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North Planning Committee

Date: TUESDAY, 25 MARCH 2014

Time: 7.30 PM

OR AT THE RISING OF THE MAJOR APPLICATIONS

COMMITTEE

Venue: COMMITTEE ROOM 5

CIVIC CENTRE HIGH STREET UXBRIDGE UB8 1UW

Meeting Members of the Public and **Details:** 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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Contact: Charles Francis

Tel: 01895 556454 Fax: 01895 277373

democratic@hillingdon.gov.uk

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INVESTOR IN PEOPLE

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

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A useful guide for those attending Planning Committee meetings

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Petitions and Councillors

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

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

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

How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

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

followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers;
- 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 a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

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

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting
- 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 | 77 Eastcote Road, Ruislip 62431/APP/2013/2341 | Eastcote & East Ruislip | Change of use from Use Class C3 (Dwelling House) to Use Class C3/D1 (Dwelling House/ Non-Residential Institutions) for use of childcare within the domestic setting. Recommendation: Refusal | 1 - 16 162 - 165 |
| 7 | 4A Eastbury Avenue, Northwood 36828/APP/2014/184 | Northwood | Part two storey, part single storey front/side/rear extension involving raising of roof. Recommendation: Refusal | 17 - 26 166 - 173 |

| 8 | 2 Linksway, Northwood 36910/APP/2013/2338 | Northwood | Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling. Deferred from North Committee 6 th March 2014 Recommendation: Approval | 27 - 48 174 - 182 |
|---|---|-----------------|---|----------------------|
| 9 | 28 & 28A Kingsend, Ruislip 5740/APP/2013/3520 | West Ruislip | Variation of condition 27 of Planning Permission Ref: 5740/APP/2008/1214 (Erection of a three storey building to contain 7, two-bedroom and 1, one-bedroom flats, together with associated parking and amenity space (Amendment to previous approval ref. 5740/APP/2007/1043 to allow for an additional flat at second floor level) to allow revised landscape scheme including a resiting of bin store to front and hardstanding treatment (Part Retrospective Application). Recommendation: Had an appeal against non-determination not been lodged, the application would have been approved. | 49 - 64 183 - 185 |

Non Major Applications without a Petition

| | Address | Ward | Description & Recommendation | Page |
|----|---|-----------|--|----------------------|
| 10 | Land adjacent to Widewater Lock (Barn Farm), Moorhall Road, Harefield 69682/APP/2014/32 | Harefield | Change of use of land to a residential caravan site for one family, involving the siting of one static and one touring caravan, with associated parking for two vehicles, water treatment plant, hardstanding and landscaping works (Part retrospective application). Recommendation: Refusal | 65 - 90 186 - 189 |

| 11 | 37 Moor Park Road, Northwood 4581/APP/2013/3765 | Northwood | 2 x two-storey, 5-bed detached dwellings with habitable roofspace with associated parking and amenity space, installation of vehicular crossover to front, installation of fence to front involving demolition of existing dwelling (Resubmission). Recommendation: Approval subject to a S106 Agreement | 91 - 112 190 - 198 |
|----|--|--------------------|---|------------------------|
| 12 | Land rear of 81 - 93 Hilliard Road, Northwood 64786/APP/2013/1434 | Northwood Hills | 2 x two storey, 3- bed detached dwellings with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter. Recommendation: Approval subject to a S106 Agreement | 113 - 132 199 - 209 |
| 13 | Breakspear Road, Ruislip | West Ruislip | Single storey front extension Recommendation: Approval | 133 - 142 210 - 216 |
| | 18443/APP/2013/3732 | | | |

Part 2 - Members Only

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

| 14 | Enforcement Report | 143 - 150 |
|--|--------------------|-----------|
| 15 | Enforcement Report | 151 - 160 |
| Plans for North Planning Committee 161 | | 161 - 216 |

Agenda Item 6

Report of the Head of Planning, Sport and Green Spaces

Address 77 EASTCOTE ROAD RUISLIP MIDDX

Development: Change of use from Use Class C3 (Dwelling House) to Use Class C3/D1

(Dwelling House/ Non-Residential Institutions) for childcare use during the

day and as a residence at night. (Retrospective Application)

LBH Ref Nos: 62431/APP/2013/2341

Drawing Nos: statement of intent

Location Plan 3248/01

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

Date Application Valid: 21/08/2013

1. SUMMARY

The application seeks retrospective permission for the part change of use from C3 (Residential) to D1 (Non-Residential Institution)in order to provide a children's nursery.

The site comprises a two-storey semi-detached property with a hipped roof profile and finished in white render and brickwork, located on the northern side of Eastcote Road, north of the junction with Bishop Ramsey Close. Eastcote Road is a Local Distributor Road and connects Ruislip to the west with Eastcote to the west. To the east of the site is the adjoining semi-detached property, No. 79 Eastcote Road. To the west of the site is No. 75, the side flank wall of which is sited 1.6m away from the side flank wall of the application site.

The development is considered to be detrimental to the amenities of the adjoining and surrounding occupiers by reason of noise and general disturbance. Furthermore, the parking and drop-off arrangements are inadequate, leading to overspill parking in Eastcote Road, a Local Borough Distributor Road, which is be prejudicial to highway safety.

The use involves up to 20 children on site at any one time which is considered excessive given the residential surroundings within which the site is located.

As such the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The development is considered to represent an over-intensification of the use of the site, which results in undue noise and general disturbance through the scale and nature of activities involved, to the detriment of the amenities of nearby residential properties, and as such constitutes an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policies OE1, OE3 and R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposal provides insufficient parking for the D1 use and results in an increase in onstreet car parking in an area where on-parking is limited, leading to conditions which are prejudicial to the operation of the highway network and pedestrian/highway safety. The proposal is therefore contrary to policies AM7, AM14 and R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3 NON2 Non Standard reason for refusal

The development due to the lack of an on-site maneuvering area, the increased number of vehicular movements using the vehicular access point, and the average speed of vehicles within this part of Eastcote Road, results in a danger and inconvenience to highway users, to the detriment of public and highway safety. Therefore the proposal would not comply with policies AM7 and R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 | 152 | Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

| R12 | Use of premises to provide child care facilities |
|------|--|
| R13 | Use of residential accommodation for educational and child care |
| | premises |
| AM14 | New development and car parking standards. |
| AM7 | Consideration of traffic generated by proposed developments. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation |

measures

LPP 3.6 (2011) Children and young people's play and informal recreation

(strategies) facilities

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.

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a two-storey semi-detached property with a hipped roof profile and finished in white render and brickwork, located on the northern side of Eastcote Road, north of the junction with Bishop Ramsey Close. Eastcote Road is a Local Distributor Road and connects Ruislip to the west with Eastcote to the west.

The property has four bedrooms and two receptions rooms. The property has been extended at the rear by way of a single storey rear extension beyond which is an area of raised decking. The property benefits from a large rear garden extending 53m deep. The property is set back from the highway by 12.5m and the front of the property is laid in hardstanding for parking purposes.

To the east of the site is the adjoining semi-detached property, No. 79 Eastcote Road. To the west of the site is No. 75, the side flank wall of which is sited 1.6m away from the side flank wall of the application site.

The site is situated within the within the Developed Area, and is located within an Archaeological Priority Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is covered by a blanket TPO 106.

3.2 Proposed Scheme

The proposed development is a retrospective application for the part change of use from C3 (Residential) to D1 (Non-Residential Institution)in order to provide a children's nursery.

The property was bought in June 2004 and was occupied as a family home. In January 2006 the applicant registered as an Ofstead childminder. At present the applicant is registered with Ofstead as a 'childcare provider on domestic premises'.

The current facility has 8 staff, 6 present at any one time. 40 children are cared for per month (however not all are present in the same day). There is capacity for 20 children at a time on site up to the age of 5, with a maximum of 4 children per key worker. There is also capacity for 6 children per key worker in the 5-7 years range. There is no limit for over 8 year olds.

The childcare facility (D1 use) operates (and is proposed to continue to operate) from 0700-1859 hours Monday to Friday. The domestic (C3 use) use operates between the hours of 1900 to 0659 Monday to Sunday. Essentially, the childcare facility runs from morning to evening, and the residential use operates from the evening, through the night and early morning. A Breakfast Club is provided in the early morning for school aged children, and an After School Club in run after school hours. At present a mini-bus shuttle service is provided and has 9 seats, to take the school aged children to school and collect them. The childcare service for under 5's is provided throughout the day.

The property has four bedrooms on the first floor. Three of the bedrooms are used as activity and sleeping areas with collapsible travel cots (observed whilst on site). One bedroom is used as a staff room /confidential meeting area. The other areas in the house are used as activity areas for the children. The kitchen/dinner is also used as a cooking/feeding area.

The hardstanding at the front of the property provides 3 spaces during the day whilst the childcare service operates. 1 space is allocated for the mini-bus and 2 spaces are allocated for parents collecting or dropping off their children. During the evening and early hours of the morning, 1 parking space is provided for the mini bus and 2 spaces for family cars.

The current traffic measures undertaken are as follows:

- -Liaise with neighbours at 75 Eastcote Road when required
- -Notify parents regarding good parking habits
- -The service is prepared to terminate agreements with 'pushy parkers'
- -The service only takes on new customers who drop off and collect outside busiest periods

Current measures undertaken to alleviate noise are as follows:

- -Children are looked after in groups of 4 by a key worker
- -The service does not offer places to children that do not settle after the short term
- -The single storey rear extension is insulated and sound proof
- -The garden is large and noisy activity is undertaken at the bottom of the 150ft garden

3.3 Relevant Planning History

62431/APP/2013/2066 77 Eastcote Road Ruislip Middx

PROPOSED CERTIFICATE OF LAWFUL DEVELOPMENT

Decision: 21-08-2013 Withdrawn

Comment on Relevant Planning History

An enforcement case was opened on the 11 July 2013 following a complaint that the premises was in operation as a Day Nursery (D1), which is now the subject of this current application.

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.Cl1 (2012) Community Infrastructure Provision

PT1.BE1 (2012) Built Environment

Part 2 Policies:

R12 Use of premises to provide child care facilities

R13 Use of residential accommodation for educational and child care premises

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

OE1 Protection of the character and amenities of surrounding properties and the local

area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

LPP 3.6 (2011) Children and young people's play and informal recreation (strategies)

facilities

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 neighbours and Ruislip Residents Association have been consulted on the application and a site notice was erected on the 30 August 2013. 18 letters/emails of objection have been received and 14 letters/emails of support have been received. In addition, a petition with 75 signatories has been received in support of the application.

A Ward Councillor has objected to the development.

Another Ward Councillor has written in support of the application and would like the application to be deferred to committee if the application were to be recommended for refusal.

The main objections relate to highway safety, traffic, parking, noise and disturbance, loss of privacy and general loss of amenity.

18 letters/emails of objection were received, relevant comments are detailed below:

Loss of amenity, noise and disturbance

- i. The owner moved into 50 Eastcote Road in May 2013 where they spend much of their time including overnight. They have expanded the business at No. 77 since then.
- ii. Noise generation inside and out
- iii. We are often woken up at 7am the owner or her staff moving equipment around on the decking which is close to our bedroom window
- iv. During the day children play and staff congregate on the decking and in the garden
- v. The owner and staff frequently shout from the decking down the garden and vice versa.
- vi. We have even heard the children in the back garden of No. 77 from the pavement. often made to feel uncomfortable and feel unable to make full use of our own property.
- vii. Noise also comes from the house when their doors are fully open.
- viii. The property is semi-detached. Our only reception room is through the party wall of their downstairs activity room. Noise is often heard through the party wall and open front windows. The same is true of the room upstairs which is next to our bedroom.
- ix. This business is too big for a domestic property& would be better suited to appropriate business premise
- x. This business alters the character of the road and is a nuisance, annoyance and intrusive to its neighbours.
- xi. If this business continues in a residential property it will set a bad precedent
- xii. We strenuously object to this planning application on the following grounds; loss of amenity, privacy & noise.

