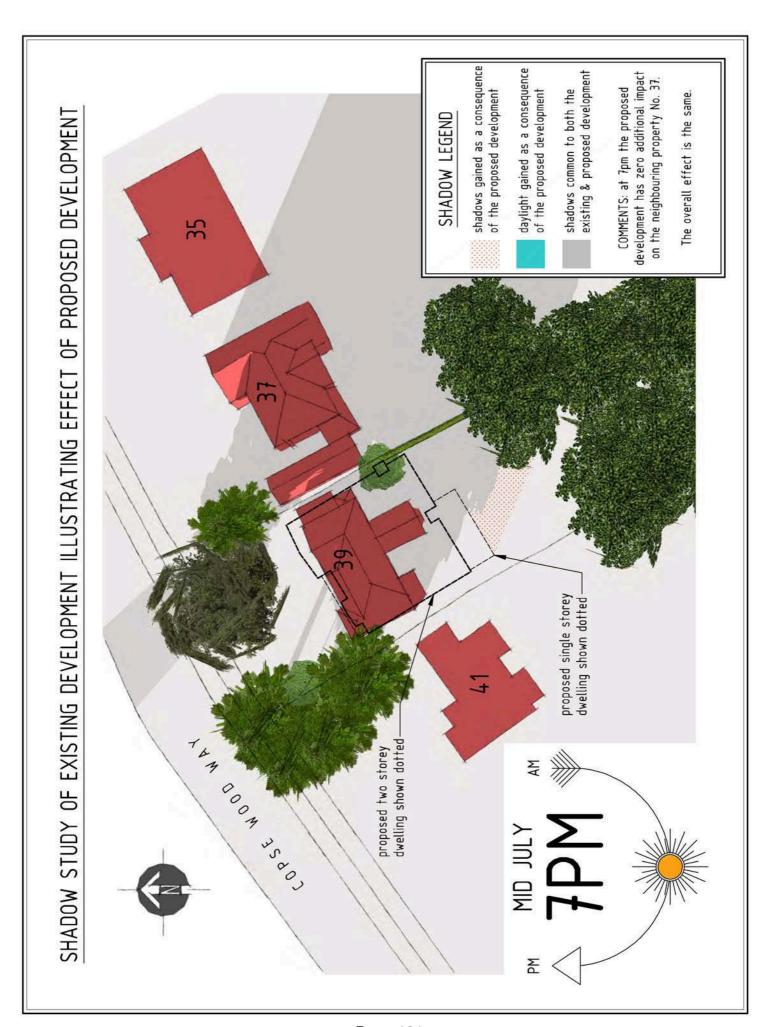
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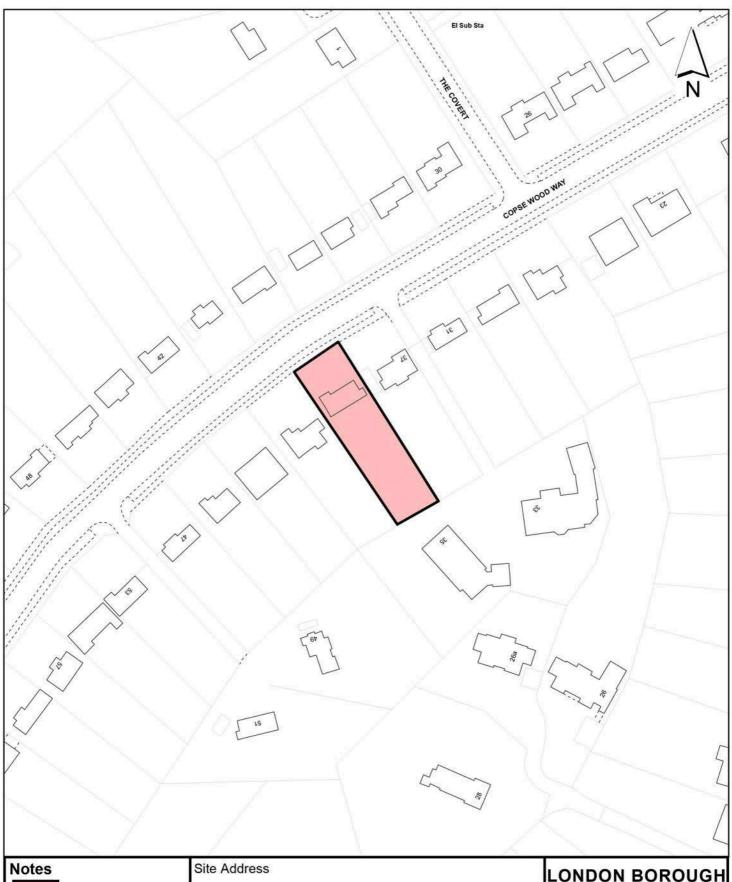
Page 129

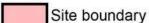


Page 130



Page 131





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## 39 COPSEWOOD WAY NORTHWOOD

#### LONDON BOROUGH OF HILLINGDON Residents Services

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

Planning Application Ref:
11007/APP/2013/2426

Planning Committee

Scale
1:1,250

Date

NorthPage 132

February 2014

#### Report of the Head of Planning, Sport and Green Spaces

Address 7 MAYBANK GARDENS RUISLIP

**Development:** Conversion of roof space to habitable use to include raising of roof height, a

rear dormer, 1 front rooflights and conversion of roof from hip to gable end

with a new gable end window

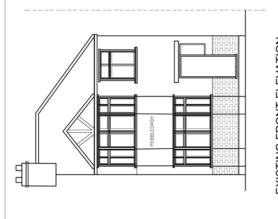
**LBH Ref Nos:** 1621/APP/2013/3383

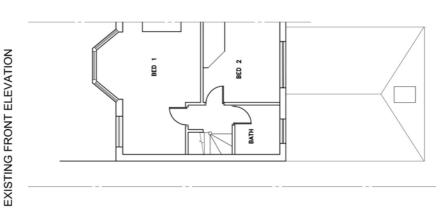
Date Plans Received: 14/11/2013 Date(s) of Amendment(s): 25/11/2013

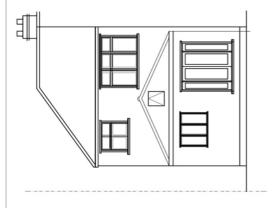
Date Application Valid: 09/12/2013

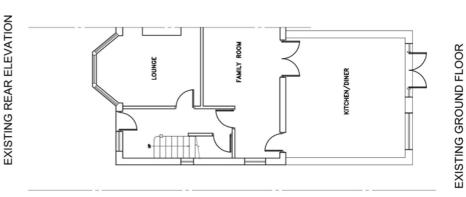


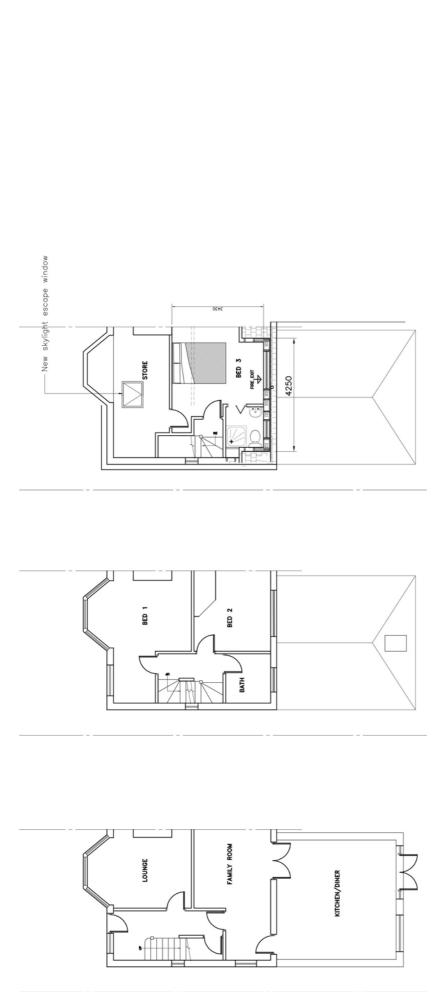
**EXISTING FIRST FLOOR** 

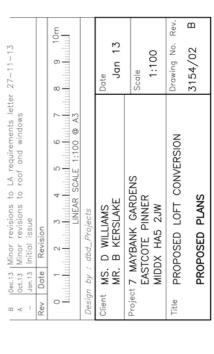






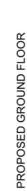




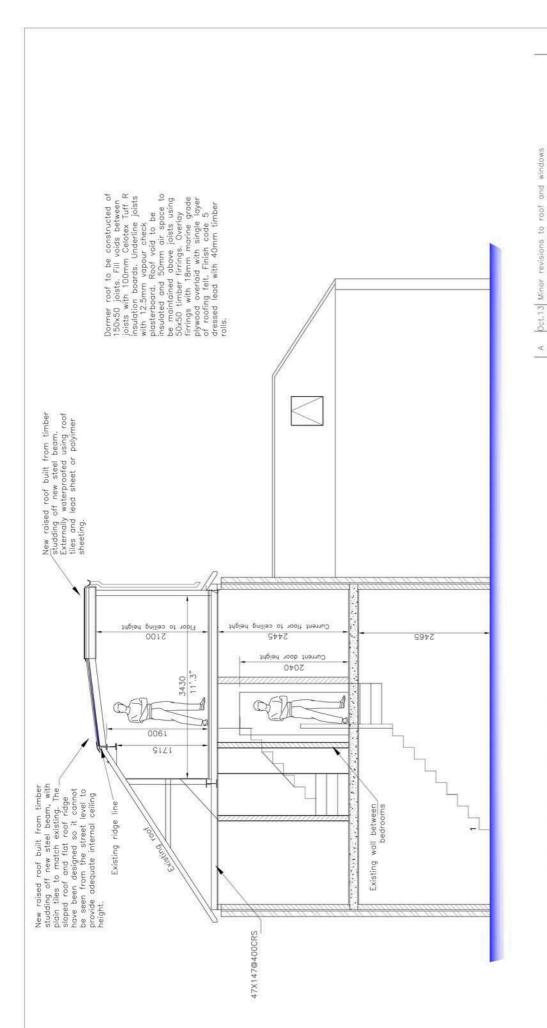


PROPOSED SECOND FLOOR

PROPOSED FIRST FLOOR







# PROPOSED SECTION

Rev.