Highways Issues

- i. Following an observation between 7.30am-9am 25 children were dropped off by parents. 22 by car 3 on foot.
- ii. Cars park illegally
- iii. Cars reverse from site onto Eastcote Road
- iv. Traffic generation outside property during peak hours
- v. "Although I do not live near this house I feel I must object about this as I pass this place everyday on my way to work. Several times now the people dropping off their children have parked on the pavement"
- vi. "Eastcote Road is an extremely busy road & there is several accidents there every year"
- vii. "This is just an accident waiting to happen"
- viii. " I have also seen Parents opening car doors onto the main road and children narrowly being missed by heavy traffic"
- ix. blocking access to other properties.
- x. "parents that have stopped on the road get children out of cars into the traffic where they are in danger of being hit by passing vehicles"
- xi. unsafe place for a nursery and unsuitable in a residential house.
- xii. "How can so many children be allowed in someones house?"
- xiii. "there is a constant noise from member of staff calling out to the children and the children crying/playing /screaming"
- 14 representations were made in support of the application, mainly in relation the quality of the service provided, benefits to local community and minimal impact on highway and noise. Relevant comments are detailed below:
- i. "The children are always kept busy with activities and often split up into small groups, it is never noisy and out of control and being part of the ofstead inspection which recently took place I can quote the inspectors words as she stated "The environment is well controlled and a pleasure to be in, the children are happy and all kept well entertained"
- ii. "As a key worker here within the setting I can tell you that the children have small activities to do and are moved around keeping them busy at all times this leaves little time for any children to get bored, boisterous and cause any disruption"
- iii. "We have outdoor play but this generally runs on a 20 minute slot for each group of small children. We also take them out to the parks and the local facilitates so we aren't even always in all together"
- iv. "Parents arrive staggered and collect staggered so never have I seen a build up of cars and traffic, the only traffic I have ever seen along eastcote road is just the normal build up to ruislip high street or the cars turning into the opposite estate across the road"
- v. Fantastic service the owner provides and the development of the children in her care is amazing vi. If this service was to be taken away, it would have a devastating impact on peoples everyday way of life.
- vii. My Mums Away is one of the best OFSTED-rated childcare facilities in the Hillingdon area, providing a consistent service based on a well-run, committed and organised team led
- viii. "Without this vital network, parents throughout the country would struggle to make ends meet, and this would undoubtedly have a severe impact on the economy, at both a micro and a macro level"
- ix. "As a local businessman, I struggle to understand why the council would question the benefits a local business and a local employer are bringing to the community"
- x. "There is risk of a dangerous precedent being set that may have huge ramifications not just within the borough of Hillingdon but throughout every town and city in the UK"
- xi. "The premises is on a busy main road and, as such, any traffic noise comes from the road rather than parents dropping their children off"
- xii. "house is never noisy despite there being several children at the premises"
- xiii. "The staff ensure that they are well behaved and I have always found it to be well supervised"
- xiv. "I am a Police Inspector in London and know how important it is to build solid community

support services. The childminding provision adds significant value to the parenting services in Ruislip"

xv. "Being a working parent is very stressful and childcare is a vital part of our planning and ability to work in a way which is responsive to our Children's needs but also for our employment needs and we are extremely concerned that this may now be under threat"

xvi. The owner has created an amazing space for children and has an environment with great facilities

xvii. "I think it is outrageous. At a time when the government is going on about supporting working parents and how there is a lack of affordable child care, our councillor thinks it is a good use of their time to help harass someone providing just this service. We have no after school clubs available to us so what exactly do they expect us to do apart from use childminders. Without this valuable service, I know I would not be able to work.

xviii. "She provides the local community with high quality, affordable childcare, and without her, myself and many other parents would struggle"

xix. The service provided by the owner is exemplary, the need for good quality childcare is imperative in Ruislip, Hillingdon

xx. "Govt policy towards childcare provision and local communities as championed by Nick Hurd MP should have a positive effect on your decision making"

xxi. "Parents in the borough need childminders so they can work. This is an experienced childminder providing a valuable service"

Internal Consultees

Highways Officer:

The development is for a retrospective change of use of an existing dwelling, to allow the operation of a childcare facility within a domestic setting that will operate under the C3 and D1 Use Classes. There are two car parking spaces provided with the front of the site that serve the existing residential and commercial uses, which are accessed via an existing vehicle crossover located along Eastcote Road. There is no cycle parking provided within the site.

It is understood that the childcare facility operates with 8 full and part time staff, with 6 staff in attendance at the site at any one time. Under Ofsted capacity limits the existing childcare facility can accommodate 20 children up to the age of 5 years and up to 6 children per key worker, for those aged between 5 - 7 years. For children over the age of 8 years, there is no limit other than the physical size of the facility.

It is noted that Eastcote Road is a busy classified highway and a main distributor route. From speed surveys undertaken adjacent to the site, the 85th percentile speed has been identified 34 mph in both directions, which is in excess of the existing 30 mph speed limit. There are no formal pedestrian crossing facilities located along the highway adjacent to the site.

Parking along the carriageway adjacent to the site is uncontrolled and occupied on a first come first served basis, other than at the junction with Bishops Ramsey Close, where "No Waiting" at any time parking restrictions are provided. Due to the number of vehicle crossovers that provide access to adjacent dwellings along Eastcote Road, the number of kerbside parking spaces are limited.

When assessing the proposals, it is noted from observations that the site is operating close to or at its permitted capacity, based on the number of children that were brought to the site. In addition, it was observed that nearly all children arrived at the site by car, with parents/guardians parking along Eastcote Road or within the site itself. Those vehicles that park within the site were required to reverse on/off the carriageway, into oncoming traffic and within the mouth of the junction of Bishop Ramsey Close. Car parking at the kerbside was observed, which restricted the free flow of traffic along the carriageway. In addition, vehicles were observed illegally parking on the adjacent

footway, obstructing the path of pedestrians.

When undertaking assessment of the PTAL index within the area of the site, it is noted that this is rated as 2, which indicates that accessibility to public transport facilities is poor. Therefore, the residential use within the site requires a maximum car parking provision of 2 parking spaces to be provided while allowing vehicles to enter and exit the site in a forward gear.

While it is noted that 2 car parking spaces are provided, this will not allow formal car parking to be provided for the use of the childcare facility including for the dropping off/picking up of pupils or for staff parking and vehicles are required to either reverse in or out of the access, in to oncoming traffic and within the mouth of an adjacent junction. As a result, it is considered that the car parking provision within the site is not sufficient to serve the proposals.

Therefore, it is considered that the development would be contrary to Policies AM7 and AM14 of the adopted Hillingdon Local Plan, 2012, (Part 2) and an objection is raised in relation to the highway and transportation aspect of the proposals. In addition, it is considered that to allow the development, would set an unacceptable president within the surrounding area.

Environmental Health Officer:

Given the information provided we recommend refusal due to the noise and disturbance affecting nearby residential premises particularly the adjoining property.

The property is a semi detached residential property and I am not aware of any additional sound insulation between this property and the adjoining one. This is particularly important in this case due to the long hours and the use of the upstairs rooms.

The proposed hours start at 7am in the morning and there is the potential for disturbance as children are dropped off particularly given the large number of children proposed.

They have not submitted sufficient details to show how they propose to deal with noise of children in the garden for instance a solid close boarded fence and limits on the hours the garden is used for.

The numbers of children that would be on the premises at any one time has not been clearly stated however the numbers indicated suggest that it is likely to be well in excess of 20.

Access Officer

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

However, the following informative should be attached to any grant of planning permission:

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

Conclusion: acceptable

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the use of residential accommodation for educational and childcare premises will be acceptable where the following requirements are met:

- i. Within residential areas, only part of a dwelling is used and the remainder is capable of residential use;
- ii. The proposal would not result in an overconcentration of similar facilities in any residential area;
- iii. The proposal would not have an unacceptable impact on the amenity of neighbouring properties arriving from:
- (a) the size and relationship of properties and gardens
- (b) car parking
- (c) congestion and traffic generation
- (d) and would not detract from the character of the area
- iv. The premises are accessible by public transport and the dropping off and collection of children can be carried out adequately and safely.

The development fails to meet the requirements of Policy R13 as it would have an unacceptable impact on the amenity of neighbouring properties arriving from the size and relationship of properties and gardens, car parking, congestion and traffic generation, and would therefore not be considered acceptable in principle.

7.02 Density of the proposed development

Not applicable to this application.

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

The site is located within an Archaeological Priority Area. Policy BE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that only in exceptional circumstances would the LPA allow development to disturb remains of importance within archaeological priority areas. The proposed development would not result in any additions or building work and as such would be unlikely to disturb any remains. Therefore, no objection is raised in this regard.

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.

There are no external alterations proposed as part of this application and the existing residential frontage will be retained. However, as noted in Section 07.09 of this report, the

proposed development would detract from the residential character of the area by virtue of the intensity of the use and impact on adjoining residential occupiers. Therefore, the proposal would fail to comply with Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that would become detrimental to the amenity of the adjoining occupiers or surrounding area would not be approved. Policy OE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires measures to be undertaken to alleviate potential disturbance where a development is acceptable in principle.

In terms of the impact on amenity, there are a number of important issues relating to the site. The site is a semi-detached property and shares a party wall and boundary with the adjoining semi-detached property. Furthermore, the adjoining building to the west, is separated from the application site by 1.63m. The applicant has noted that a single storey rear extension, has been sound insulated, however once the Patio doors are open, the sound would escape. It is also noted that the remainder of the property is not sound insulated.

The associated noise and activities generated by such a use may be controlled to a degree within the building, however the children would need to go into the rear garden for recreational time. The applicant has stated that the children go out in small groups with a key worker and often congregate at the bottom of the garden for noisy activities. In addition, the garden is extensive at 430 square metres. Although this would go some way into controlling the noise of the children, the bottom of the garden abuts the bottom of the gardens at 133 and 135 Evelyn Avenue to the north of the site and would be 6.85m away from the rear gardens in Blaydon Close to the north-west, which have relatively small gardens. In addition, there are no acoustic barriers in the rear garden (it is noted that the applicant has stated that the side/rear boundary between the application site and No. 75 was heavily treed prior to November 2013, and photographic evidence of this has also been provided) and there is no longer any form of tree or landscaping buffer.

The site is located within a residential area, and although it is acknowledged that Eastcote Road is a busy road, with associated noise from cars and traffic; however given the high numbers of children, the potential capacity, use of the rear garden, and number of customers entering and leaving the premises, the D1 use, if continued would likely result in noise and disturbance substantially over and above what would be acceptable in a residential locality. This would be compounded by the semi-detached nature of the property which shares a boundary party wall with the adjoining semi-detached property to the east, No. 75 and the limited separation distances with the adjoining property to the west, No 79. Moreover, the hours of operation, 12 hours per day Monday to Friday exacerbates the detrimental impact.

Overall it is considered that the proposed use would be detrimental to nearby residential occupiers, and adjoining the application site, by way of noise, disturbance. Environmental Health have raised an objection in this regard. Therefore the proposed development would be contrary to Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Public Transport Accessiblity Level (PTAL) of the site, is as 2, which indicates that

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accessibility to public transport facilities is poor. Therefore, the residential use within the site requires a maximum car parking provision of 2 parking spaces to be provided while allowing vehicles to enter and exit the site in a forward gear. It is understood that these parking spaces are provided during the residential hours of use.

As noted by the Highways Officer, it was evident whilst conducting a site survey that the majority of children arrived by car and the parents/guardians were parking on Eastcote Road or within the site. 2 car parking spaces are provided for the childcare use, which would be insufficient for the dropping off/picking up of children, staff parking and the provision of a mini-bus space. As a result, it is considered that the car parking provision within the site is not sufficient to serve the proposals.

The number of kerb side spaces are limited in the vicinity is limited due to a lack of available spaces, waiting restrictions and the number of vehicular crossovers. In addition, the vehicles parking within the site were frequently required to reverse on/off the carriageway, into oncoming traffic on Eastcote Road, adjacent to the junction of Bishop Ramsey Close.

It is noted that Eastcote Road is a busy classified highway and a main distributor route. Surveys have been undertaken which demonstrate that the average speed (in both directions) is in excess of the existing 30 mph speed limit. In addition, there are no formal pedestrian crossing facilities located along the highway adjacent to the site. This excessive speeds on this part of Eastcote Road exacerbate the potential detrimental effects of kerbside parking and reversing onto Eastcote Road.

The car parking provision at the site is inadequate to serve the development, which in turn leads to pressure on on-street parking which in itself is limited and restricted. This has resulted in kerb side parking. These conditions have been worsened by the excessive vehicular speeds, lack of pedestrian crossings and reversing onto Eastcote Road.

Therefore, it is considered that the development would be contrary to Policies AM7 and AM14 of the adopted Hillingdon Local Plan, 2012, (Part 2). In this regard an objection has been raised by the Highways Officer in relation to the highway and transportation aspect of the proposals. In addition, it is considered that to allow the development, would set an unacceptable president within the surrounding area.

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

As the application is for a change of use with no apparent material alterations proposed, no accessibility improvements could reasonably be required within the remit of planning, as noted by the Access Officer.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The application site is covered by an area blanket TPO, however the development would not and does not result in the removal or impact on any protected trees.

7.15 Sustainable waste management

Policy 5.6 of the London Plan requires development to have regard to and contribute to a

reduction in waste produced. This could have been conditioned had the scheme been recommended favourably.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Noise and disturbance has been considered in Section 7.08 of this report. Given the nature and intensity of the use, objection is raised in terms of noise.

7.19 Comments on Public Consultations

The comments made by the individual responses are noted and are considered within the main report, reflected in the refusal reasons, or are not material planning considerations.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Given the noise issues, and that this is a retrospective application, if refused it would be expedient to take enforcement action to ensure the use ceases.

7.22 Other Issues

The Council recognises the value and importance of suitable day care for pre-school children. However, the LPA will seek to ensure that suitable premises are utilised to prevent the establishment of facilities in inappropriate locations to the detriment of the local area.

The explanatory paragraph 9.24 of Policy R12 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) explains that the provision of full or sessional day care facilities for nurseries, creches and playgroups will normally require planning permission and states "Where such facilities are run from a private home the number of children allowed will be carefully controlled and 10 children will normally be regarded as the maximum".

Policy R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the use of residential accommodation for educational and childcare premises will be acceptable where the following requirements are met:

- i. Within residential areas, only part of a dwelling is used and the remainder is capable of residential use;
- ii. The proposal would not result in an overconcentration of similar facilities in any residential area;
- iii. The proposal would not have an unacceptable impact on the amenity of neighbouring properties arriving from:
- (a) the size and relationship of properties and gardens
- (b) car parking
- (c) congestion and traffic generation
- (d) and would not detract from the character of the area
- iv. The premises are accessible by public transport and the dropping off and collection of children can be carried out adequately and safely.

The applicant has stated that the property will be used during the day (between the hours of 0700 and 1859) as a child care domestic premises, and at night and early morning (between the hours of 1900 and 0659) as a residential property. In this regard, each room in the property has a different use dependant on the time of day.

Although their appears to be 'day and night' shift patterns, the property is in residential use 50% of the time for a period of 12 hours Monday to Friday, and throughout the weekend, thus it is considered that the site is capable of retaining residential use, albeit in part.

The applicant has noted that the nearest childcare facilities in the vicinity are at least 5 minutes drive away from the site, and are currently operating at capacity. It has also been noted whilst on site that there are no apparent similar establishments on Eastcote Road or the immediate surroundings. Therefore, the development would not result in an overconcentration of similar facilities in any residential area.

The impact on the neighbouring occupiers is discussed in Section 07.08

The impact on parking, congestion and traffic generation is discussed in Section 07.10

It is therefore considered that the proposed development would have an unacceptable impact on the amenity of neighbouring properties arriving from the size and relationship of properties and gardens, car parking, congestion and traffic generation and would not detract from the character of the area; and would therefore fail to meet the provisions of Policy R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

None.

10. CONCLUSION

It is considered that overall the scheme is contrary to the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is therefore recommended for refusal.

11. Reference Documents

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

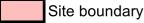
The London Plan 2011

Supplementary Planning Document 'Accessible Hillingdon'

National Planning Policy Framework

Contact Officer: Henrietta Ashun Telephone No: 01895 250230





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77 Eastcote Road Ruislip

Planning Application Ref:

62431/APP/2013/2341

Planning Committee

North Application

Scale

1:1,250

Date

March 2014

Residents Services

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



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Agenda Item 7

Report of the Head of Planning, Sport and Green Spaces

Address 4A EASTBURY AVENUE NORTHWOOD

Development: Part two storey, part single storey front/side/rear extension involving raising

of roof

LBH Ref Nos: 36828/APP/2014/184

Drawing Nos: PL200

Location Plan (1:1250)

PL202 PL201 PL204 PL203

Date Plans Received: 20/01/2014 Date(s) of Amendment(s):

Date Application Valid: 27/01/2014

1. CONSIDERATIONS

1.1 Site and Locality

The proposed site comprises a two storey detached property on the south side of Eastbury Avenue. The site is located approximately 100m east of the junction with Eastbury Road. The property has a front garden area partly laid to hardstanding for vehicular parking and partly with mature shrubs, plants and flower beds. To the rear there is a large garden area laid mainly to lawn with mature boundary planting.

The property benefits from a detached single storey garage / utility room on the west side of the property. The property is constructed of brick beneath a tiled roof.

The wider area comprises similar sized properties of varying designs and scale all set on reasonably sized plots.

The site is located outside but adjacent to the Northwood Frithwood Conservation Area, whose boundary is the rear boundary of the application site.

The site is within the developed area as identified in the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and the site is covered by TPO 155.

1.2 Proposed Scheme

The proposed scheme comprises a part two storey, part single storey front, side and rear extensions involving raising of the roof.

The proposed extension would extend at two storeys past the side elevation of the dwelling and would incorporate the existing detached garage structure to the site. The part two storey side extension measures 12.5m long, 3.2m wide and 5m high (to the eaves) and would extend 2.5m beyond the rear part of the original house at ground floor level. The side extension would be set flush with the further forward part of the building (the

ground floor with catslide roof above) and would create a two storey gable end feature in place of the catslide roof. In addition a single storey front extension with canopy would extend across the front of the building, in recessed section of the principal elevation. The roof height of the building would be increased from 8.17m to 9.33m to incorporate the increased width and depth of the building.

The part two storey rear extension measures 1.2m deep and 5m high (eaves) and spans the width of the building. Their would be two single storey rear extensions measuring 2.5m deep from the original rear elevation, 3.7m and 3.9m wide respectively and 3.3m high.

The proposed extensions would provide an extended living room, library, sun room, gym, utility, garage and two additional bedrooms.

1.3 Relevant Planning History

36828/85/1768 4a Eastbury Avenue Northwood

Tree application (P)

Decision Date: 17-12-1985 Refused **Appeal:** 36828/A/88/1904 4a Eastbury Avenue Northwood

To fell T3 larch on TPO 155

Decision Date: 19-10-1988 Refused **Appeal:** 36828/B/89/1811 4a Eastbury Avenue Northwood

To fell Larch T3 on TPO 155

Decision Date: 14-12-1989 Refused **Appeal:** 36828/C/90/1429 4a Eastbury Avenue Northwood

To fell T3 (Larch) on TPO 155

Decision Date: 02-10-1990 Refused **Appeal:**27-JUL-92 Dismissed

36828/D/92/2103 4a Eastbury Avenue Northwood

To remove the two lowest whorls of branches from the mainstem of T3 (Larch) on TPO 155 and to sever all roots which pass beneath the drive (on the west side of T3) to a depth of 200mm

Decision Date: 13-01-1993 Approved **Appeal:** 36828/E/93/0957 4a Eastbury Avenue Northwood

To fell one Larch (T3) on TPO 155

Decision Date: 25-02-1994 Refused **Appeal**:

36828/F/95/0365 4a Eastbury Avenue Northwood

To fell one Lime (T2) and one Larch (T3) on TPO 155

Decision Date: 07-07-1995 Refused **Appeal:** 36828/G/95/1766 4a Eastbury Avenue Northwood

To fell 1 Lime (T2) on TPO 155

Decision Date: 12-01-1996 Approved **Appeal:**

Comment on Planning History

There is no relevant planning history for this application, apart from applications for tree works at the site which would not impact on the determination of the current application.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: 26th February 2014

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

11 letters were sent to local residents and the Residents Association on 28 January 2014 and the site notices were posted on 4 February and 9 February 2014, and the the application was advertised on 5 February 2014.

8 letters of objection were received in response to the public consultation

- 1. Parking problems
- 2. Too big
- 3. Possible loft conversion in future
- 4. Loss of privacy
- 5. Increase flood risk
- 6. Larch tree missing at the front on plans
- 7. Sewer system cannot cope with enlarged house.
- 8. Condition to limit working hours
- 9. Loss of light
- 10. Increased traffic
- 11. Out of character with the area

In addition a petition was submitted with 22 signatures. The objections are:

- 1. Loss of privacy and light due to increased height
- 2. Too big increase from 3 bed to 5 bed and additional rooms such as a gym, sun room, library, study and utility room.
- 3. Increased risk of surface water flooding and sewer overflow.

Officer Comment: Many of the points above are addressed in the planning assessment below. However, the site does not fall in a flood risk zone or critical drainage area, accordingly appropriate drainage could be secured by way of condition. The size of the property in relation to extra bedrooms and other rooms is considered against the planning policies but a refusal could not be justified solely on number of rooms. Sewer capability will be addressed at the Building Regulations stage.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

This site is covered by TPO 155 Significant trees / other vegetation of merit in terms of Saved Policy BE38: There is a protected Larch (T3 on TPO 155) situated close to the proposed extension. The tree will not be directly affected, however the soil around its roots could be compacted by construction-related activities. There is also a Western Red Cedar closer to the house. This does not constrain development and should probably be

removed. Recommendations: A plan should be submitted that shows the location of the Larch and some form of ground protection around it. Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES8 and RES10.

CONSERVATION OFFICER:

BACKGROUND: This is a relatively unaltered modest inter-War detached property which backs onto the Northwood, Frithwood Conservation Area. It is unpretentiously detailed and well proportioned with a front projecting catslide roof and vertically tile-clad hipped roof tower facet. It is set alongside other detached properties of the same size and similar design. The area is characterised by such detached inter-War housing together with some earlier properties. The property is tight onto the boundary of the conservation area and any extension to the rear could impact its overall character and appearance.

COMMENTS: The two storey side/front extension is not subordinate to the existing property. The juxtaposition of the front gable would be dominant and awkward, and together with the other front extensions and alterations to the elevations would be obtrusive, harming the well proportioned and modestly detailed front elevation. These, together with the raising of the roof, would mean the property would dominate the streetscene, and enclose the gap between the properties. This is against the advice given in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Extensions. In particular, page 32 (Section 8.0) which states, 'Changes and extensions to the front of the house must be minor and not alter the overall appearance of the house or dominate the character of the street.' The proposals will almost double the size of the existing house and will not maintain the standard of design more generally in the area.

There will also be a moderate impact on the appearance of the conservation area. I am concerned that when viewed from the rear, the adverse width, height and projection of the extensions and resulting loss of spaciousness will not sustain its significance. No report has been provided to assess this impact and consequential enlargement of the property being obtrusive. HDAS is clear. Para. 6.2 states 'Two storey rear or first floor rear extensions will only be allowed where there is no significant over-dominance...'

These proposals are not subordinate to the existing property and spoil its simple proportions. In addition, the proposal will not sustain the appearance of the ASLC and therefore this application should be refused.

CONCLUSION: Unacceptable. The proposal will not sustain the significance of the heritage asset or the appearance of the streetscene.

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.

BE4 New development within or on the fringes of conservation areas

| BE13 | New development must harmonise with the existing street scene. |
|----------|---|
| BE15 | Alterations and extensions to existing buildings |
| 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. |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 |

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the 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, provision of acceptable residential amenity for the application property, the availability of parking and the impact to protected trees.

The proposed single and part storey extension extends across the full width of the property to a depth of 2.5m. The depth is in line with the guidance in paragraph 3.3 and 6.4 of the HDAS Residential Extensions which advise that for detached properties such extensions should have a maximum depth of 4m. The height of 3.3m,for the single storey part and matching the original eaves and ridge line would be compliant with HDAS guidance. The side extension replaces an existing single storey garage and in total width is less than two thirds of the original width and therefore compliant with HDAS guidance in this respect.

As part of the overall development the proposal comprises a part two storey / part single storey front extension. The single storey extension effectively being a large porch area with canopy. The two storey part extends the first floor bedroom space and involves the creation of a large gable structure. Chapter 8 of the HDAS guidance advises that front extensions should be subordinate and not dominate the character and appearance of the building and the host property. The current proposal fails to comply with this guidance and would form a dominant and incongruent feature out of keeping with the character of the street scene. The porch is also a dominant feature, due to its width, and is not in compliance with HDAS guidance in section 8 and has an unacceptable impact on the appearance of the building.

Whilst compliance with guidance in HDAS :Residential Extensions is one part of the consideration, it is important to also consider the impact on the character of the property and area in line with the Hillingdon Local Plan Part 2 Saved Policies. As clearly identified in the response by the Council's Conservation Officer the proposed development is not subordinate to the main house and particularly from the from the front where the large two

storey extension is proposed. The infilling of the gap between the garage and the main house and the significant increase in the height of the building contribute to the conclusion that the proposed scheme is an incongruous feature in the streetscene and harmful to the character and appearance of the main house. From the rear it is considered that the scale and form of the extension will have a harmful impact on the character and appearance of the adjoining conservation area.

Therefore, when taken as a whole the proposed extensions would not be subordinate to the main house and constitutes an overdevelopment of the original property. As such it does not comply with Policy BE4, BE15 and BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and guidance in HDAS Residential Extensions.

In terms of the impact on the neighbouring dwellings, the proposed side extension has no windows in the side elevation which could not be conditioned to be obscure glazed and therefore the proposals and would not give rise to any overlooking. The other windows are in the front and rear elevation and are comparable to the outlook from the rear windows of the existing property and again are not considered to lead to any overlooking of neighbouring properties.

With regard to impact upon the outlook and light of neighbouring properties, the side extension and the two storey rear extension would be sited close to the boundary with the properties No 4 and 6 Eastbury Avenue. However, given the distance to these properties, 2.8m and 4m respectively it is considered that the proposed extensions would not have a detrimental impact upon the amenity of the occupiers of these properties, given that they would not breach the 45 degree guideline when taken from the neighbouring properties.

Therefore, it is considered that the development would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan Part 2 - Saved Policies (November 2012) or guidance in HDAS Residential Extensions.

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 Policies BE20 of the Hillingdon Local Plan Part 2 - Saved Policies (November 2012) and 3.5 of the London Plan (2011).

Over 150 sq m of garden space would remain for the extended property which is acceptable for a five bedroom property and therefore complying with Policy BE23 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

The property would still retain parking for at least 2 cars to the front and therefore is considered acceptable for a five bedroom property in accordance with policy AM7 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

The Council's Tree Officer has confirmed that subject to suitable planning condition relating to tree protection during building works, the proposed development is not harmful to the trees that are subject to preservation orders, given the distance of these trees to the proposed development. As such the proposed development complies with Policy BE38 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

Due to the size of the extension there would be a CIL requirement of £4910.04 were planning permission to be granted.

In conclusion, given the impact of the proposed extensions on the host property and the wider character of the area the application is recommended for refusal

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed part two storey part single storey side, rear and front extension, by virtue of its siting, size, scale and overall design, would fail to appear as a subordinate addition and would thus be detrimental to the character and appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area, inlcuding the adjacent Northwood Frithwood Conservation Area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - UDP Saved 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.BE1 (2012) Built Environment

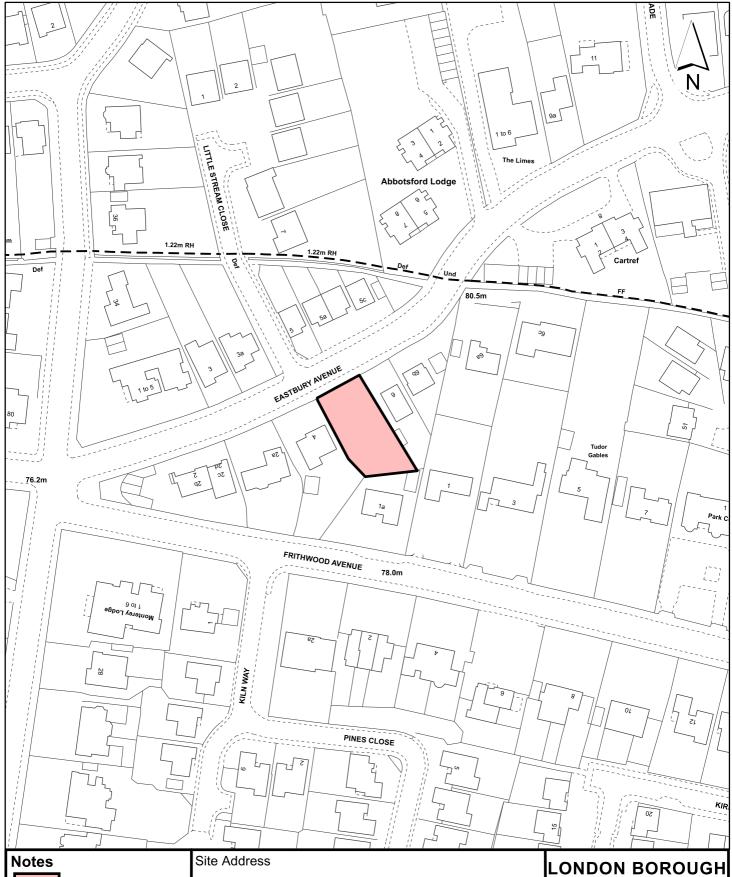
Part 2 Policies:

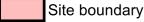
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guidance.

| AM14 | New development and car parking standards. |
|----------|---|
| BE4 | New development within or on the fringes of conservation areas |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| 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. |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 |

Contact Officer: Mark Jones Telephone No: 01895 250230





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4A Eastbury Avenue Northwood

Planning Application Ref:

36828/APP/2014/184

Planning Committee

North Application

Scale

1:1,250

Date

March 2014

LONDON BOROUGH OF HILLINGDON Residents Services

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



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Agenda Item 8

Report of the Head of Planning, Sport and Green Spaces

Address 2 LINKSWAY NORTHWOOD

Development: Two storey, 5-bed, detached dwelling with habitable roofspace involving

demolition of existing dwelling.