Drawing No. 3154/04

PROPOSED LOFT CONVERSION PROPOSED PLANS - SECTIONS

1:50

Jan 13

Project 7 MAYBANK GARDENS EASTCOTE PINNER

MIDDX HAS 2JW

Title

MS. D WILLIAMS MR. B KERSLAKE

Client

Design by : dbd\_Projects

Date

10m

ω-

1:100

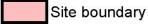
LINEAR SCALE

Jan. 13 Initial Issue

Date

Page 138





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### 7 Maybank Gardens Ruislip

Planning Application Ref: 1621/APP/2013/3383

Scale

1:1,250

Planning Committee

North Application

Date

February 2014

## LONDON BOROUGH OF HILLINGDON Residents Services

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



#### Report of the Head of Planning, Sport and Green Spaces

Address 29 BROADWOOD AVENUE RUISLIP

**Development:** Part two storey, part single storey rear extension and raising of roof to allow

for conversion of roofspace to habitable use to include installation of rooflights

to side

**LBH Ref Nos:** 33999/APP/2013/2808

Date Plans Received: 25/09/2013 , Date(s) of Amendment(s): 07/10/2013

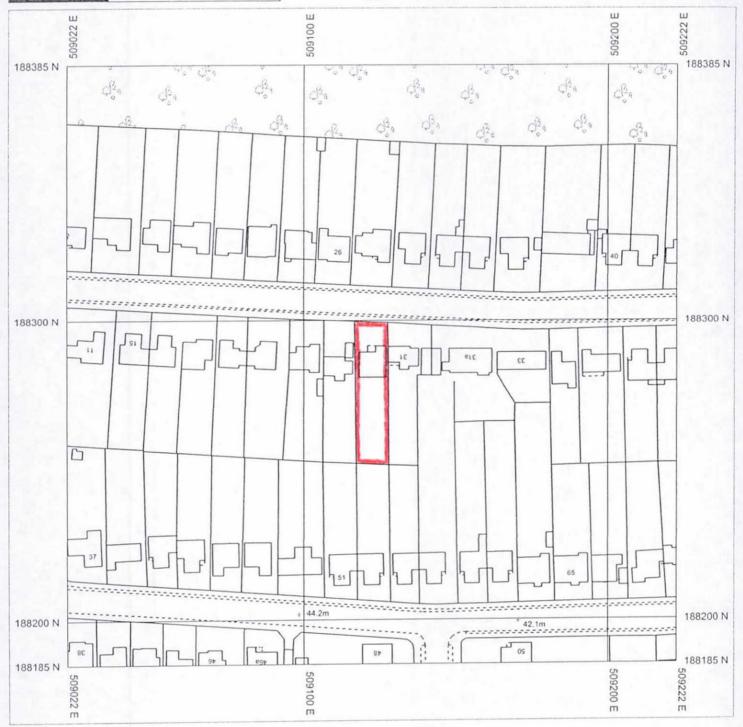
**Date Application Valid:** 07/10/2013 25/09/2013







# Location Map



Produced 10/09/2013 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2013

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The representation of features as lines is no evidence of a property boundary.



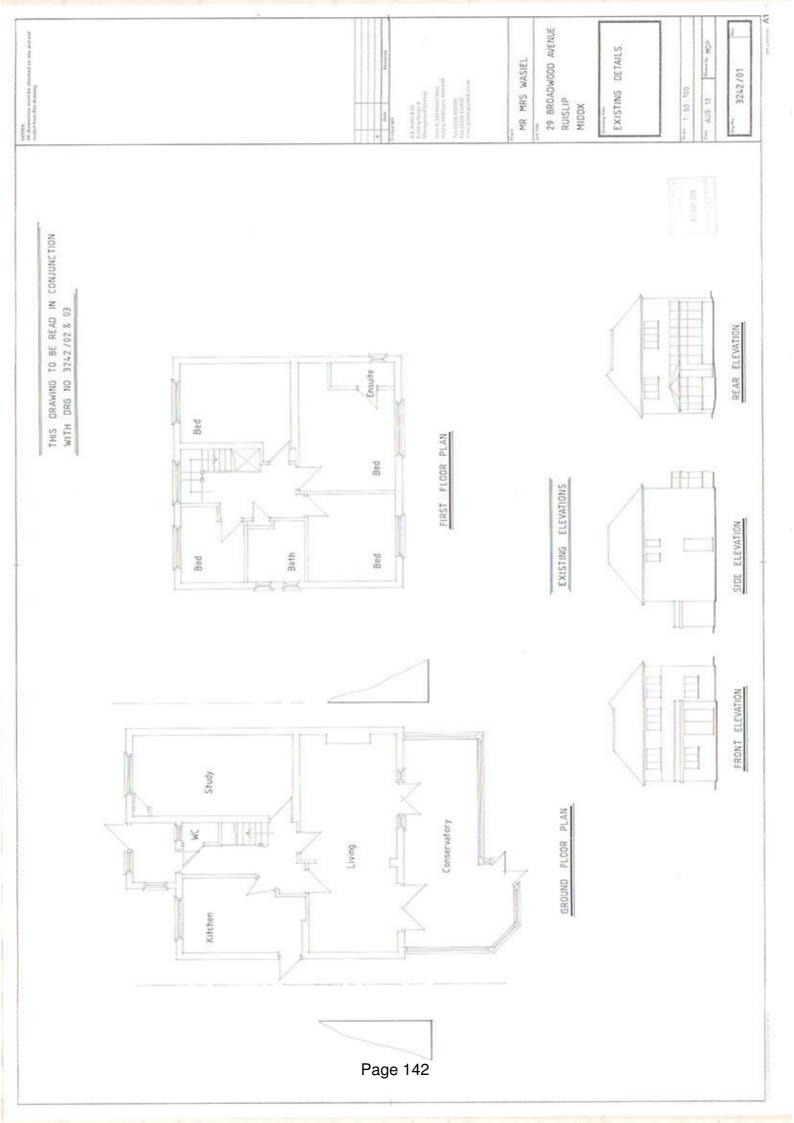
Supplied By: National Map Centre Herts

Serial number: 001119424

Plot Centre Coordinates: 509122, 188285

Page 141

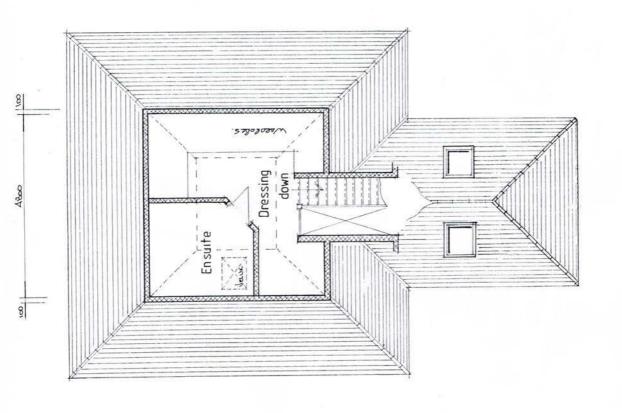
29 Broadwood Avenue Ruislip HA4 7XS



All dimensions must be checked on site and not scaled from this drawing.

THIS DRAWING TO BE READ IN CONJUNCTION WITH DRG NO'S 3243/01 & 02

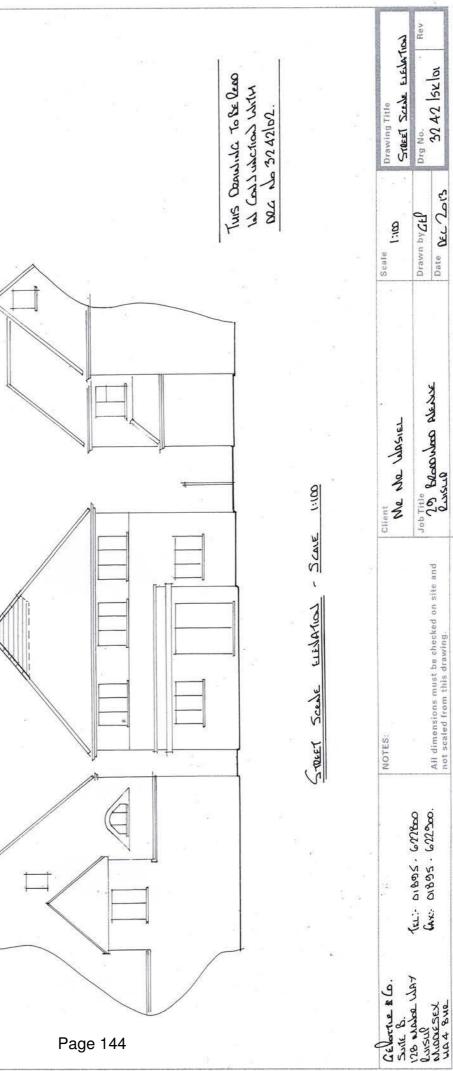
A & PROPOSED ROOF SPACE. 29 BROADWOOD AVE Drawn by MDP A DET 13 Revised for Planning MR MRS WASIEL Tel: 01895 622800 Fax: 01895 622900 www.planning-pottle.co.uk 3243/03 Suite B, 128 Manor Way Ruislip, Middlesex. HA4 8HR G.E. Pottle & Co Building Design & Management Services RUISLIP Date SEPT 13 MIDDX Scale 1:50 Drawing Title Date DCopyright Drg No.