LBH Ref Nos: 36910/APP/2013/2338

Drawing Nos: Proposed Perspectives

12/102/2 - Tree Report

12/120/2 Rev b 1440 P201 REV D 1440 P102 REV B

1440 P202

Design and Access Statement

1440 P101

 Date Plans Received:
 15/08/2013
 Date(s) of Amendment(s):
 13/02/2014

 Date Application Valid:
 04/09/2013
 04/09/2013

DEFERRED ON 6th March 2014 FOR SITE VISIT.

The application was deferred to allow for a member site visit which took place on Thursday 20th March ahead of the application being presented back to committee.

1. SUMMARY

The application seeks planning permission for the erection of a two storey, detached, 5-bedroom, dwelling involving the demolition of the existing detached dwelling and detached garage.

The site is a triangular corner plot which separates Copsewood Way (to the west) from Linksway (to the east), located at the northern end of Linksway. Contained with the site is an existing two-storey detached residential property and side/rear garage addition, which is set back from the main highway by approximately 15.5 metres. The site forms part of Copsewood Estate Area of Special Local Character as set out within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and is also covered by Tree Preservation Order 391, with a number of large, mature trees on the boundary lines of the site.

The amended design of the proposed scheme is considered to have an acceptable impact on the character and appearance of the Copse Wood Estate Area of Special Local Character. Sufficient details have been provided to show that the scheme would ensure the protection of the protected trees within the site and also the protection of the residential amenity of the neighboring occupiers.

At the time of writing the amended plans consultation had not expired, any further submissions received before the committee meeting on the 6th March 2014 will be reported via the addendum.

It is considered that overall the scheme is in compliance with the Policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the Hillingdon

Local Plan: Part Two - Saved UDP Policies (November 2012), HDAS Residential Layouts and the London Plan (2011). The application is therefore recommended for approval.

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 1440 P201 REV D & 1440 P202 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 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Car Parking [1440 P201 REV D]

Cycle Storage [1440 P201 REV D]

Amenity Space [1440 P201 REV D]

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

REASON

To ensure that the development complies with the objectives of Policies AM14 & BE23 of the Hillingdon Local Plan (November 2012).

4 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)

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

6 RES8 Tree Protection

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

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

7 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.d 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

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)

8 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, No.3 Copse Wood Way or No.4 Linksway.

REASON

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

9 RES13 Obscure Glazing

The first floor window serving the en-suits and bathrooms and the second floor games room/cinema room windows in the rear elevation facing No.3 Copse Wood Way and the first floor window and roof light facing No.4 Linksway 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)

10 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 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.

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 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)

15 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.

16 NONSC Non Standard Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification); no gate, fence, wall or other means of enclosure shall be erected within 5 metres of the front boundary line of the site shared with the highway of Linksway

REASON

To protect the character and appearance of the area in accordance with Policies BE5, BE13 & BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 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 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 5.7 | (2011) Renewable energy |
| 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

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 £8,257.80 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 www.hillingdon.gov.uk/index.jsp?articleid=24738.

5 I47 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).

6 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.

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 | 12 | Encroachment

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

9 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).

10 | 4 Neighbourly Consideration - include on all residential exts

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).

11 | 15 | Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

12 | 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.

13 19 Community Safety - Designing Out Crime

Before the submission of reserved matters/details required by condition [], you are advised to consult the Metropolitan Police's Crime Prevention Design Advisor, Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel. 01895 250538).

14

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 site is a triangular corner plot which separates Copse Wood Way (to the west) from Linksway (to the east), located at the northern end of Linksway. Contained with the site is an existing two-storey detached residential property and side/rear garage addition, which is set back from the main highway by approximately 15.5 metres.

This is one of the original dark red brick houses on the estate, designed to face the corner of Linksway and Copse Wood Way, of modest size, vernacular design and surrounded by mature trees.

The site has an an existing vehicular access loacted at the southern end of the curtilage, with access taken from Linksway. A large grass verge is located immediately north of the site at the junction between Linksway and Copse Wood Way.

To the south of the site is No.4 Linksway, a two storey detached property with a width off 23.5 metres. To the rear of the site is No.3 Copse Wood Way which is also a two storey detached dwelling.

The site forms part of Copsewood Estate Area of Special Local Character as set out within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and is also covered by Tree Preservation Order 391.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, detached, 5-bedroom, dwelling involving the demolition of the existing detached dwelling and detached garage within the site.

The proposed building would have a cranked design and would be 23.3 metres wide at its widest point. The building would be orientated to have its main frontage facing Linksway with a maximum depth of 9.6 metres. The property would be located 1.5 metres away from the southern boundary of the site shared with No.4 Linksway and would be set 9.5 metres from the front boundary line of the site. The building would be 9.9 metres in height with a dormer in the principal roofslope and two dormer windows in the rear roof slope. A integral garage and driveway would provide off-street parking within the site and a garden space would be created to the rear of the building.

3.3 Relevant Planning History

36910/A/97/1948 2 Linksway Northwood

Erection of a single storey side extension and a detached double garage and workshop

Decision: 02-04-1998 Approved

36910/APP/2012/1981 2 Linksway Northwood

Two storey, detached, 7-bed dwelling with habitable roofspace and detached single storey garage involving the demolition of the existing detached dwelling and detached garage

Decision: 18-10-2012 Withdrawn

36910/APP/2013/107 2 Linksway Northwood

Two storey, detached, 6-bedroom, dwelling involving the demolition of the existing detached dwelling and detached garage

Decision: 26-06-2013 Withdrawn

36910/B/97/1954 2 Linksway Northwood

Tree surgery to two Oak trees in Area A1 on TPO 391

Decision: 25-03-1998 NFA

36910/C/98/0598 2 Linksway Northwood

To fell sixteen Thuja trees in area A1 on TPO 391

Decision: 17-08-1998 Approved

36910/D/98/1816 2 Linksway Northwood

Tree surgery to 3 Oaks in area A1 on TPO 391

Decision: 27-09-2001 NFA

36910/E/99/1387 2 Linksway Northwood

Tree surgery to three Oak trees in Area A1 on TPO 391, including branch reduction of two Oak trees (Nos.26 and 27) to give a 1 metre clearance from the house and removal of three lowest branches and one small branch growing towards the house from Oak (No.15)

Decision: 22-10-1999 Approved

Comment on Relevant Planning History

The applicant entered pre-application discussions with the Council's Planning Department and advice was provided regarding design and other planning matters, especially with regards to the design, detailing and siting of the proposed development.

It should be noted that the design of the dwelling proposed within the current application differs substantially from the designs within the previously withdrawn applications. Significant amendments have been made by the applicant in order to seek a scheme which addresses previous concerns.

On the 26 June 2013, a planning application ref. 36910/APP/2013/107 was withdrawn for a development comprising a two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling.

On the 18 October 2012, a planning application ref. 36910/APP/2012/1981 was withdrawn for a development comprising a two storey detached 7 bedroom house.

On the 2 April 1998, planning permission was granted for the erection of a single storey side extension and a detached double garage and workshop application reference 36910/A/97/1948

Between 1997-1999 permission has been sought and approved to prune and reduce the crown spread of protected trees within the property. Application references: 36910/E/99/1387, 36910/D/98/1816, 36910/C/98/0598 and 36910/B/97/1954.

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:

| 1 411 2 1 011010 | |
|------------------|---|
| 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 5.7 | (2011) Renewable energy |
| 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

- 3 neighbours and Northwood Residents Association were notified by way of Letter on 6th September 2013. A site notice was erected 6 individual representations objecting to the scheme were received for the following reasons:
- 1. The development would adversely affect the street scene in that the existing house is one of two matching properties (one on either side of Copsewood Way) that represent "gatehouses" to the Copsewood estate:
- 2. Detrimental to the visual cohesion of the entrance to the estate;
- 3. Detracts from the open character and appearance of the Copse Wood Area of Special Local Character;
- 4. This is a very sensitive site and its loss will be dramatic;
- 5. The present front elevation face of the 3 bedroom gate house will be replaced by an ugly North facing side elevation dominated by 2 large chimneys;
- 6. The rear of the proposed house, due to its new orientation would look directly on the back of 3 Copse Wood and appears to break the 45 degree rule;
- 7. The dormers in the rear roof elevation would look directly onto No 3 Copse Wood;
- 8. There are serious flaws in the site plans;
- 9. Overdevelopment of the site;
- 10. Harm to the protected Trees within the site;
- 11. No details provided of the boundary treatments;

One response in support of the application was also received on the ground that it would be in keeping with the surrounding area.

CASE OFFICER COMMENTS: The above comments will be addressed in the main body of the report.

Northwood Residents Association:

A petition with 69 signatories has been received objecting on the following grounds:

- 1. The scale, width, architectural and proportions are out of keeping;
- 2. The roof line would fill the skyline;
- 3. There are anomalies in the site plan and design statement;
- 4. Loss of privacy to No.3;
- 5. Detrimental to the trees on the site;
- 6. Symmetrical design contrasts with the asymmetrical design of adjoining property in Linksway;

CASE OFFICER COMMENT: The above will be considered in the main body of the report.

During the course of the application process the applicant submitted amended plans and tree surveys and reports in support of the application. A 14 day reconsult was stared on 14th February 2014, with no further responses received by 24th February 2014. Any further responses received will be reported to committee in the addendum.

One additional comment has been received from the lead petitioner. This states:

The main objections of the petitioners, against the proposed development of 2 Linksway, on the Copse Wood Estate, were:

- 1. The proposed building was too large for the 2 Linksway plot.
- 2. The street scene would be destroyed by this overbearing property.
- 3. Because of the size of the building the security and privacy of the adjacent property, 3 Copse Wood Way, would be seriously compromised.

None of the above concerns have been addressed in the revised plans.

The proposed development is still a 3 storey design resulting in a significantly higher roof line compared with the adjacent properties, which are 2 storey dwellings.

Because of the bulk of the proposed building the symmetry of the street scene would be lost.

Because of the size of the building the proposal is to construct it much closer to the property at 3 Copse Wood Way, resulting in a separation of less than 10 m between the windows of the two properties. This would seriously reduce the value of 3 Copse Wood Way.

While the use of opaque glass in the windows overlooking the garden of No. 3 Copse Wood Way, is appreciated, this situation could be easily reversed.

The petitioners have expressed their strong views on the proposed development and expect the members on the Hillingdon Council who represent them to take the appropriate action and reject the proposal.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

Tree Preservation Order (TPO) / Conservation Area: This site is covered by TPO 391 Significant trees / other vegetation of merit in terms of Saved Policy BE38: There are several, large, mature protected trees (Oak and Western Red Cedar) along the site's eastern, northern and north-western boundaries. These trees provide a green screen, and also significantly contribute to the arboreal / wooded character of the Copse wood Estate Area of Special Local Character. These trees do not appear to have been surveyed or taken into consideration (in this current application). Therefore, a detailed tree tree survey, tree report and tree protection plan (in accordance with BS5837:2012) is required, and it is also necessary to provide details of proposed underground services.

Scope for new planting: N/A

Does scheme conform to HDAS: This matter can be dealt with by condition.

Does scheme conform to SUDS: This matter can be dealt with by condition.

Recommendations: In order to show that this scheme provides adequate protection for the various protected trees on-site, in accordance with BS 5837:2012, a tree survey, tree report and tree protection plan should be provided, along with a plan showing the location of the proposed services.

Conclusion (in terms of Saved Policy BE38): As it stands, this application is unacceptable because it does not make adequate provision for the protection and long-term retention of the important, protected trees on-site. Please re-consult on receipt of the requested information.

CASE OFFICER COMMENT: The applicant has provided the required Tree Report and this has been reviewed by the Trees and Landscaping Officer who is satisfied that the proposed

development would ensure the protection of the trees within the site.

HIGHWAYS OFFICER:

The development proposals are for the demolition of the existing dwelling and reconstruction, to provide a two storey, 6 bedroom detached dwelling at the site. There are no chances in relation to the existing or proposed parking provision or the means of access.

Therefore, it is considered that the development would not be contrary to the adopted Hillingdon Local Plan, 2012, (Part 2) and an objection is not raised in relation to the highway aspect of the proposals.

ACCESS OFFICER:

The proposal seeks demolition of an existing 3 bedroom detached dwelling and detached garage and the erection of a new 5 bedroom detacheddwelling with integral garage. The Design & Access Statement has no real information on disabled accessibility; it does state that the internal spaces within the property have been designed to comply with Lifetimes Homes Standards.

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

- 1. Level access should be achieved. Entry to the proposed dwelling appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to the ground floor entrance door.
- 2. Details of level access to and into the proposeddwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In additionto a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.
- 3. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700 mm should be provided to one side of the toilet pan, with 1100 mm in front to any obstruction opposite.
- 4. A minimum of one bathrooms/ensuite facility should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
- 5. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage. #
- 6. The plans should indicate the location of a future 'through the ceiling' wheelchair lift.

Conclusion: revised plans should be requested as a prerequisite to any planning approval.

CASE OFFICER COMMENT: The applicant has submitted amended plans which show that the building will comply with the Lifetime Homes Standard and has overcome the objections of the Access Officer

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is currently in residential use therefore the principle of a new residential development is acceptable provided that it accords with the Council's policies and enhances the characteristics of the local area.

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

In terms of the density of the proposed development, the proposal is replacing 1 residential unit within the site for another, therefore, the units per hectare density would not change. Whilst the provision of 11 units per hectare would be below the standards required by Policy 3.4 of the London Plan (July 2011), density is only an indicator of acceptability of a scheme and the density of the development is similar to the surrounding residential pattern of the Copse Wood Estate.

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

As detailed Section 7.07 of this report it is considered that the proposal would have an acceptable impact on the character of the Copse wood Estate Area of Special Local Character.

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.

Policy 3.5 of the London Plan states that The design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 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.

This is a prominent key site at the entrance to the Estate, one of the original dark red brick houses on the Estate, designed to continue the building line of Links Way, whilst turning the corner into Copse Wood Way. The proposed siting of the property is such that it seeks to address its unique and established orientation. The building has been designed with a cranked appearance in order to provide a design which compliments the layout of the site. The design of the building with a centralised gable in the main front element of the building is typical of the design of dwellings on Linksway. The size of the building at 23.3 metres in width is larger than the typical dwelling on Linksway, however, it is noted that the unit sits comfortably within the plot, which is wider than a typical property in Linksway and that the adjacent property, No.4 Linksway, also has a width of approximately 25 metres. The overall depth of building at 9.5 metres is shallower than other recently completed developments on Linksway. The depth of the building has also

allowed for a traditional pitched roof to be used in the design of the building, which is again in keeping with the character of the original estate. A number of residents have objected to the overall height of the building, citing that it would be out of character with the estate. The height of 9.9 metres is taller than the existing building. However, the height of the dwelling would be similar to other developments approved on the estate and given the set back from the front boundary line, the level of harm from any increased visual dominance would not be so great as to warrant a refusal of the application. It is noted that some residents also objected to the scheme on the grounds of the loss of one of the original gatehouses to the estate. Whilst the loss of this building is regrettable, the building is not listed and their is no Policies within the Local Plan which prohibit the demolition of this building, subject to its replacement according with the Policies of the Local Plan. The overall size, height and design of the building is considered to relate satisfactorily to the surrounding area and the overall plot. The building is set 1.5 metres from the boundary line shared with No.4 Linksway, ensuring a sufficient distance separation is maintained to provide a visual gap between the buildings.

The proposed development will ensure the protection of all the major trees within the site, ensuring the protection of one of the key features on the Copse Wood Estate. The plans show the existing front boundary treatment will be retained and a condition will be added requiring details of all boundary treatments. Neighbours have expressed concern over the potential for gates to the added to the front of the site which will be out of character with the estate. Therefore, a condition would be added to remove permitted development rights for boundary treatments at the site.

Therefore, it is considered that the proposed development would have an acceptable impact on the Character and Appearance of the Copse Wood Estate Area of Special Local Character, in accordance with Policies BE5, BE13, BE15, BE19 & BE38 of the Hillingdon Local Plan (November 2012).

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 proposed development would decrease the separations distances between the existing and adjoining properties. The property would be located 11.86m away from the side flank wall of No. 3 Copse Wood Way to the west of the site. This property has a window in the side flank wall which is not a primary window to a habitable room, therefore, the proposed development would not result in significant harm to the residential amenity of this neighbouring occupier. The proposed development would not breach the 45 degree guideline when taken from the rear elevation of No.4 Linkway, ensuring that no significant harm would occur to the residential amenity of this neighbouring occupier.

No.3 Copsewood Way has windows in the side elevation which face towards the rear elevation of the proposed dwelling. However, these windows are obscure glazed and serve a bathroom and staircase. Therefore, no significantly harmful overlooking of these windows would occur from the proposed development.

During the course of the application concerns were raised that the proposed new dwelling would provide oblique views from the rear elevation of the building into the windows in the rear elevation of No.3 Copsewood Way. The windows in question were the windows in the rear gable end at the southern side of the proposed building. The applicant has submitted amended plans with the upper floor windows in question in the rear elevation being obscured glazed, therefore, with a condition attached for these windows and the upper floor windows in the side elevation facing No.4 Linksway being obscure glazed, the proposed development is considered to have an acceptable impact on the residential amenity of the neighbouring occupiers in terms of loss of privacy. Therefore, the proposed development is considered to comply with Policies BE20, BE21 & BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

Paragraphs 4.6 to 4.8 and Table 2 of the Council's SPD HDAS: Residential Layouts advises that 5 plus bedroom two-storey units should have a minimum floor area of 101 square metres. Furthermore, London Plan Policy 3.5 and Table 3.3 states that 5 bedroom two-storey houses should have a minimum size of 107 square metres. The proposed development meets minimum standards providing over 400 square metres of gross internal floor area. The Mayor's Housing Supplementary Planning Guidance (November 2012) requires the minimum area for a single bedroom to be 8 square metres and a minimum floor area for a double bedroom to be 12 square metres. The proposed dwelling exceeds these standards.

HDAS advises in Paragraph 4.15 that four bedroom plus houses should have a minimum private amenity area of 100 square metres. The proposed development exceeds amenity standards by providing approximately 282 square metres. This calculation takes into account the side and rear amenity space due to the siting of the proposed development. It is therefore considered that the proposed development would be in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 and Table 3.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

2 parking spaces are proposed on the site as existing as per Policy 6.13 of the London Plan and in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The proposed development would make use of the existing crossover at the site and the Council's highways officer has raised no objection to the proposed development.

The proposed garage would be of sufficient size to provide space to park 1 car and at least 2 bicycles. Therefore, the proposed development is considered to comply with Policy AM9 of the Hillingdon Local Plan (November 2012).

7.11 Urban design, access and security

The proposed development would raise no issues with regards to urban design. A condition will be added to any approval to ensure the proposed development would be design in line with the principles of Secure By Design.

7.12 Disabled access

The Access Officer raised a number of objections to the original floor plans and elevations as the scheme was not compliant with the lifetime homes standards. The applicant has submitted amended plans which demonstrate compliance with the lifetime home standards, ensuring the proposed development complies with Policy 3.8 of the London Plan (July 2011) and the Council's SPD Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

This site is covered by Tree Preservation Order 391. There are several, large, mature protected trees (Oak and Western Red Cedar) along the site's eastern, northern and north-western boundaries. These trees provide a green screen, and also significantly contribute to the arboreal/wooded character of the Copse wood Estate Area of Special Local Character. Further to the Tree Officer comments, a Tree Survey and Arboricultural Report was submitted by the applicant. The Tree Officer has reviewed the plan and is satisfied that no significant harm will occur to the protected trees.

The Tree which would be mosted impacted upon is tree number 18, a category B Oak Tree. the existing house takes up about 7m2 of the RPA, which increases to about 22m2 with the proposed one, which is about 4.6 and 14% of the RPA respectively. The additional incursion is well away from the trunk at the edge of the RPA, where large roots are less likely to be present. This tree has some evidence of die back, but the lower growth is reasonably healthy and root growth in other directions is not as constrained as with the others on the eastern side of the garden, so that is well within what it would tolerate. Ground in the working space round the new house would need to be protected, but there would be no direct disturbance of roots there. The applicant hasn't provided any significant detail as to tree protection measures during building work, therefore, conditions relating to this and landscaping will be required by pre-commencement condition.

The proposed scheme would not result in the loss or unacceptable harm to the protected trees at the site, therefore, the proposed development is considered to comply with Policy BE38 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

Policy 5.6 of the London Plan requires development to have regard to and contribute to a reduction in waste produced. The applicant has shown the location of a bin store adjacent the side boundary line shared with No.4 Linksway. This location would allow for the bins to be presented to adjacent the highway on bin collection days and would have an acceptable impact on the visual amenities of the streetscene, given that they would be screened by the proposed boundary treatment.

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 provided only very basic details of the sustainable measures or renewable energy sources being proposed for the building with some reference water conservation measures within the building. Whilst this level of information is not adequate to determine the carbon dioxide reduction, a suitable condition requiring the building to be design to Code for Sustainable Homes Level 4 would ensure that the proposed development would comply with Policies 5.1, 5.2 & 5.3 of the London Plan (July 2011).

7.17 Flooding or Drainage Issues

The application site is not within a Flood Risk Area or a Critical Drainage Area. The applicant has provided some basic details in the design and access statement as to water conservation measures and the plans appear to show porous paving being used for the driveway. However, a SUDS condition will be added to any approval to reduce any potential for an increase in surface water flooding caused by the proposed development.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The comments made are noted and are considered within the main report.

7.20 Planning Obligations

The proposed development would exceed 100sq.m and therefore there would be a requirement to make a CIL contribution, which has been acknowledged by the applicant for a sum of £8,257.80.

The proposed development would provide a net total of 5 habitable rooms which would not trigger the requirement for Educational Contributions in accordance with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The neighbouring residents have expressed concern that the land shown in the site forms part of the public highway and is not in the applicant's ownership. This has been reviewed by the Council's highways department and Planning Officers, who are satisified that the land shown within the red line of the site is in the ownership of the applicant and not the Council.

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

None received.

10. CONCLUSION

The amended design of the proposed scheme is considered to have an acceptable impact on the character and appearance of the Copse Wood Estate Area of Special Local Character. Sufficient details have been provided to show that the scheme would ensure the protection of the protected trees within the site and also the protection of the residential amenity of the neighboring occupiers.

It is considered that overall the scheme is in compliance with the Policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), HDAS Residential Layouts and the London Plan (2011). The application is therefore 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)

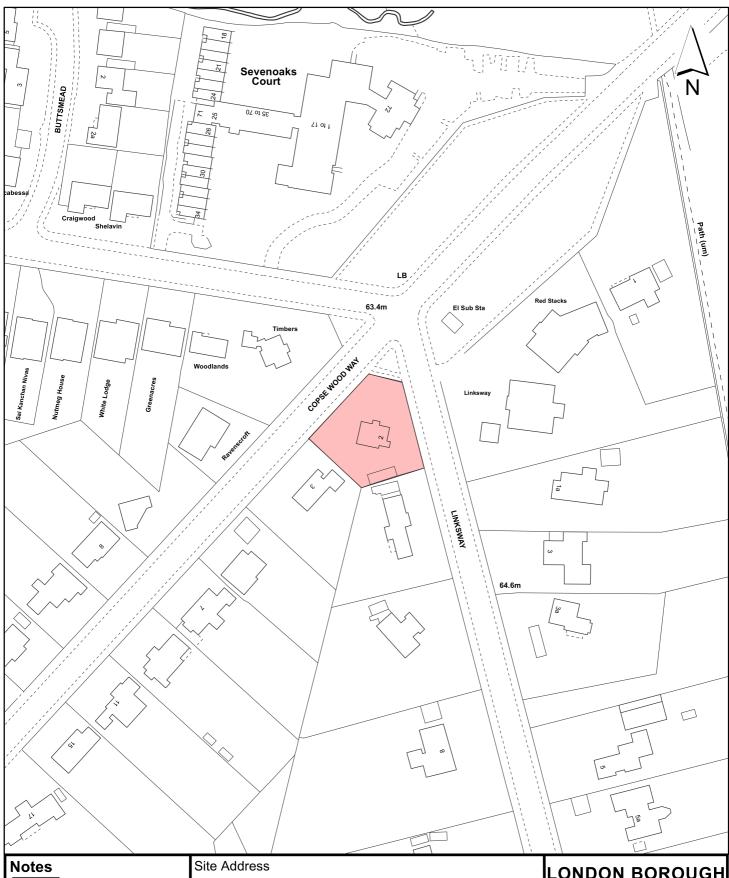
HDAS: Residential Layouts The London Plan 2011

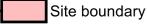
The Mayor's London Housing Supplementary Planning Document

HDAS: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Alex Smith Telephone No: 01895 250230





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2 Linksway **Northwood**

Scale

1:1,250

Planning Committee

Planning Application Ref:

North Application

36910/APP/2013/2338

Date

March 2014

LONDON BOROUGH OF HILLINGDON **Residents Services**

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



Agenda Item 9

Report of the Head of Planning, Sport and Green Spaces

Address 28 & 28A KINGSEND RUISLIP

Development: Variation of condition 27 of Planning Permission Ref: 5740/APP/2008/1214

(Erection of a three storey building to contain 7, two-bedroom and 1, one-

bedroom flats, together with associated parking and amenity space (Amendment to previous approval ref. 5740/APP/2007/1043 to allow for an additional flat at second floor level) to allow revised landscape scheme including a resiting of bin store to front and hardstanding treatment (Part

Retrospective Application).