0057

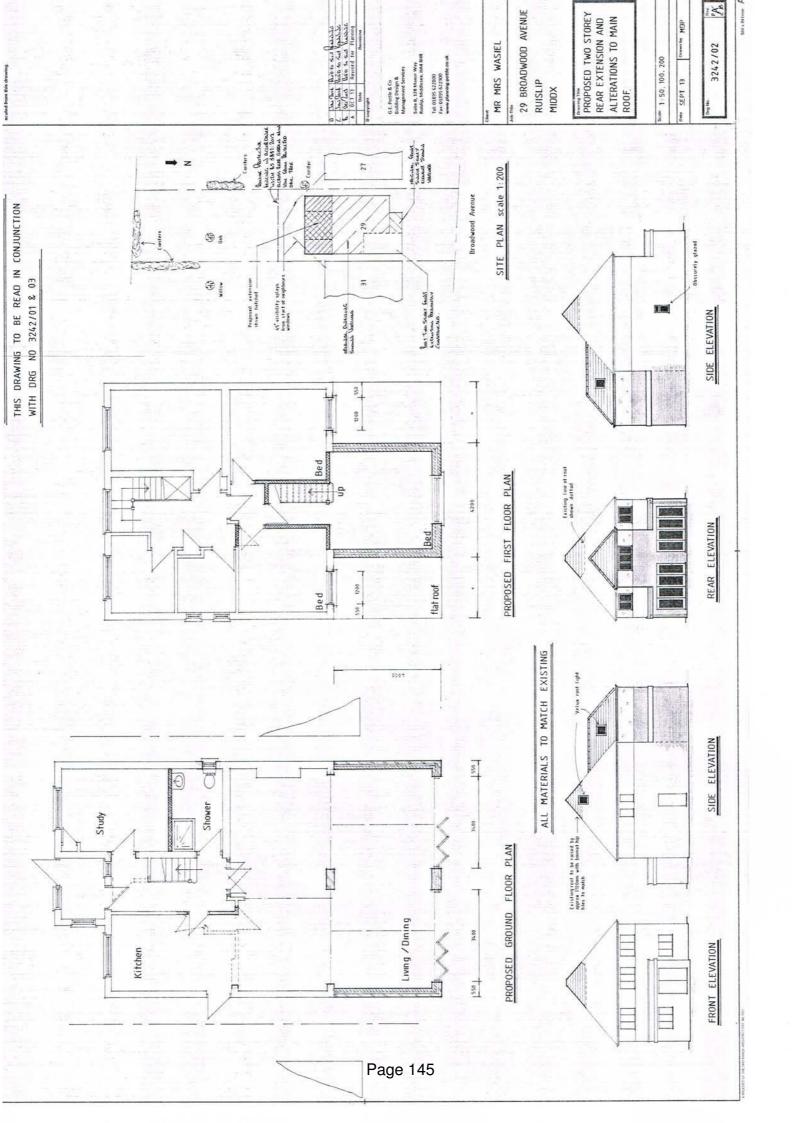
PROPOSED ROOM IN ROOF SPACE

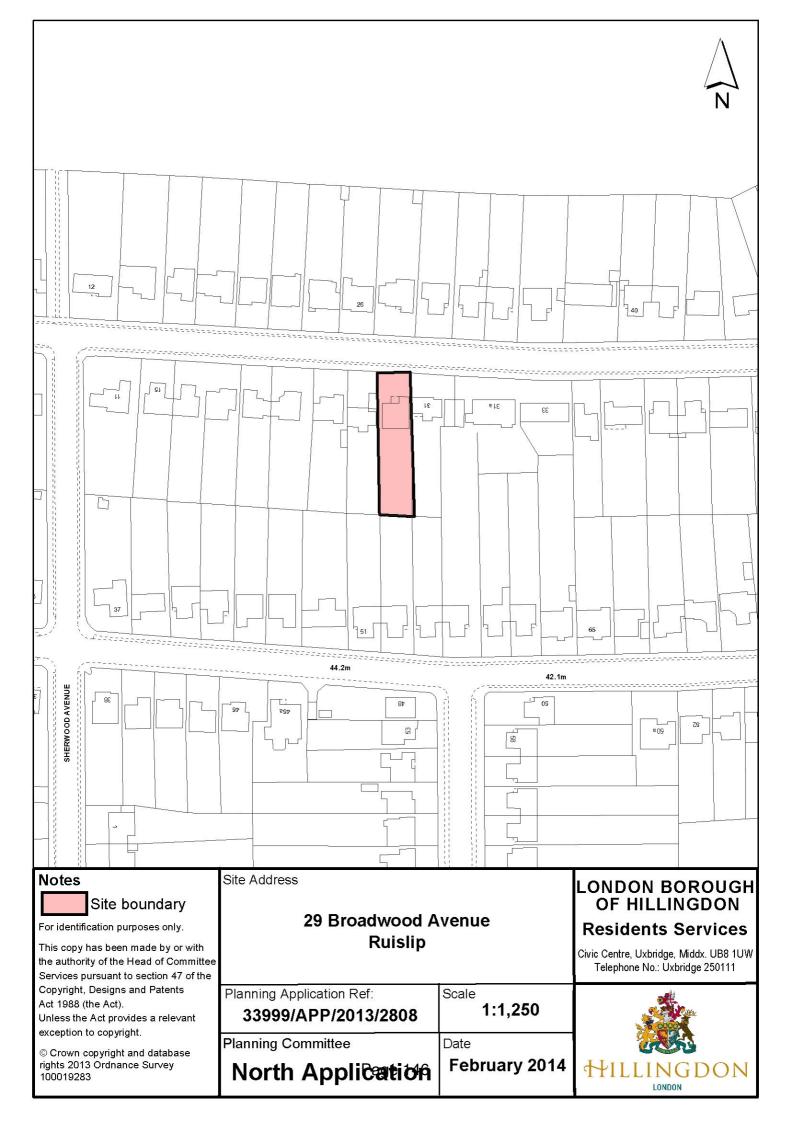
Page 143



A PRODUCT OF THE UNO RANGE - ARCHITECT CAT No. 7313

420x297mm A3





#### Report of the Head of Planning, Sport and Green Spaces

Address 37 THE DRIVE ICKENHAM

**Development:** Two storey, 7-bedroom, detached dwelling with basement/lower ground level

and habitable roofspace and single storey detached garage with associated

access and amenity space (involving demolition of existing dwelling)

**LBH Ref Nos:** 24043/APP/2013/1738

Date Plans Received: 24/06/2013 Date(s) of Amendment(s):

Date Application Valid: 09/07/2013

Apr p1847

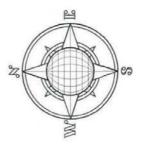
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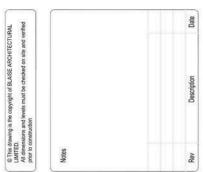
0 1 JUL 2013

PLANNING & TRANSPORTATION GROUP



37 The Drive, Ickenham Location Plan 1:1250 scale

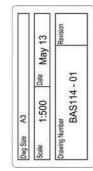


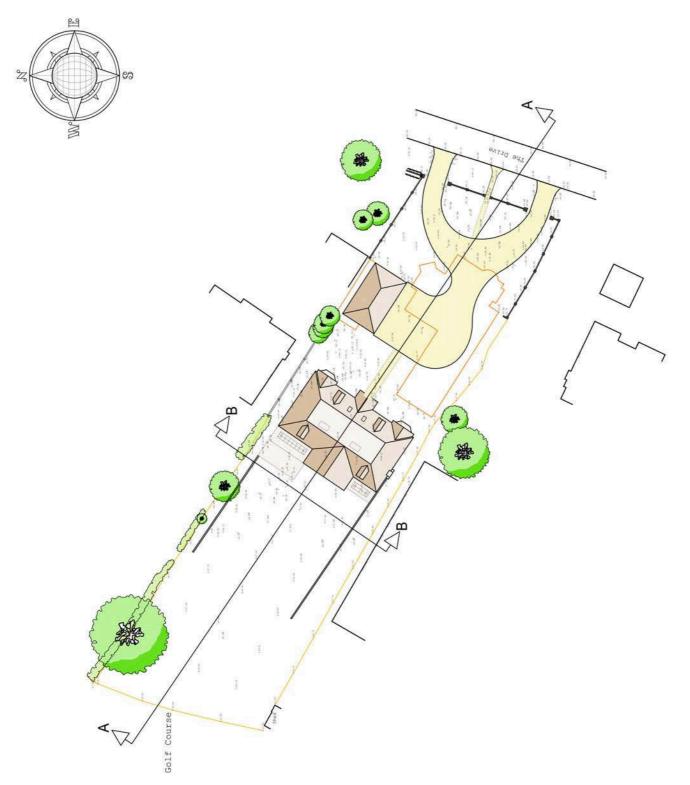












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Administration and levels must be checked on site and verified
prior to construction

Notes

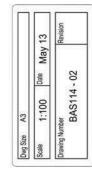
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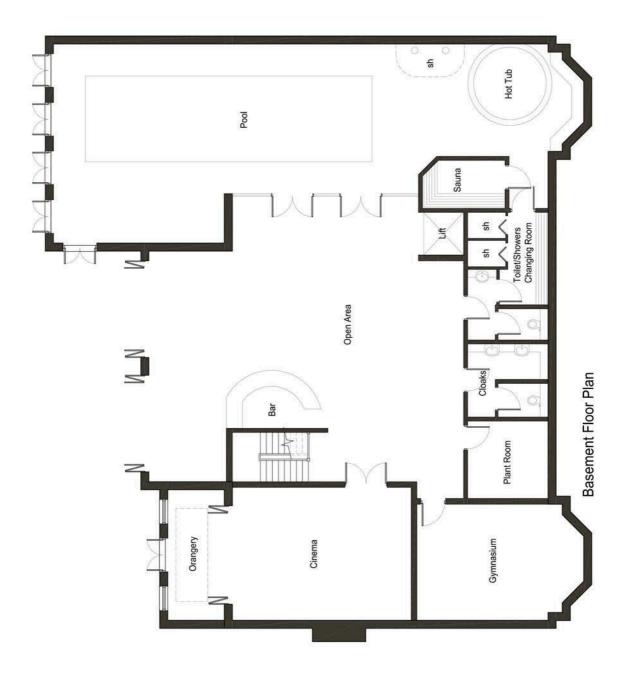
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Description
Date











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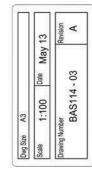
All dimensions and levels must be checked on site and verified prior to construction.

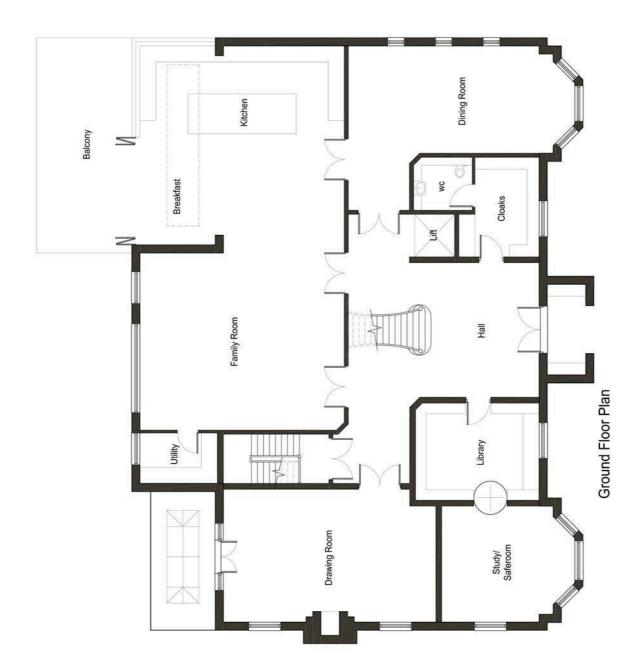












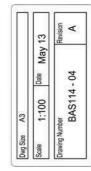
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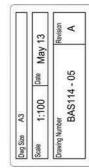
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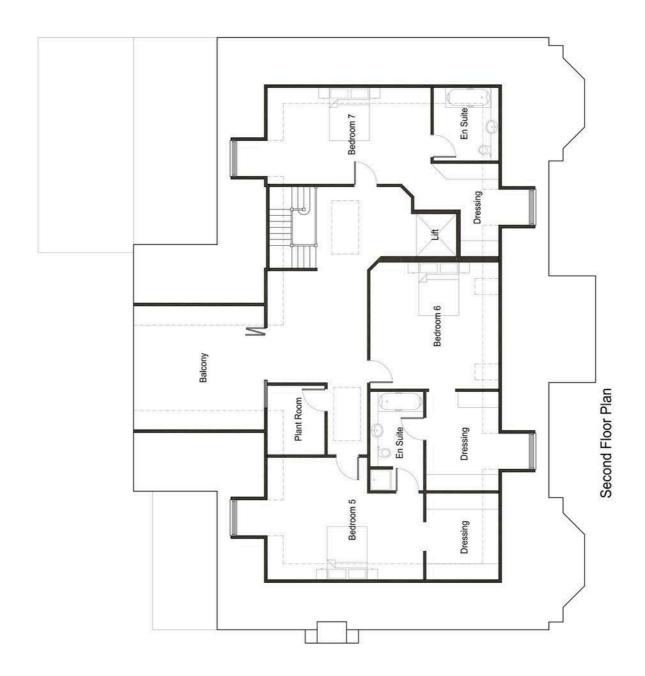