LBH Ref Nos: 5740/APP/2013/3520

Drawing Nos: Agent's covering email dated 14/1/14

07/3127/50 Rev. K 07/3127/51 Rev. A

Un-numbered Existing Ground Floor Plan Un-numbered Existing First Floor Plan

Design and Access Statement

07/3094/8

07/3094/10 (In part superseded by 07/3127/51 Rev. A) 07/3094/11 (In part superseded by 07/3127/51 Rev. A)

E-mail received 6/6/08

Location Plan 07/3094/9 Rev. B E-mail received 13/6/08 Tree Protection Details Energy Demand Statement

Date Plans Received: 27/11/2013 Date(s) of Amendment(s): 28/04/2008

Date Application Valid: 29/11/2013 14/01/2014

07/06/2008 06/06/2008 09/06/2008 12/04/2011 11/05/2007 13/06/2008

1. SUMMARY

This application seeks to vary condition 27 (Approved Plans) of planning permission dated 24 July 2008 (App. No. 5740/APP/2008/1214 refers) to allow revision of the front garden planting scheme. The main change involves the re-siting of the bin store from the side of the building adjoining the shared driveway with No. 28b Kingsend to the front of the site and the replacement of permeable block paviours on the driveway with tarmac spray and pea shingle topping.

The bin store would be screened with fencing and planting. The Council's Urban Design/Conservation Officer advises that although not ideal, no objection could be sustained to the revised plans which now include doors being provided to the front of the bin store, subject to adequate landscaping. The Council's Tree and Landscape Officer advises that the planting is adequate and would provide an effective screen to the store.

Crucially the scheme now includes a 'feature tree' which was a request of the committee (to replace a dead oak tree on the site frontage) when approving an earlier application on the site.

No objections are raised to the siting of the store by the Highway Engineer or the Council's Waste Services.

Furthermore, the Council's Urban Design/Conservation Officer considers that the use of tarmac spray, topped with pea shingle provides an attractive surface and the Water and Flood Management Officer raises no objections to the material, although advises that a drain should be installed acroos the driveway at the front of the site to prevent any surface water running onto the public highway. This has been conditioned.

As the application has now been appealed for non-determination, it is recommended that the Planning Inspectorate be advised that had the application still been within the Local Planning Authority's jurisdiction to determine, it would have been approved, subject to condition.

2. RECOMMENDATION

That the Planning Inspectorate be informed that had an appeal for nondetermination not of been lodged, the application would have been approved, subject to the following conditions:-

1 RES3 Time Limit

The bin store and landscaping scheme hereby permitted shall be implemented within three months from the date of this permission and shall thereafter be permanently retained to the satisfaction of the Local Planning Authority.

REASON

To ensure that adequate facilities are provided and that the character and appearance of the Conservation Area and visual amenities of the street scene are safeguarded, in accordance with policies AM7, BE4, BE13 and BE38 of the The lounge, kitchen and w.c. windows facing west and towards 26B Kingsend shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

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 07/3094/8, 07/3094/9 Rev. B, 07/3094/10, 07/3094/11 and 07/3127/50 Rev. K 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 RES13 Obscure Glazing

The lounge, kitchen and w.c. windows facing west and towards 26B Kingsend shall be glazed with 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).

4 RES22 Parking Allocation

Within 2 months of this permission, a parking allocation scheme shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

5 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.

6 RES23 Visibility Splays - Pedestrian

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

REASON

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

7 NONSC Non Standard Condition

Within 2 months of the date of this permission, details of a drainage scheme that prevents surface water draining onto the public highway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemnented within 2 months of being approved and shall thereafter be permanently retained.

REASON:

To limit surface water runoff in order to ensure the development does not cause a surface water flooding in accordance with Policy OE7 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.

| NPPF1 | |
|----------|---|
| NPPF4 | |
| 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 3.14 | (2011) Existing Housing - Efficient use of stock |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.7 | (2011) Renewable energy |
| LPP 5.12 | (2011) Flood risk management |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.14 | (2011) Water quality and wastewater infrastructure |
| LPP 5.15 | (2011) Water use and supplies |
| LPP 6.3 | (2011) Assessing effects of development on transport capacity |
| LPP 6.9 | (2011) Cycling |
| LPP 6.13 | (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 |

| BE4 BE13 BE19 | New development within or on the fringes of conservation areas New development must harmonise with the existing street scene. New development must improve or complement the character of the area. |
|---------------------|---|
| BE21 BE22 | Siting, bulk and proximity of new buildings/extensions. Residential extensions/buildings of two or more storeys. |
| DLZZ | residential extensions/buildings of two of 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 |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM14 | New development and car parking standards. |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| SPD-PO | Planning Obligations Supplementary Planning Document, adopted July 2008 |

3. CONSIDERATIONS

3.1 Site and Locality

The application site forms a 0.1 hectare roughly rectangular plot located on the northern side of Kingsend, some 40m to the west of its junction with Sovereign Close. To the east of the site lies Nos. 26 and 26B Kingsend. The site and its western side comprises a shared access which also serves No. 28B Kingsend located at the rear of the site.

The development site is located in the Ruislip Village Conservation Area as set out in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

3.2 Proposed Scheme

This application seeks to vary condition 27 of planning permission ref: 5740/APP/2008/1214 to allow revise the landscaping scheme at the front of the site. The main change involves resiting the bin store from the side of the flatted block adjoining the shared access drive to the front corner of the site adjoining No. 26B Kingsend. The bin

store would be 3.46m wide by 1.35m deep, and sited adjacent to the side boundary with NO. 26B, set back 3.0m from the front boundary and be comprised of 1.5m high close boarded fencing with 300mm of trellis above. It would accommodate 2 x 1,100 litre capacity wheelie bins. Revised plans have been received which show two sets of double doors of a similar design added to the front to fully enclose the bin store. There would be a small area of hardstanding in front of the bin store with access provided from the car parking area between parking spaces 4 and 5. Planting is shown along the side boundaries and along the front boundary of the site, including a Silver Birch tree in a similar position adjacent to the bin store as previously agreed and notes added to the plan stating that the existing hedge would be completed along the front boundary and additional screening would be provided along the side boundary at the rear of the bin store.

The plans also show that instead of permeable block pavers being used on all of the shared drive/manoeuvring space and parking spaces, the former would now be finished with spray tarmac, topped with natural coloured pea shingle. This element of the revised landscape plan has been implemented and is therefore retrospective.

3.3 Relevant Planning History

Comment on Relevant Planning History

5740/APP/2007/1043 - Outline planning permission was granted on 15 January 2008 at appeal for the erection of a three storey building containing 7 x two-bedroom flats, together with associated access and parking.

5740/APP/2008/1214 - Full planning permission granted on 20 August 2008 for the erection of a three storey building containing 7 x two-bedroom and 1 x one-bedroom flats, together with associated parking and amenity Space (amendment to previous approval ref. 5740/APP/2007/1043 to allow an additional flat to be provided at second floor level).

5740/APP/2011/882 - Application for approved reserved matter (landscaping) following outline approval ref. 5740/APP/2008/1214 was approved on 26 August 2011.

5740/APP/2011/908 - Details in compliance with conditions 3 (bin and cycle storage), 4 (materials), 7 (boundary treatment), 9 (site survey), 11 (tree protection), 12 (landscape scheme), 14 (landscape maintenance), 16 (education facilities), 20 (renewable energy), 21 (energy efficiency report), 22 (SUDS), 24 (demolition and construction management plan), 25 (recessed windows) and 26 (parking) of planning permission ref 5740/APP/2008/1214 were approved on 26 August 2011.

As a result of the built scheme departing from the approved drawings the site has been subject to enforcement action and associated on-going court proceedings.

The North Planning Committee agreed to serve an Enforcement Notice and a Breach of Condition Notice.

The Breach of Condition Notice (Ref: 3E/04/NC) was served on 25 May 2012 with compliance by 29 June 2012.

The Breach of Condition Notice required the following steps to be taken:

(i) Reduce the height of the roof along the eastern side of the building so that the height accords with the approved planning permission reference 5740/APP/2008/1214 drawing number 07/3094/10 Rev C.

(ii) Remove from the land of all debris, building material, plant and machinery resulting from compliance with requirement (i)

The reasons for the issue of the notice are the built scheme should be carried out in strict accordance with the approved plans, unless consent to any variation is first obtained from the local planning authority, to ensure that the external appearance of the development hereby complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

An Enforcement Notice (Ref: 03/04/NC) has also been served on other aspects of the development and required the following steps to be taken:

- 1) Remove the unauthorised tarmacadam covering the access/manoeuvring and parking area (between the building and the street) and install hard surfacing materials in accordance with the approved planning permission reference 5740/APP/2011/908 drawing number 07/3127/50 Rev E, specifically installing permeable block pavers (colour Brindle).
- 2) Remove the unauthorised paving and concrete slab covering the south eastern corner of the property (between parking spaces 4 and 5, as shown on drawing number 07/3127/50 Rev E approved in permission reference 5740/APP/2011/908), and install landscaping in accordance with the approved planning permission reference 5740/APP/2011/908 drawing number 07/3127/50 Rev E.

The black tarmac was previously considered very intrusive within the street scene and detracted from the character and appearance of the conservation area. The tarmacadam was also considered to detract from the landscape setting of the new building.

The previously approved landscape details showed the south eastern corner of the site landscaped with a tree, grass and planting. Instead hard paving and a concrete slab have been laid down in this area. The approved landscaping was necessary to soften the appearance of the parking areas and views of the new building. The loss of the landscaping with a replacement of a concrete slab in such a prominent location was considered to be a very intrusive within the streetscene and detracted from the character and appearance of the conservation area. The as built development was not considered to preserve or enhance the appearance of the site or street scene (i.e. features which contribute to their special architectural and visual qualities of the Conservation Area).

The Enforcement Notice was served on 25 May 2012 with compliance by 29 June 2012

5740/APP/2013/411 - This retrospective planning application to vary condition 27 (development in accordance with approved plans) to planning permission Ref; 5740/APP/2008/1214 (Erection of a three storey building to contain 7, two-bedroom and 1, one-bedroom flats, together with associated parking and amenity space) to seek retention of the existimng roof profile which is a departure from the approved roof profile was allowed at appeal on 21 October 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 | (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 |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed. |
| Part 2 Policie | s: |
| NPPF1 | |
| NPPF4 | |
| 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 3.14 | (2011) Existing Housing - Efficient use of stock |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.7 | (2011) Renewable energy |
| LPP 5.12 | (2011) Flood risk management |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.14 | (2011) Water quality and wastewater infrastructure |
| LPP 5.15 | (2011) Water use and supplies |
| LPP 6.3 | (2011) Assessing effects of development on transport capacity |
| LPP 6.9 | (2011) Cycling |
| LPP 6.13 | (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 |

BE4

New development within or on the fringes of conservation areas

| BE13 | New development must harmonise with the existing street scene. |
|----------|---|
| BE19 | New development must improve or complement the character of the area. |
| 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 |
| 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 |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM14 | New development and car parking standards. |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| SPD-PO | Planning Obligations Supplementary Planning Document, adopted July 2008 |
| | |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

57 neighbouring properties have been consulted on this application. A petition objecting to the application and 4 individual responses from neighbours have been received.

The petition, with 20 signatories states:-

'The Council agreed the position of the bin store at the side of the building when granting planning permission in 2008, after listening to residents' views about the development of new flats in Kingsend.

The developer knew the conditions when taking on the development and should not be able to come back to change the plan.'

The individual responses raise the following concerns:-

In objection:-

- (i) The bin storage should remain where it was originally approved at the side of the block of flats alongside the drive into No. 28b, away from public view. Having bins at the front is unsightly and not characteristic of Kingsend,
- (ii) The bin store has not been built and wheelie bins are in the car park, in contravention of Condition 6.
- (iii) The building should never have been built to this size. There are 8 flats and only 8 parking spaces, with no provision for guest parking. The original bin store was down the joint vehicle alley way but the overbuild prevents room for a bin store. The only place to build a bin store is the rear garden which will allow for an additional parking space to be provided,
- (iv) It would be nice if the owners could complete other outstanding works, ie driveway, hedging and trees.
- (v) A semi-mature tree of diameter 16 18cm was approved at the front right hand corner of the property whereas a tree of 5cm diameter has been planted in contravention of the plan agreed in August 2011. The Silver Birch that has been planted at the front is impractical due to its potential size.
- (vi) Repeat arguments previously made that as a professional developer, the applicant should take on the plans and inspect them before construction commences. It cannot be right that a plan approved in 2008 in order to reduce the effect of the binstore on the street scene and then in 2013 to make an application to allow it to be changed because the developer never wanted to build it at the side of the block of flats. This is just a way to get round the planning rules by submitting dubious plans delivering a fait accompli,
- (vii) Although we live at 34A Kingsend, and have corresponded with the Council on all the 8 previous applications, we were not consulted on this application. This has occurred on a number of previous occasions on this and other sites and just adds to the Council's problems when the period for consultation has to be extended and the applicant can then appeal for non-determination. This needs to improve.

In general support:-

(viii) This has been ongoing since the property was built and more should have been done to ensure the developer put the bin store in place before residents moved in. Without a proper place for the bins, it has caused no end of grief for the residents and those in the property behind. Bins will finally have a proper place where they will not be seen and there is no chance of them rolling around,

Ruislip Residents' Association: No response.

Internal Consultees

CONSERVATION/URBAN DESIGN OFFICER:

Initial comments:

This site lies in the Ruislip Village CA, the front gardens of the properties on Kingsend are very important and these make a positive contribution to the character and appearance of the area. Placing a open fronted bin store in such a sensitive location would therefore be far from ideal and other options for the siting of this structure should be considered ie placing further back into the site. If all else fails, then the bin store should have doors and be fully screened from the road by

planting, this should include the retention of the existing bushes and the addition of appropriate new planting to create a much denser and wider area of screening.

Revised comments:

Although not ideal, at least doors can now be closed on the paladins etc. We will need to ensure that any planting on the frontage does the job re screening.

No objections to the tarmac spray and pea shingle topping on the drive which could be attractive.

TREE/LANDSCAPE OFFICER:

I refer to Macleod's amended drawing No. 07/3127/50 Rev K (minor amendments to the bin store) and confirm that the planting to the roadside of the bin store should provide a satisfactory screen.

The existing boundary hedge is to be gapped up - where there was previously a footpath link. Between the fence and the store an additional 12No. plants will be installed, a mix of Holly, Pyracantha and Berberis stenophylla. This is a mix of hardy, prickly shrubs with ornamental value and good for wildlife. If properly planted and maintained, they will form a dense evergreen mass which can be maintained at a suitable height to screen the bin store.

No objection.

HIGHWAY ENGINEER:

As the proposals include 8 car parking spaces as previously approved, there is no objection from a highways point of view.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection. The scheme is acceptable subject to the provision of a drain across the drive at the front. This could be secured by an appropriate condition.

WASTE SERVICES:

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the residential scheme including the number of residential units within the scheme built on site has already been established with the approved scheme for the site.

The only planning issues for consideration with this application in respect of the departure from the approved scheme are limited to the consideration of the impacts of the new landscape plan, which mainly involves the re-siting of the bin store and use of tarmac spray and pea shingle on the driveway on the the visual amenity of the street scene and impact upon the character and appearance of the Ruislip Village Conservation Area, the implications for residential amenity, highway safety and flooding.

7.02 Density of the proposed development

The number of residential units and bedspaces on this site has already been established.

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

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires that new development within conservation areas preserves or enhances those

feature which contribute to their special architectural and/or visual qualities. Policy BE13 requires development to harmonise with the existing street scene.

The bin store would be sited on the south eastern corner of the site, adjacent to the side boundary with No. 26B and set back approximately 3.0m from the front boundary. Although bin stores within front gardens are not particularly characteristic within Kingsend, the store being some 1.5m high with 300mm of trellis above would not be unduly conspicuous within the street scene. Furthermore, planting to a depth of 3m would be provided along and front boundary, including the provision of a Silver Birch tree (which appears to have already been planted) and the existing hedging at the side of the site would be supplemented. The Council's Tree/Landscape Officer advises that the landscaping, if properly planted and maintained, will form a dense evergreen screen which can be maintained at a suitable height to screen the bin store. Furthermore, although the revised landscaping in this south eastern corner would be slightly less in extent than the area of landscaping previously approved, it will provide an enhanced level of tree planting compared to the previously approved scheme that will effectively screen the car parking and assist with softening the views of the new building.

The tarmac spray with natural coloured pea shingle topping on the driveway and manouvring area is also viewed as an improvement over the tarmacadam and by retaining the permeable block pavers in the parking spaces, will assist with breaking up the visual impact of the hardstanding. The Council's Conservation/Urban Design Officer raises no further objections to the revised landscape plan.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

See Section 7.03.

7.08 Impact on neighbours

The proposed bin store would be sited some 19m from the front elevation of the adjoining property at No. 26B Kingsend. This distance would ensure that the store would not have any detrimental impacts upon their amenities by reason of overshadowing or dominance, particularly as there is an existing hedge along this side boundary.

7.09 Living conditions for future occupiers

The bin store would be sited some 13m from the flatted block so that it would be sited within a convenient distance for residents use.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The revision of the landscaping scheme retains the same general car layout for 8 vehicles and cycle provision at the side of the block as that of the previously approved scheme. The revised bin store provision would be located close to the entrance to the site. Both the Council's Highway Engineer and the Waste Services Manager raise no objections to the revised refuse store and associated collection arrangements.

7.11 Urban design, access and security

Urban Design: This is considered in Section 7.03 above.

Access: The only new access issue relates to access to the new bin store which is considered in Section 7.10 above.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

This is dealt with in Section 7.03 above.

7.15 Sustainable waste management

The proposed bin store would make adequate provision for refuse and waste storage on site.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The permeable block pavers which were to cover all the drive/manoevring area and parking spaces have been replaced by spray tarmac topped with natural coloured pea shingle. The Council's Flood and Water Management Officer has considered the proposals and raises no objection subject to a condition requiring the provision of a drain along the site frontage.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

As regards the issue raised by the petitioners and in point (vi), specific provision has been made within the Planning Acts to allow approved schemes and plans to be amended. Local Planning Authorities have a duty to consider any revised plans on their planning merits. As regards point (i), there are practical difficulties to providing the bin storage at the side of the building and the impact of providing a bin store on the conservation area and street scene are considered in the report. As regards points (ii) and (iv), a condition is recommended to ensure that the revised landscape plan is implemented within the specified time frame. As regards point (iii) the building and parking provision has already been established and it would be impractical to site the bin store in the rear garden. As regards point (v), no objections are raised to the species of tree, given its siting and it is likely to soon become established. Points (vi), (vii) and (viii) are noted.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

There are no outstanding enforcement issues on this site.

7.22 Other Issues

There are no other relevant planning issues raised by this application.

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

10. CONCLUSION

The revised landscape scheme, involving the resiting of the bin store is acceptable. The location of the bin store would be convenient for residents and collection vehicles and the existing and proposed landscaping would provide effective screening to the bin store, car parking area and also help soften views of the building.

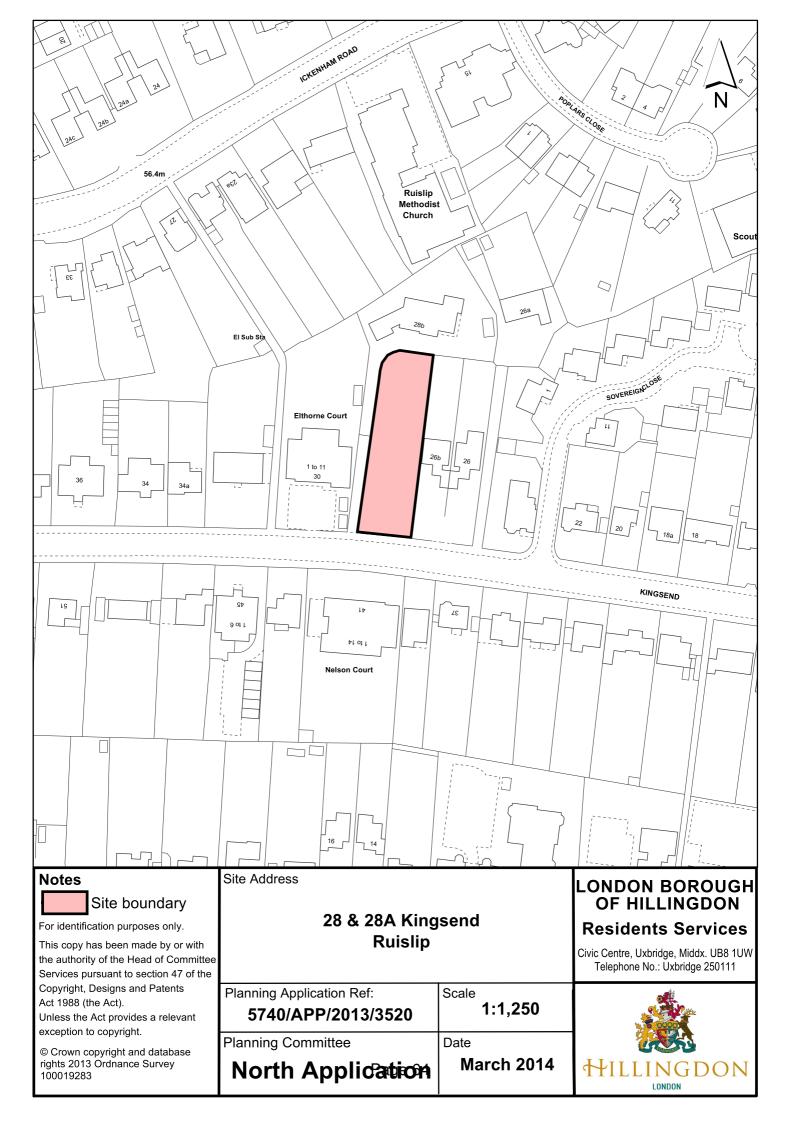
Furthermore, the tarmac spray with pea shingle topping provides an attractive, more traditional setting for the building that is appropriate within the conservation area and represents a significant improvement upon the tarmacadam of the as built development.

The application is recommended accordingly.

11. Reference Documents

NPPF (March 2012) The London Plan (July 2011) Hillingdon Local Plan (November 2012) Planning History Consultation Responses

Contact Officer: Richard Phillips Telephone No: 01895 250230



Agenda Item 10

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJACENT TO WIDEWATER LOCK (BARN FARM) MOORHALL

ROAD HAREFIELD

Development: Change of use of land to a residential caravan site for one Gypsy family,

involving the siting of one static and one touring caravan, with associated

parking for two vehicles, water treatment plant, hardstanding and

landscaping works (Part retrospective application).

LBH Ref Nos: 69682/APP/2014/32

Drawing Nos: 1:1250 Location Plan

BLP-01

Design and Access Statement

Date Plans Received: 06/01/2014 Date(s) of Amendment(s):

Date Application Valid: 06/01/2014

1. SUMMARY

This application seeks part retrospective permission to change the use of the site from a paddock to a residential caravan site for one Gypsy family with the siting of one static and one touring caravan, parking for two vehicles with associated hardstanding, landscaping and water treatment plant. The change of use has been implemented, with a wooden outbuilding having been sited/erected and a touring caravan sited along the western boundary of the site. The application site has been separated from the rest of the field in which it is located by the erection of post and rail fencing and close boarded fencing has also been erected along the southern (Moorhall Road) and eastern boundaries of the field.

The site forms part of the Green Belt. The development represents inappropriate development and no compelling reasons have been put forward or are evident to suggest that 'very special circumstances' exist to outweigh Green Belt policy.

The use and associated structures are also detrimental to the character and appearance of the adjoining Widewater Lock Conservation Area.

Furthermore, the site lies within Flood Zone 2 where the siting of caravans, mobile homes and park homes intended for permanent residential use represents a highly vulnerable use. A Flood Risk Assessment as required by the NPPF has not been submitted with the application and the development does not meet the Sequential and Exceptions Tests. The Environment Agency and the Council's Flood and Water Management Officer therefore raise objection to the development. The Environment Agency have also lodged an objection on the grounds of the inclusion of a water treatment plant within this sensitive area forming part of a Source Protection Zone (SPZ)1.

The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The residential use and associated development represents inappropriate development within the Green Belt in terms of the guidance contained in the National Planning Policy Framework which is harmful by definition to its open character and appearance. Furthermore, there are no very special circumstances provided or which are evident which either singularly or cumulatively justify the permanent retention of the residential use which would overcome the presumption against inappropriate development in the Green Belt. The development is therefore harmful to the Green Belt and the landscape of the Countryside Conservation Area, contrary to the National Planning Policy Framework (including the accompanying Government Guidance 'Planning Policy for Traveller sites'), Policy 7.16 of the London Plan (July 2011), Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The introduction of a residential use to the site and the siting of caravans and associated landscaping works, including an extensive area of hardstanding, together with the paraphernalia associated with a residential use would be detrimental to the character and appearance of the adjoining Widewater Lock Conservation Area, contrary to the NPPF (March 2012), Policy 7.8 of the London Plan (March 2012) and Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3 NON2 Non Standard reason for refusal

The application site is located within Flood Zone 2 and the proposal involves a highly vulnerable use. No Flood Risk Assessment (FRA) has been submitted and the location of a vulnerable use with occupants in an area at risk of flooding and potentially increases the risks of flooding elsewhere is contrary to the NPPF and its Technical Guidance, March 2012, Policy 5.12 of the London Plan (July 2011), Policy EM1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy OE7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4 NON2 Non Standard reason for refusal

The application site is close to a groundwater abstraction for public water supply and lies in a Source Protection Zone (SPZ)1. An additional discharge to ground from a non-mains drainage system in this area could cause pollution of the public water supply abstraction and with groundwater being very shallow in this area, a discharge to ground could be ineffective, causing the treatment system to back up. In the absense of a full and detailed drainage assessment, the risks of pollution to ground and surface waters arising from the development can not be assessed. The development is therefore contrary to the NPPF, Policy 5.14 of the London Plan (July 2011) and Policy EM1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

| NEDEC | |
|----------|---|
| NPPF6 | |
| NPPF9 | |
| NPPF10 | |
| NPPF11 | |
| | (2011) Engradure agreed life abandon for all |
| LPP 3.1 | (2011) Ensuring equal life chances for all |
| LPP 3.8 | (2011) Housing Choice |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.12 | (2011) Flood risk management |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.14 | (2011) Water quality and wastewater infrastructure |
| | • • • |
| LPP 5.15 | (2011) Water use and supplies |
| LPP 6.3 | (2011) Assessing effects of development on transport capacity |
| LPP 6.13 | (2011) Parking |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 7.4 | (2011) Local character |
| LPP 7.8 | (2011) Heritage assets and archaeology |
| LPP 7.16 | (2011) Green Belt |
| LPP 7.19 | (2011) Biodiversity and access to nature |
| LPP 7.30 | (2011) London's canals and other rivers and waterspaces |
| OL1 | Green Belt - acceptable open land uses and restrictions on new |
| OLI | development |
| OL4 | • |
| | Green Belt - replacement or extension of buildings |
| EC1 | Protection of sites of special scientific interest, nature conservation |
| E00 | importance and nature reserves Replaced by PT1.EM7 (2012) |
| EC3 | Potential effects of development on sites of nature conservation |
| DE 4 | importance |
| BE4 | New development within or on the fringes of conservation areas |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to |
| | neighbours. |
| BE32 | Development proposals adjacent to or affecting the Grand Union |
| | Canal |
| 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 |
| OLI | and the local area |
| OE7 | Development in areas likely to flooding - requirement for flood |
| OLI | protection measures |
| 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, |

3

The Applicant is advised that part of the application site falls within land that may potentially be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed Two (HS2). Powers to construct and operate HS2 are to be sought by the promotion of a hybrid Bill deposited in Parliament on 25th November 2013. As a result the

application site, or part of it, may be compulsorily purchased. More information can be found at

www.hs2.org.uk.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.08 hectare application site forms the north eastern corner of a field located within the River Colne valley on the western edge of the borough and is set back 35m from the northern side of Moorhall Road, some 90m to the west of Widewater Lock on the Grand Union Canal. The R. Colne lies some 1km to the west which in this vicinity forms the borough boundary. An access road runs along the eastern boundary of the field and a drain runs along the northern boundary, beyond which is a lake and aggregates works. The access road serves a number of commercial enterprises and residential properties to the north, including the aggregates works. On the opposite side of the access road is Lock Cottage and Widewater Lock, beyond which is an office development. On the opposite side of Moorhall Road is the Horse and Barge PH.