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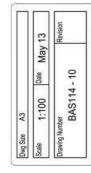


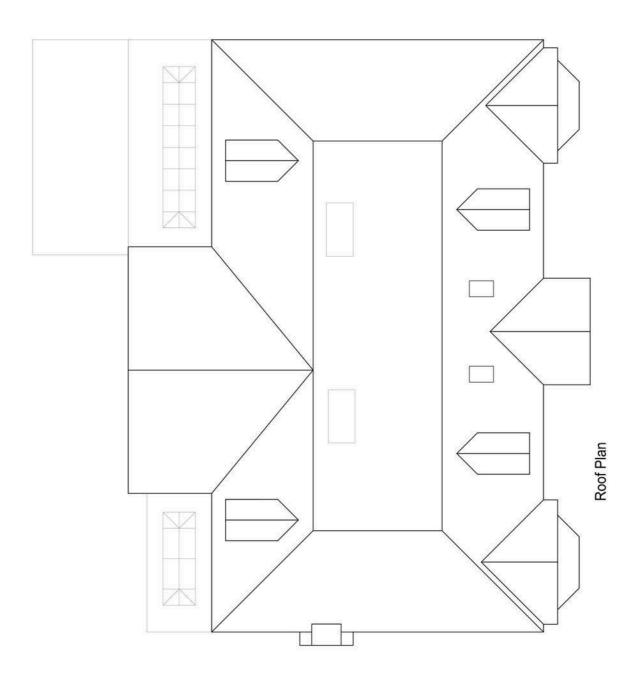
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Ad mensions and levels must be checked on site and verified
prior to construction.

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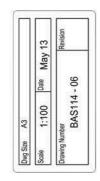


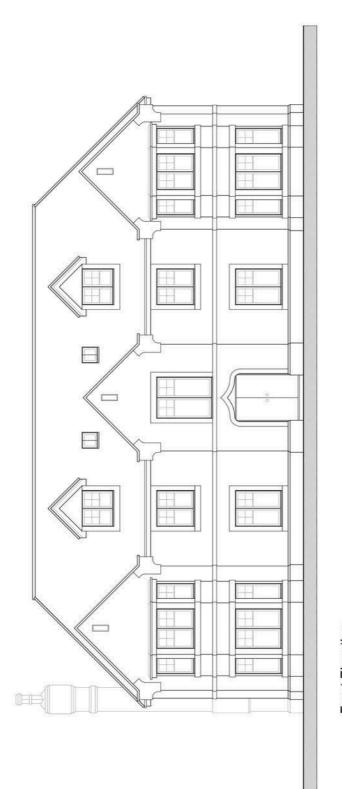
Date

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Front Elevation



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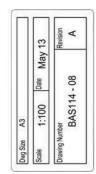
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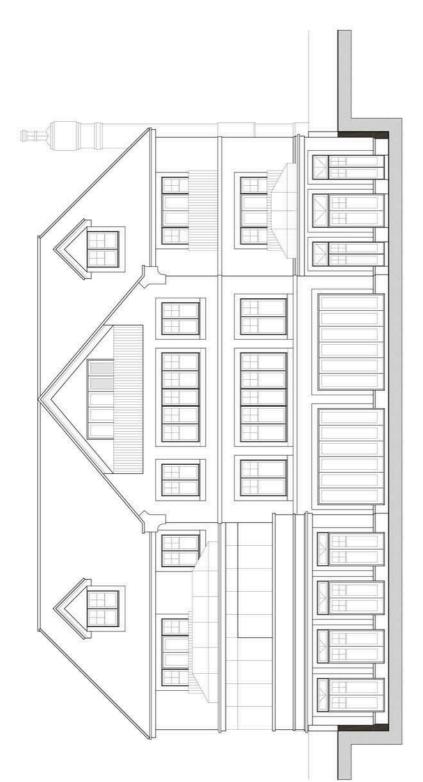












Rear Elevation



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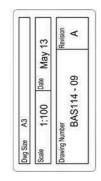
All dimensions and levels must be checked on site and verified prior to construction.

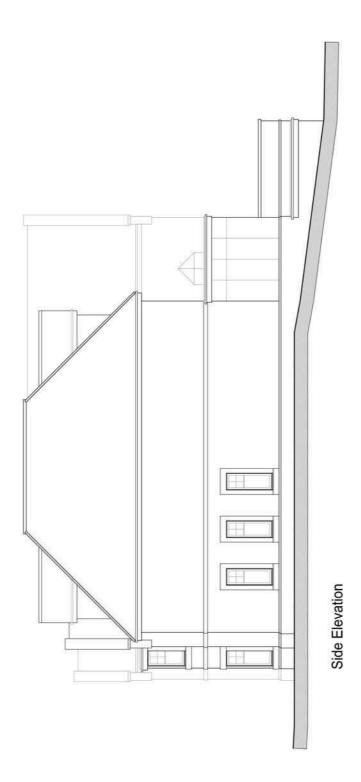












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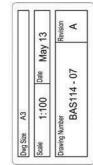
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At dimensions and levels must be checked on site and verified prior to construction.

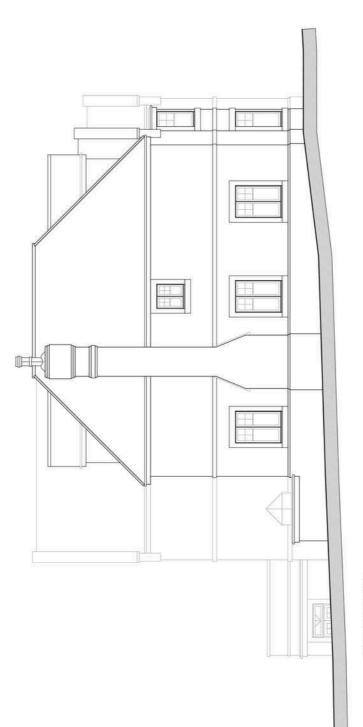




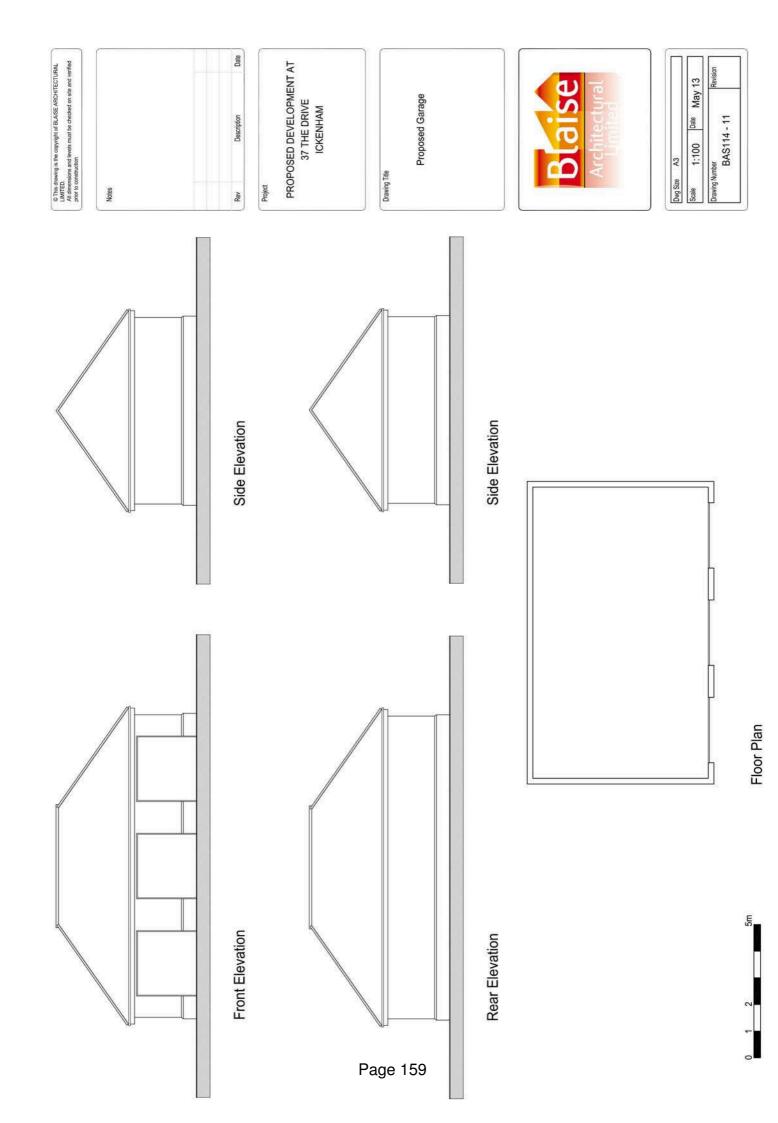


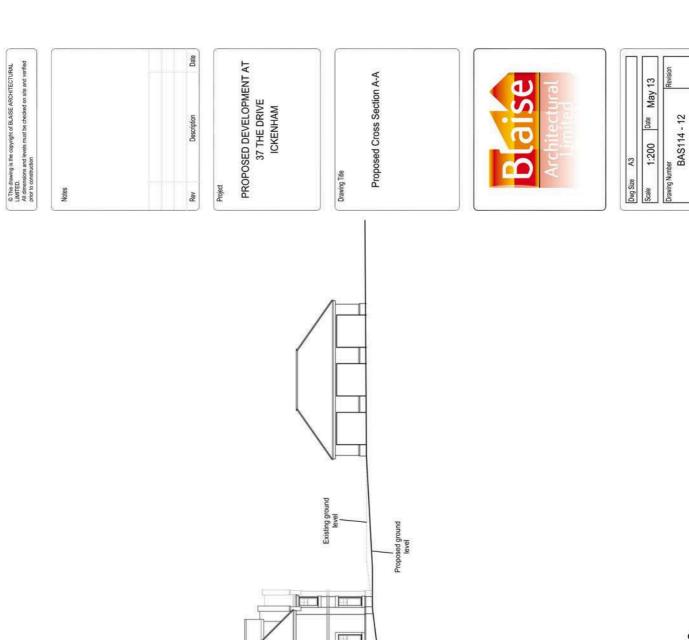






Side Elevation





Existing ground |

Page 160

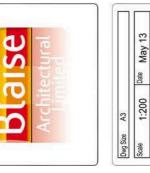
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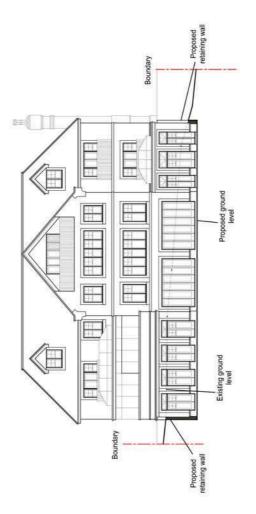


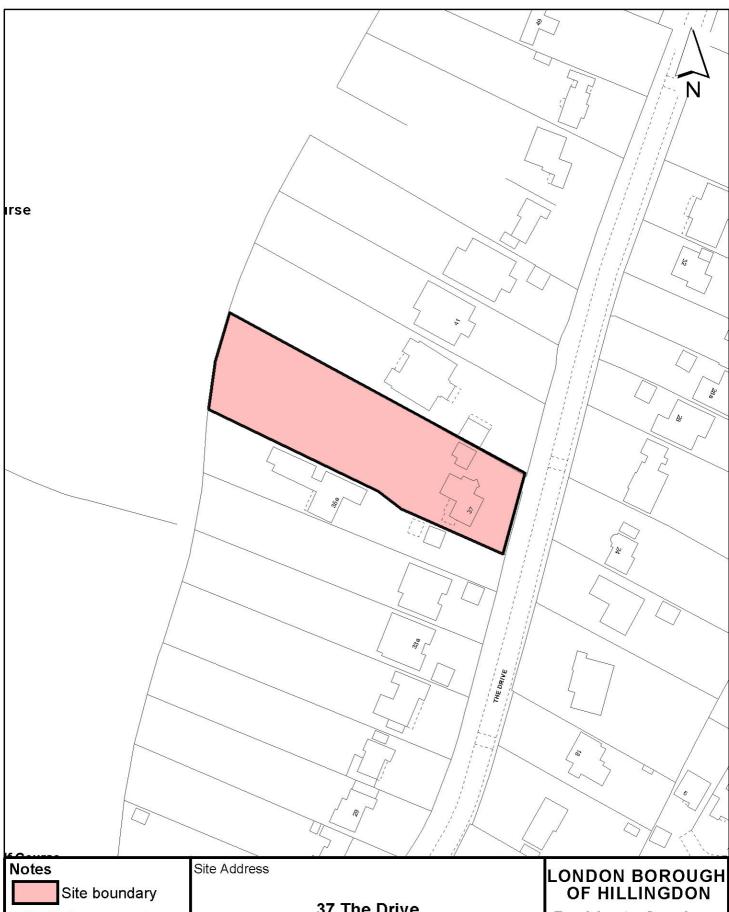


Drawing Number BAS114 - 13

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## 37 The Drive **Ickenham**

Planning Application Ref:

24043/APP/2013/1738

Planning Committee

North Application

## Scale

1:1,250

Date

February 2014



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



#### Report of the Head of Planning, Sport and Green Spaces

Address 46 DAWLISH DRIVE RUISLIP

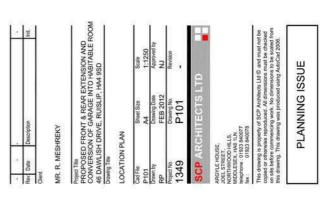
**Development:** Single storey front extension involving conversion of garage to habitable room

(Part Retrospective)

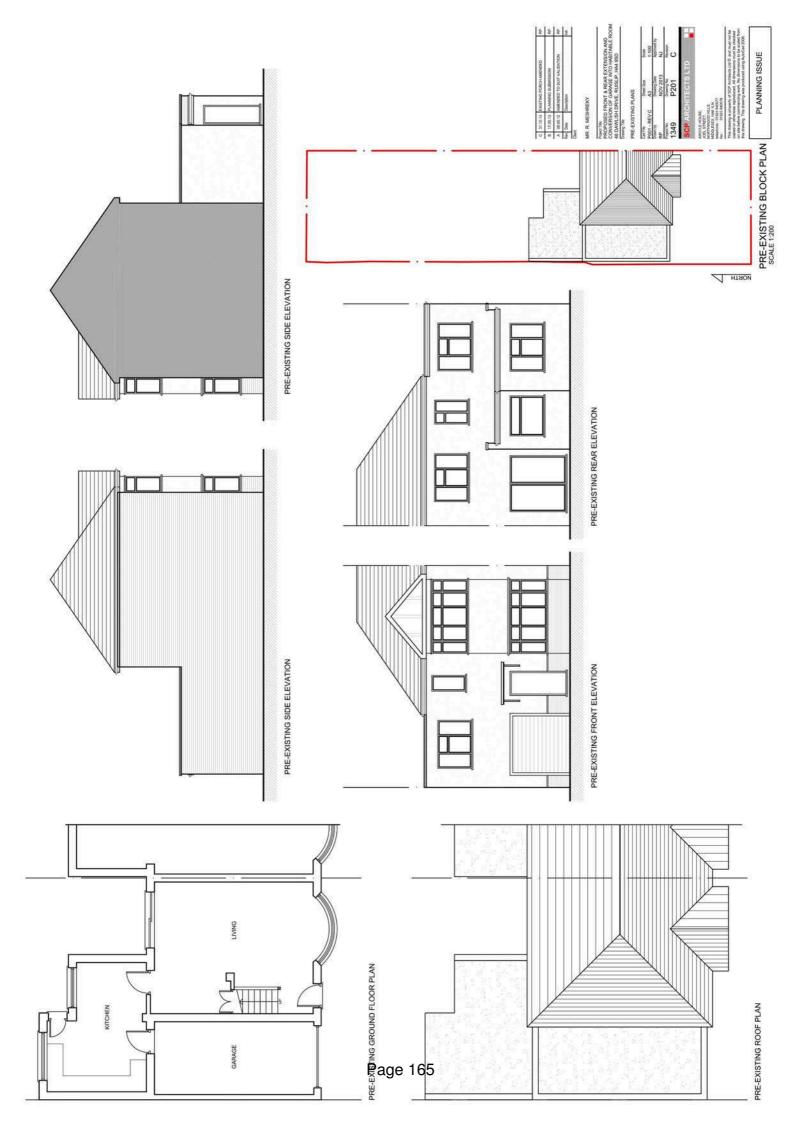
**LBH Ref Nos:** 49706/APP/2013/3361

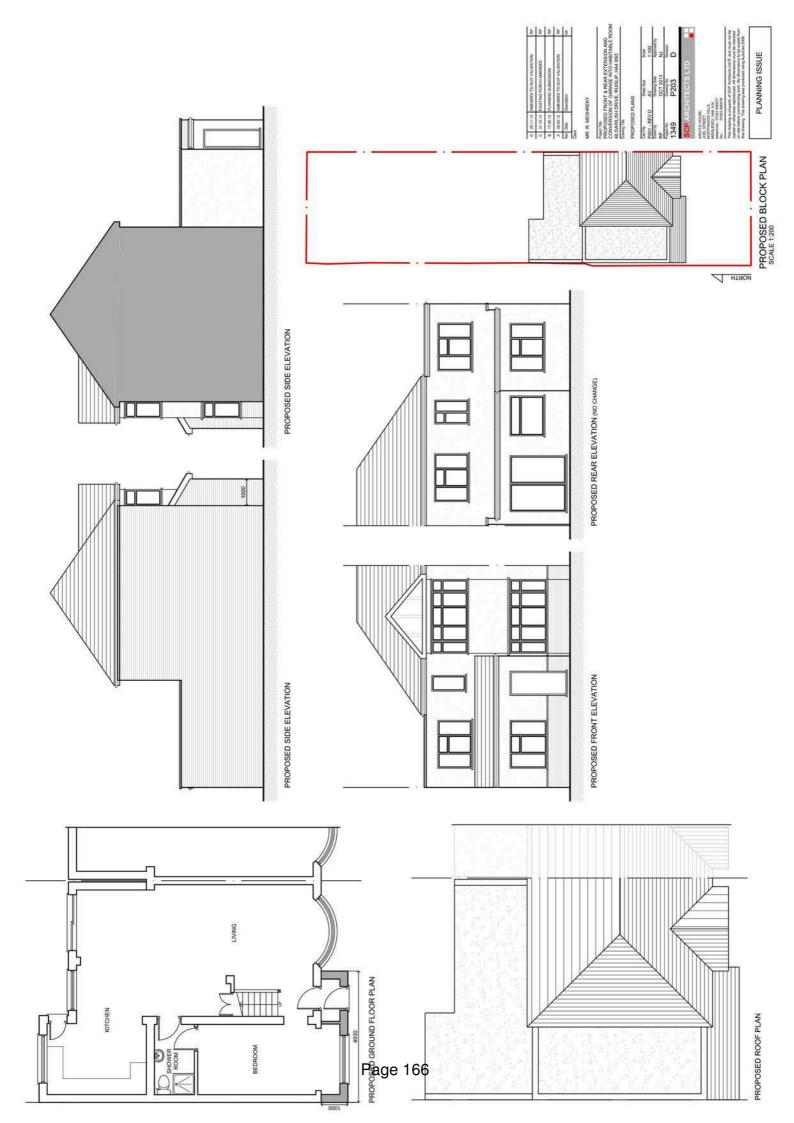
Date Plans Received: 12/11/2013 Date(s) of Amendment(s): 12/11/2013

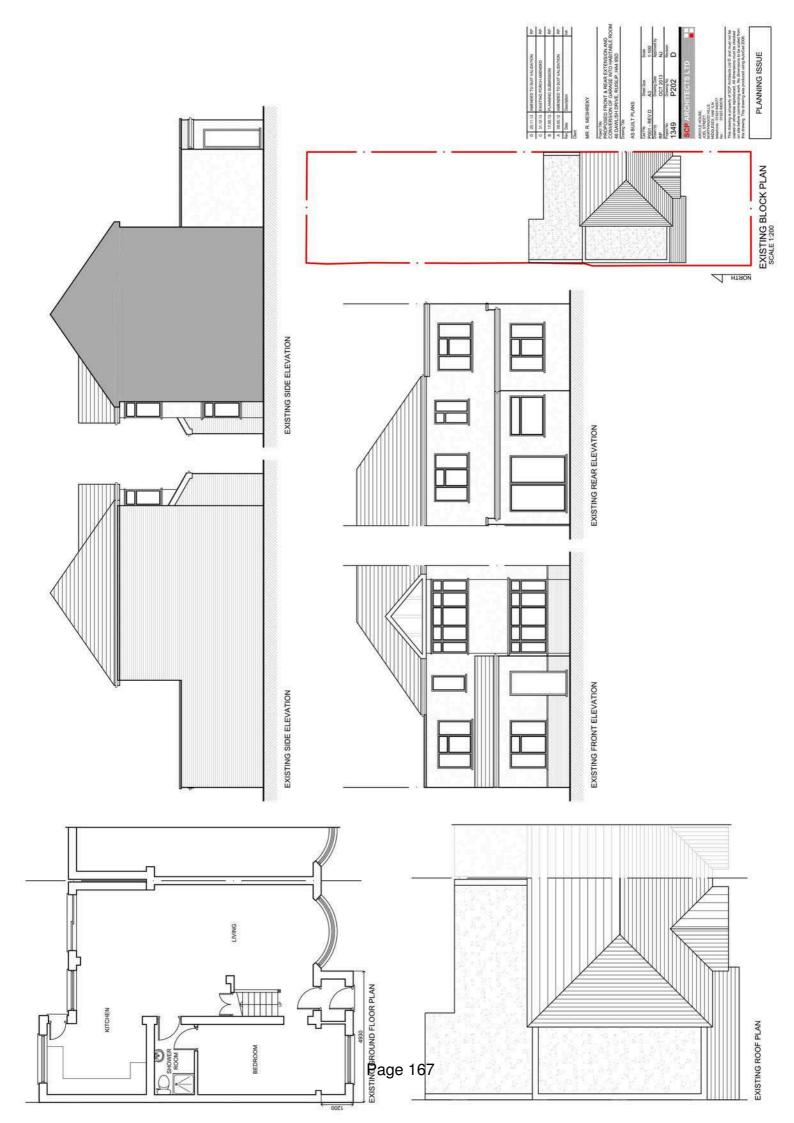
**Date Application Valid:** 27/11/2013

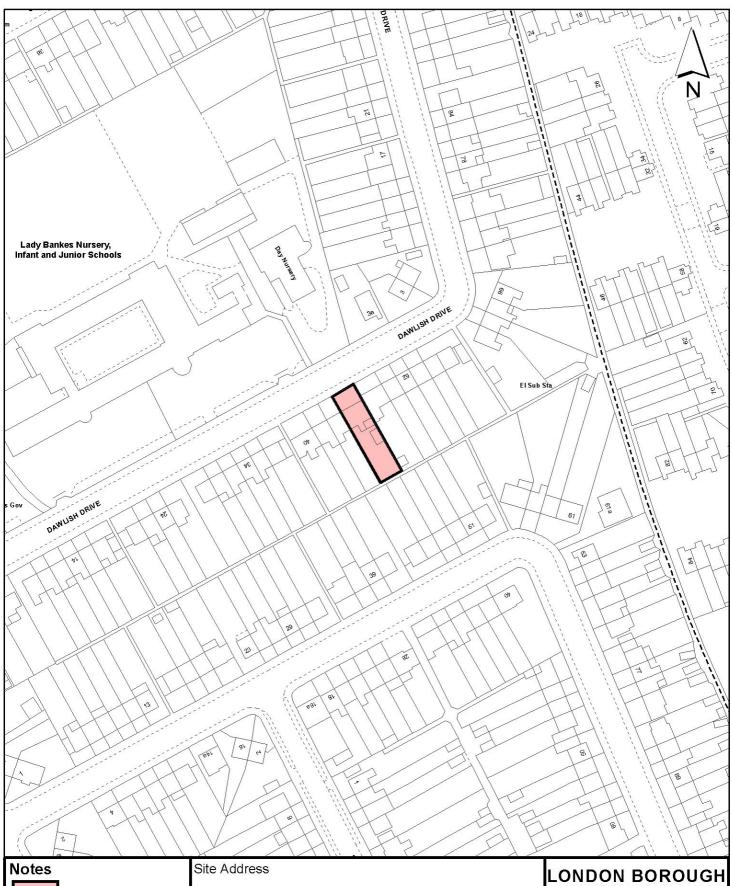


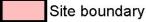












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# 46 Dawlish Drive Ruislip

Planning Application Ref: 49706/APP/2013/3361

Scale

1:1,250

Planning Committee

North Application

Date

February 2014

# ONDON BOROUGH OF HILLINGDON Residents Services

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



#### Report of the Head of Planning, Sport and Green Spaces

Address LITTLEHURST NORTHGATE NORTHWOOD

**Development:** 2 x two storey, 5-bed detached dwellings with habitable roofspace and

associated parking and amenity space, installation of vehicular crossover and

retention of existing vehicular crossover, involving demolition of existing

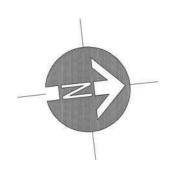
dwelling.

**LBH Ref Nos:** 31866/APP/2013/3686

Date Plans Received: 11/12/2013 Date(s) of Amendment(s): 11/12/2013

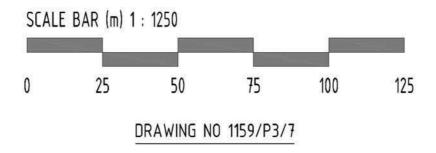
**Date Application Valid:** 18/12/2013 12/12/2013

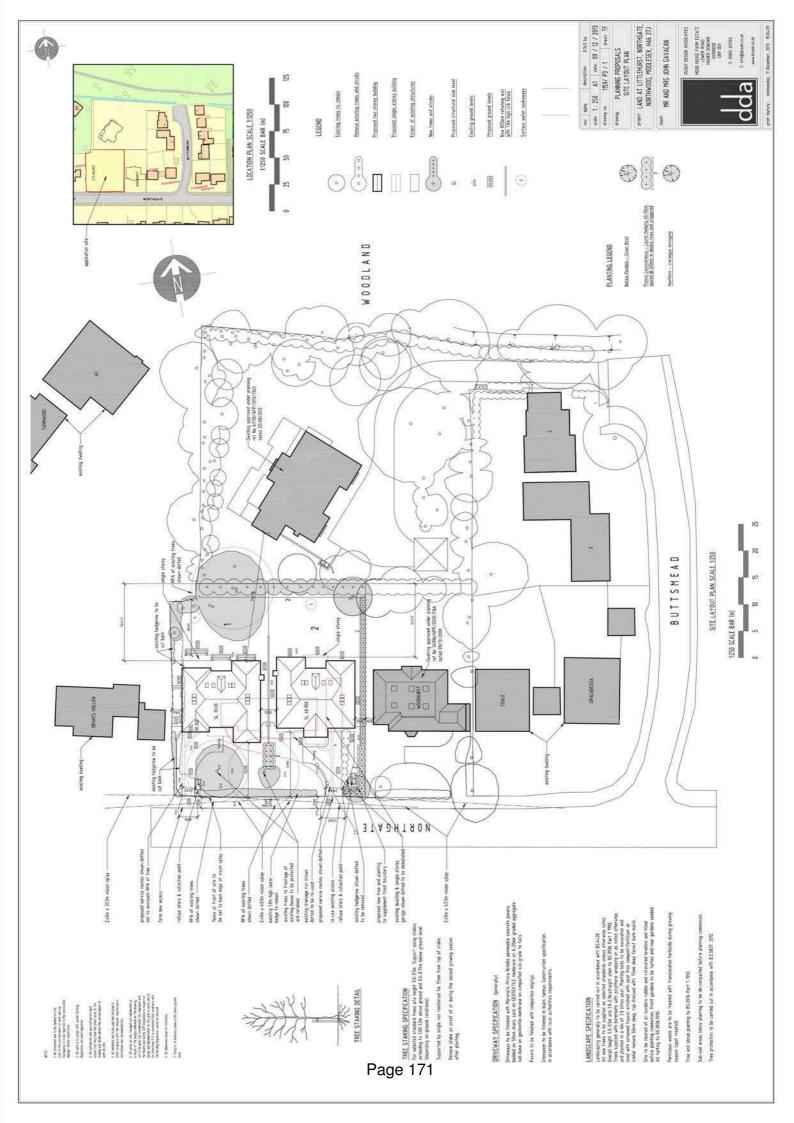
# LAND AT LITTLEHURST, NORTHGATE, NORTHWOOD, MIDDLESEX, HA6 2TJ 09 / 12 / 2013





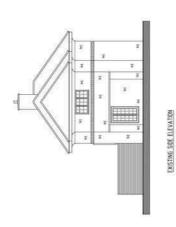
# LOCATION PLAN SCALE 1:1250 A4

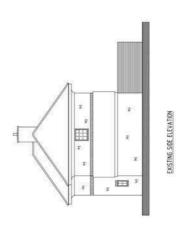




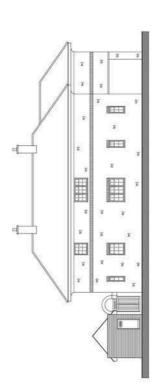




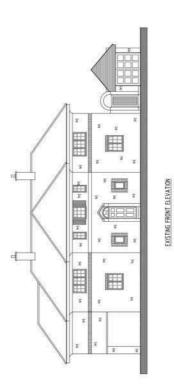


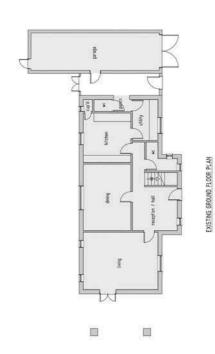






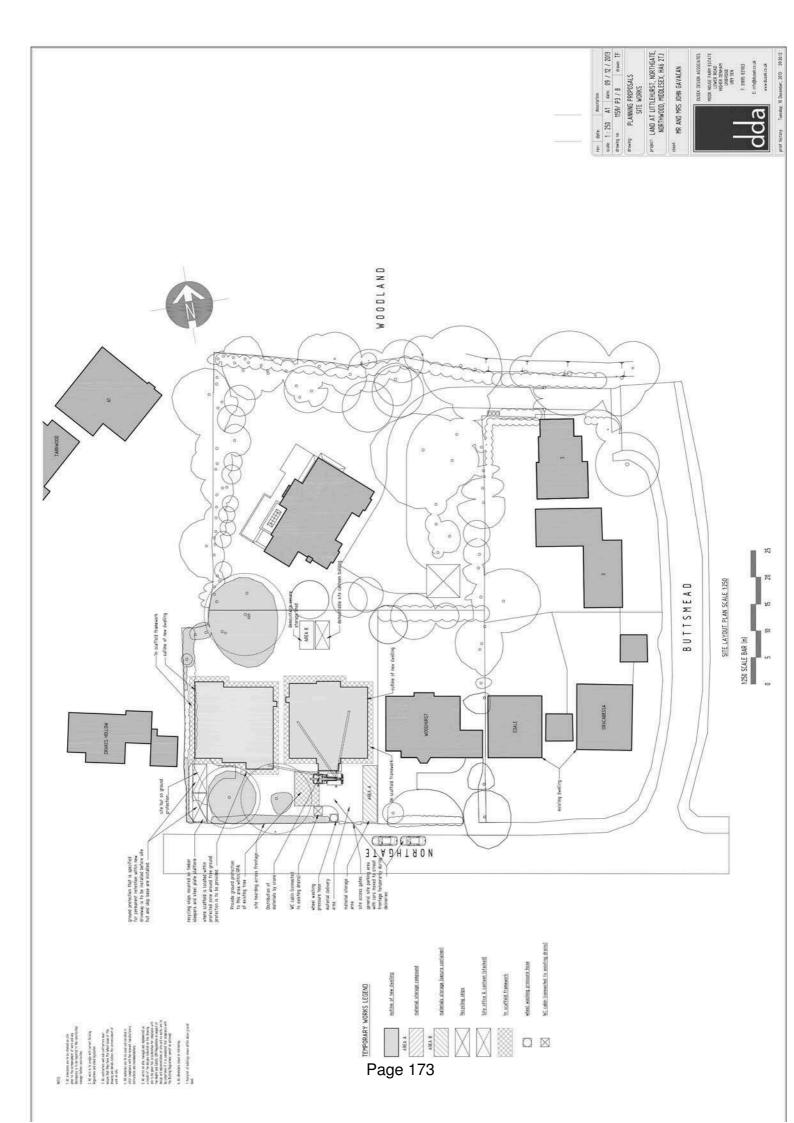
EXISTING REAR ELEVATION

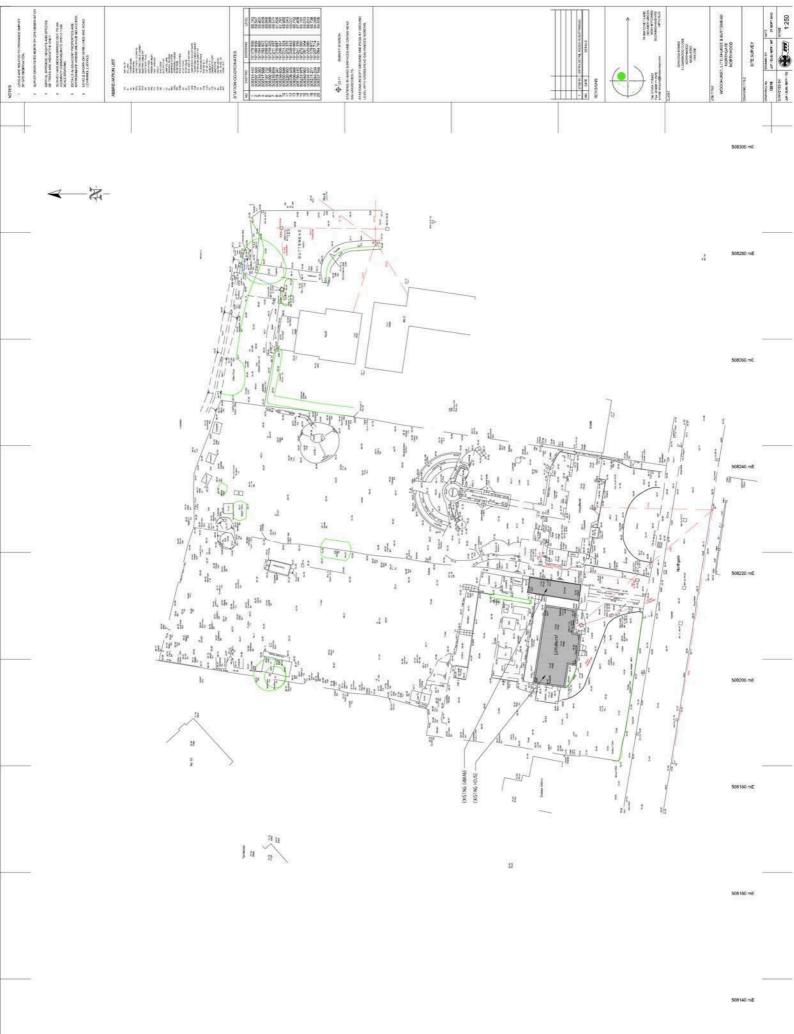




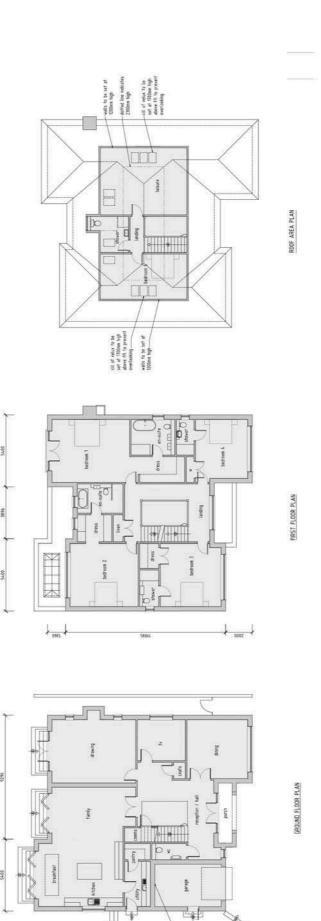
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SCALE BAR (m)









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 A1
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 09 / 12 / 2013

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 159 / P3 / 2
 grave
 AT

POWER PLANNING PROPOSALS PLOT 1
FLOOR PLANS
POWER LAND AT LITLEHURST, MORTHGATE,
NORTHWOOD, MIDDLESEX, HAG 27J

MR AND MRS JOHN GAVACAN



Page 175

wall mounted cycle

1076 10900



-weak mix concrete cavity III below doc level to be inserted to beget of mix. Some below spc to beam end bearings. -blockwork below doc and ground level as approved by structural engineer.

13

MOBILITY THRESHOLD DETAIL Scale 1:20

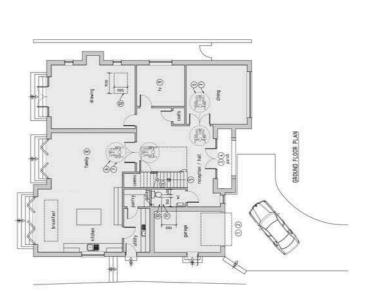
—door frame as specified by client —nternal floor finish

contrele paring or other approved finish within porth area supported by low brick wall on contrele strip feeling.

vertical insulated doc-

rew date description scale 1:100 A1 date 09 / 12 / 2013 159 / P3 / 9<sup>4</sup> train FJ PROPERTY NORTHGATE NORTHGATE NORTHGATE NORTHWOOD, MIDDLESEX, HAS 213 Crawing PLANNING PROPOSALS PLOT 1
LIFETIME HOMES MR AND MRS JOHN GAVACAN A 16/03/2014 Local authority

FIRST FLOOR PLAN



LIFETIME HOME FACILITIES PROVIDED WITHIN NEW HOUSE

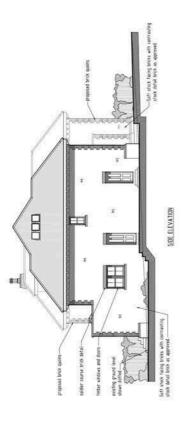
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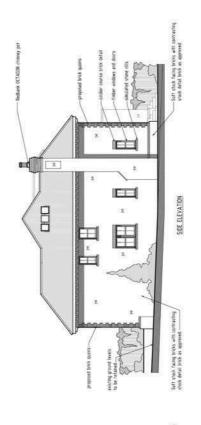
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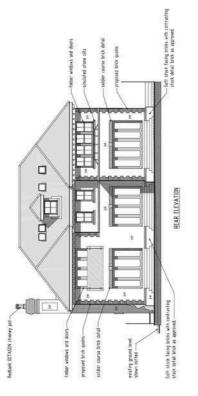
SCALE BAR (m)

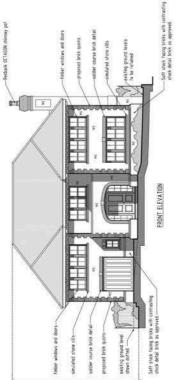










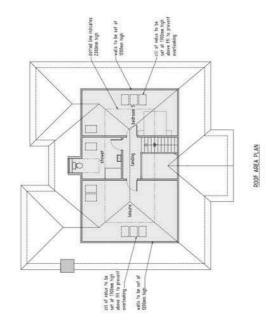


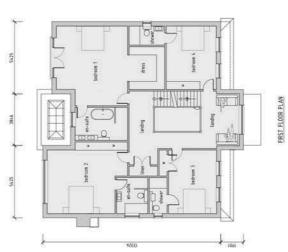
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Page 177











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—Bistickenh below dyt, and ground level.

As approved by structural engineer

are more to control control. Ill below dop, level to be
inserted to bright of min. Schem below day, to beam
left dearings.

0

229 mm "CORDEX" CELLCORE HX B Ref '8 / 24

—door frame as specified by client —aberral front freish

concrete paring or other approved finish within perch area supported by low both will an contraft afrightenting.

vertical insulated doc-

- depth of foundation as reached by structural engines and as approved on site.

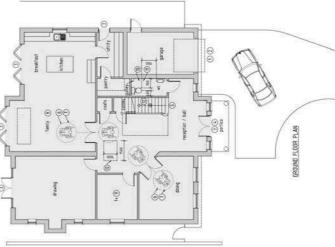
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to incide feer of ground beams all gaps seeled.

MOBILITY THRESHOLD DETAIL Scale 1:20

Terr date: description scale 1: 100 A1 date 09 / 12 / 2013 description (159 / P3 / 10^4 description (159 / 10^4 descript Project. LAND AT LITTLEHURST, NORTHGATE, NORTHWOOD, MIDGLESEX, HA6 27J drawing PLANNING PROPOSALS PLOT 2 MR AND MRS JOHN GAVACAN LIFETIME HOMES A 15/01/2014 Local authority

DUSEK DESIGN ASSOCIATES







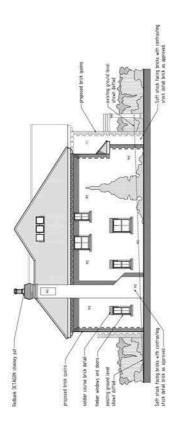
LIFETIME HOME FACILITIES PROVIDED WITHIN NEW HOUSE

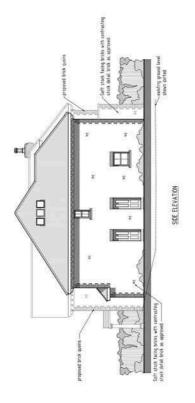
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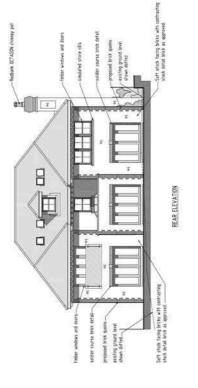
SCALE BAR (m)







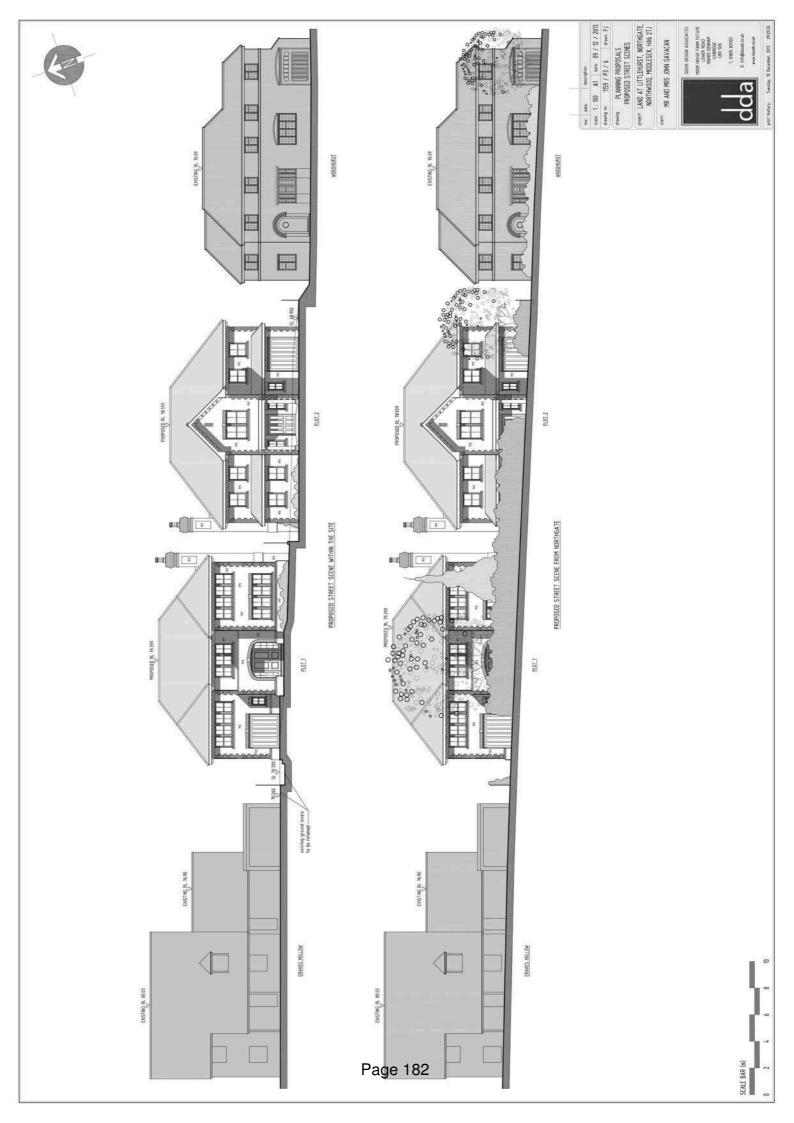


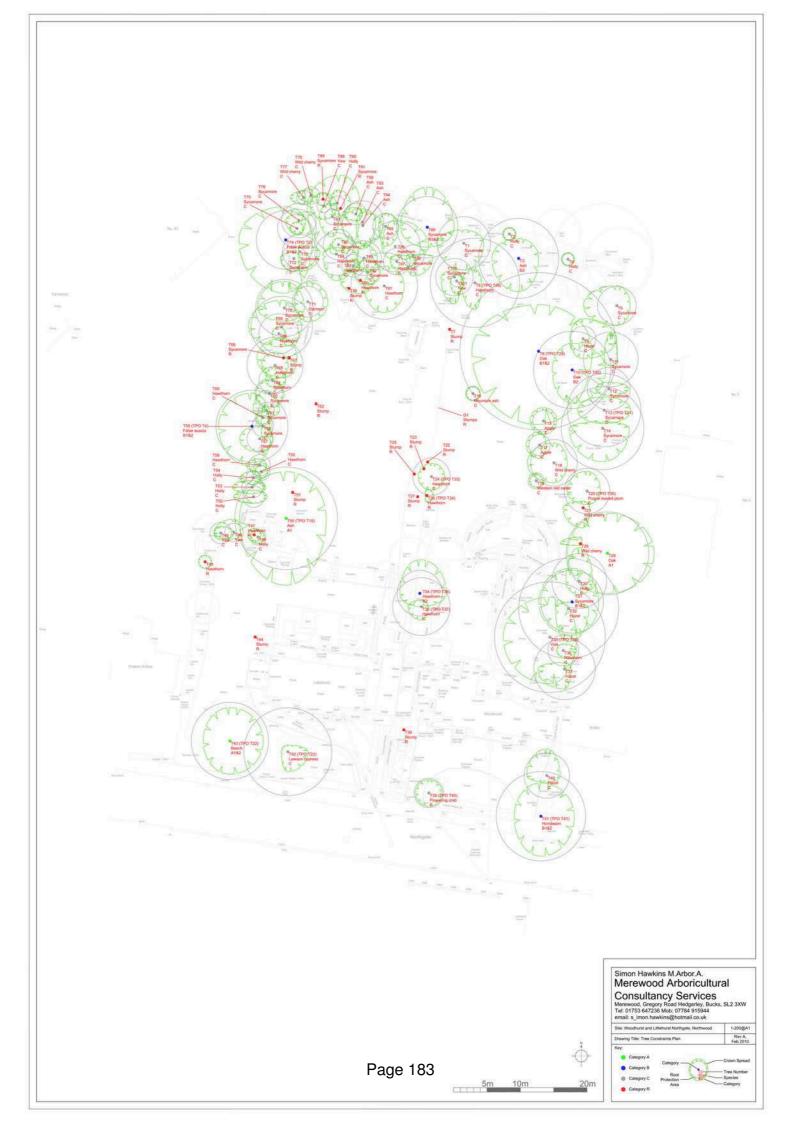




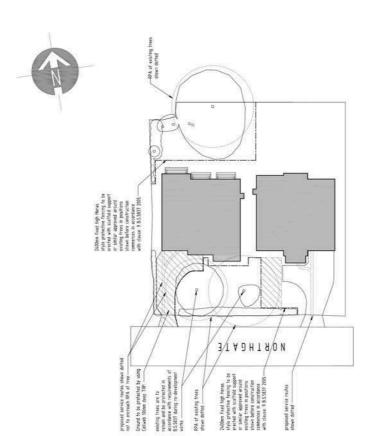
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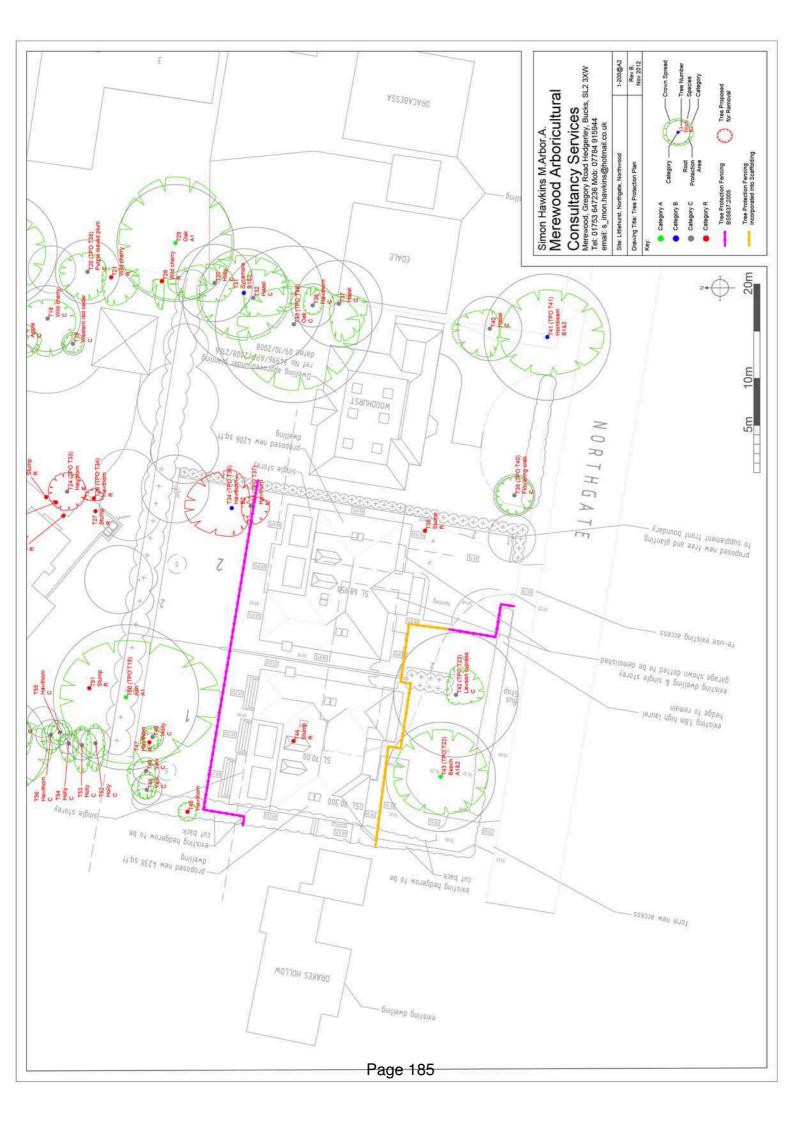


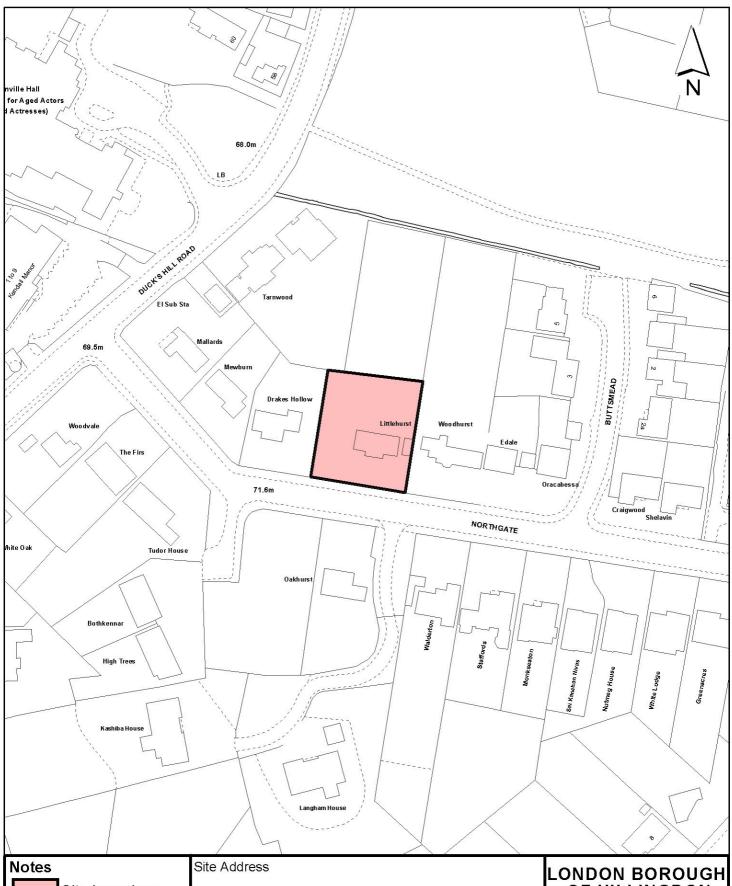


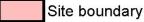


TREE PROTECTION PLAN SCALE 1250 TREE BENDET TO BE READ IN CONJECTION WITH REPRINCED ARBORIULTURAL CONSULTANCY SERVICES THEE SURVEY & NETHOD STATEMENT

1250 SCALE BAR (m)







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## Littlehurst, Northgate Northwood

Planning Application Ref:

31866/APP/2013/3686

Planning Committee

North Application

## Scale

1:1,250

Date

February 2014

## LONDON BOROUGH OF HILLINGDON Residents Services

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