The site appears to be already in use for residential purposes. A wooden outbuilding has been erected on a concrete slab within the centre of the site, adjacent to a stable building and a mobile caravan is sited to the rear of the site, adjacent to the western boundary and the site has been separated from the rest of the field by post and rail fencing. New close boarded fencing has been erected along the access road and Moorhall Road boundaries of the field with a gate installed at the northern end of access road boundary to provide vehicular access into the site. A sign reading 'Barn Farm' has been displayed on the gate and coaching lamps and a letterbox have been installed at the entrance. At the time of the officer's site visit, a car and 2 lorries were parked on site.

The character of the area is pre-dominantly rural, with the site mainly surrounded by lakes and woodland. The site forms part of the Metropolitan Green Belt and the Colne Valley Regional Park with the Widewater Lock Conservation Area immediately adjoining the site on the eastern side of the access road and on the northern side of Moorhall Road. The site is identified as being within Flood Zones 2 and 3b and the site is also located within a safeguarding area for High Speed Two (HS2). The lakes and associated woodland immediately to the north and east of the site form a Site of Special Scientific Interest (SSSI) and a Nature Conservation Site of Metropolitan or Borough Grade 1 Importance.

3.2 Proposed Scheme

The red lined site relates to a roughly rectangular, 0.08 hectare site which forms the north eastern corner of the field, with the eastern portion of the field marked in blue. The development is for a change of use of the land to a residential caravan site for one Gypsy family, involving the siting of one static and one mobile caravan, with associated parking for two vehicles, water treatment plant, hardstanding and landscaping works. The static

caravan would be sited centrally on the site, with the mobile caravan sited towards the rear, adjacent to the western boundary. Two car parking spaces are shown located between the static caravan and the northern boundary, with the water treatment behind. The site would be hardsurfaced, including a 6m wide strip along the whole of the eastern boundary of the field, adjacent to the access road which would be outside of the red line boundary of the application site. The area within the blue line is shown as 'grazing'.

The scheme is part retrospective as the site is in residential use with a single storey wooden building having been erected on site, a touring caravan sited to the rear with some fencing and planting having been undertaken.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history on this site.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. | |
|------------------|---|--|
| PT1.H3 | (2012) Gypsy and Traveller Pitch Provision | |
| PT1.BE1 | (2012) Built Environment | |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation | |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains | |
| PT1.EM3 | (2012) Blue Ribbon Network | |
| PT1.EM6 | (2012) Flood Risk Management | |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation | |
| PT1.EM8 | (2012) Land, Water, Air and Noise | |
| Part 2 Policies: | | |
| NPPF6 | | |
| NPPF9 NPPF10 | | |
| NPPF11 | | |
| LPP 3.1 | (2011) Ensuring equal life chances for all | |
| LPP 3.8 | (2011) Housing Choice | |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions | |
| LPP 5.3 | (2011) Sustainable design and construction | |
| LPP 5.12 | (2011) Flood risk management | |

| (2011) Water quality and wastewater infrastructure |
|---|
| (0044) Water was and sometime |
| (2011) Water use and supplies |
| (2011) Assessing effects of development on transport capacity |
| (2011) Parking |
| (2011) An inclusive environment |
| (2011) Local character |
| (2011) Heritage assets and archaeology |
| (2011) Green Belt |
| (2011) Biodiversity and access to nature |
| (2011) London's canals and other rivers and waterspaces |
| Green Belt - acceptable open land uses and restrictions on new development |
| Green Belt - replacement or extension of buildings |
| Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012) |
| Potential effects of development on sites of nature conservation importance |
| New development within or on the fringes of conservation areas |
| Daylight and sunlight considerations. |
| Siting, bulk and proximity of new buildings/extensions. |
| Requires the provision of adequate amenity space. |
| Requires new development to ensure adequate levels of privacy to neighbours. |
| Development proposals adjacent to or affecting the Grand Union Canal |
| Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| Protection of the character and amenities of surrounding properties and the local area |
| Development in areas likely to flooding - requirement for flood protection measures |
| Consideration of traffic generated by proposed developments. |
| New development and car parking standards. |
| Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| |

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 12th February 2014
- **5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

North Planning Committee - 25th March 2014 PART 1 - MEMBERS, PUBLIC & PRESS

22 neighbouring properties have been consulted, the application has been advertised as affecting the Widewater Conservation Area in the local press on 22/1/14 and a site notice has been displayed on site.

17 responses (2 from same objector, making further comments) have been received, raising the following concerns:

- (i) The application is on green belt land and a residential building is inappropriate development in this particularly sensitive area and no special circumstances have been put forward to outweigh green belt policy, namely the NPPF (March 2012), particularly paragraphs 79, 87 and 89, the Government's Planning Policy for Traveller Sites (March 2012), paragraghs 11, 22 and 23 and Policy 14, Policy 7.16 of The London Plan (July 2011) and Policies OL1, OL2 and OL4 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and Policies EM2, H3 of the Hillingdon Local Plan (November 2012),
- (ii) The introduction of caravans and hardstanding for vehicles to provide two residential pitches would erode the openness of what is currently an undeveloped field and encroach into the countryside beyond the existing built form and conflicts with the purposes of including land in the Green Belt,
- (iii) Land has traditionally been used as a paddock. It was associated with the neighbouring Moor House before the house was sold separateley in 2010. The previous owner retained the paddock to graze ponies, keep geese and chickens until mid-2013. The paddock and wooden stable which is still on site were then sold to the applicant.
- (iv) Development has already taken place, at variance to the application, with a large wooden building having been erected next to the stables and a 2m high fence erected along two boundaries of the site with post and rail fencing erected within the site. A gate at the entrance from the private road has been installed with exterior lights, a mail box and CCTV. A caravan on site and the wooden outbuilding appear to already occupied since late 2013, changing status of a paddock to a small holding. The paddock continues to be developed with industrial vehicles moving through the site during the day,
- (v) The large wooded chalet type building is very visible, particularly from Moorhall Road (contrary to answer given to Q24 on application form) and neighbouring homes. The close boarded fencing erected along Moorhall Road is detrimental to the open aspect of the site and blocks open views across the site,
- (vi) The external lighting which has been erected around the site and general glow from the occupied part of the site during the night is very bright and intrusive to neighbouring properties,
- (vii) Development overlooks our bathroom window, compromising our privacy,
- (viii) Development detracts from views of the Conservation Area
- (ix) Contrary to answer given at Q13 on application form, application site adjoins the Mid Colne Valley Site of Special Scientific Interest (SSSI) and a Nature Conservation Site of Metropolitan Importance Grade 1. The area includes a number of protected species, including bats and owls and overwintering birds use the lakes. A Habitat Survey has not been submitted to assess possible damage to wildlife considerations, contrary to Policy EC3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007),
- (x) Contrary to information given at Q15, the development is adjacent to trees and hedging along the boundary with Harefield Moor Lake. The character of the landscape has already been adversely affected by development that has taken place,
- (xi) The close boarded fencing around the site (described at Q9 on the application form as 'existing') was erected by the applicant upon purchase of the site and is visually intrusive and the leylandii planted around the exterior of the fence will only aggravate this effect,
- (xii) The Laurel that has been planted is an invasive species and not native planting,
- (xiii) Land is regularly flooded by heavy rains, the surrounding lakes and problems at the nearby Affinity Water site. There is a concern about any development that would worsen the already poor drainage on the site and aggragate local flooding,
- (xiv) The site's proximity to Harleyford Aggregates, itself the subject of ongoing complaints about

noise, dust and traffic, makes it unsuitable for residential use,

- (xv) No evidence that alternative gypsy sites have been considered, including the Colne Park which is in a more sustainable location,
- (xvi) The proposed site is not environmentally acceptable for residential occupation,
- (xvii) The hard-standing area as shown on the plans is larger than that needed for the parking of two cars indicating that site may also be used for some sort of business. The site is already regularly useed for parking of vans, light industrial vehicles and other larger vehicles,
- (xviii) Object to barking dogs at the property,
- (xix) At night the lighting from these properties could disturb owls and bats, as well as local residents.
- (xx) The site, contrary to answer given at Q12 on application form, is very close to watercourses, including Harefield Moor Lake. A ditch runs along the edge of the site and continues through the garden of Moor House towards Lock Cottage where it joins another stream before discharging into the Grand Union Canal. The siting of a water treatment plant close to these watercourses seems particularly inappropriate, particularly as site in a flood risk area and a Groundwater Source Protection Zone 1,
- (xxi) The site is unfortunately on land safeguarded for HS2, being adjacent to one of the planned construction sites.
- (xxii) Some of the applicants answers on the application form are misleading but this may not be deliberate.
- (xxiii) As development has already taken place and continues, more blighting of this Green Belt land may result in damage being irreversible,
- (xxiv) Change of use of land from a grazing paddock adversely affects the setting of the Grade II Listed Lock Cottage,
- (xxv) The grazing of horses from this site within the public park on Moorhall Road and the riding of a trap has caused a public nuisance and safety issues which are likely to increase,
- (xxvi) If planning permission is granted, more residential units will appear and size of site increase without permission,
- (xxvii) Unauthorised buildings should be removed,
- (xxviii) Permission was refused on 26/1/01 for temporary parking for up to 25 static caravans on land at Broadwater Farm, Moorhall Road, Harefield, close to the application site (App. No. 2382/APP/2000/2225 refers) on grounds that proposal failed to provide special circumstances to outweigh inappropriate development and would harm openness of the Green Belt and visual amenities of the area, and it would have detrimental impact on the Mid Colne Valley SSSI and Grand Union Canal Area of Metropolitan Imporatance for Nature Conservation.

ENVIRONMENT AGENCY:

We object to the proposals as submitted on two grounds which are detailed below.

Objection 1

In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted.

Reasons

The application site lies within Flood Zone 2 defined by the Environment Agency Flood Map as having a medium probability of flooding. Paragraph 103, footnote 20 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit an FRA when development is proposed in such locations. Table 3 of the Technical Guide to the National Planning Policy Framework (NPPF) states that an exceptions test is required for highly vulnerable development proposed in Flood Zone 2.

An FRA is vital if the Local Planning Authority is to make informed planning decisions. In the absence of an FRA, the flood risks resulting from the proposed development are unknown. The

absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission.

Advice to Local Planning Authority

Our most recent modelling (2010) shows the site to be Flood Zone 2 and outside of the 1 in 100yr plus allowance for climate change outline. The site must therefore pass the Sequential Test for the development to be considered appropriate at this location. If the site does not pass the Sequential Test then you should refuse this application on for this reason.

Hillingdon's Strategic Flood Risk Assessment shows that the site falls within Flood Zone 3b, functional floodplain. The Technical Guidance to the National Planning Policy Framework states that highly vulnerable development in Flood Zone 3b should not be permitted. If you consider the site as Flood Zone 3b you may also wish to refuse this application on for this reason.

Objection 2

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

Reasons

The site is very close to a groundwater abstraction for public water supply and groundwater is very shallow in this area. The site also lies in a Source Protection Zone (SPZ)1. An additional discharge to ground from a non-mains drainage system in this area could cause pollution of the public water supply abstraction. Furthermore, a discharge to ground will be ineffective where groundwater is shallow and may cause the treatment system to back up.

The application form indicates that foul drainage is to be discharged to a non-mains drainage system. In these circumstances DETR Circular 03/99 advises that a full and detailed consideration be given to the environmental criteria listed in Annex A of the Circular in order to justify the use of non-mains drainage facilities. In this instance no such information has been submitted. The planning application has not been duly made.

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

In particular, the submitted application fails to:

- 1. address the following issues as set out in Annex A of DETR Circular 03/99
- 2. justify the use of a discharge to ground over preferred alternative means of foul disposal, for example mains foul sewage system, in accordance with the hierarchy set out in DETR Circular 03/99/WO Circular 10/99 and Building Regulations Approved Document H.
- 3. provide assessment of the risks to ground and surface waters and the adjacent Special Site of Scientific Interest.

In accordance with Groundwater Protection: Principles and Practice http://www.environmentagency.gov.uk/research/library/publications/144346.aspx we will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks posed by this development can be satisfactorily managed.

The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

CANAL AND RIVERS TRUST:

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There will not be any direct impact on the canal environment, and therefore we have no objections.

HS2 LTD:

As you will be aware the Government has announced its intention to construct and operate Phase One of a high speed railway, known as High Speed Two (HS2), between London and Birmingham; and Phase Two between Birmingham Manchester and Leeds. As you will also be aware, on the 25 th November 2013 HS2 Ltd deposited the hybrid Bill in Parliament which confirms the government's intention to proceed with a new high speed rail link between London and the West Midlands. Visit our dedicated hybrid Bill section on our website for further details: http://www.hs2.org.uk/hs2-phase-one-hybrid-bill.

On 9th July 2013, the Secretary of State for Transport announced that safeguarding directions had been issued for the majority of Phase One of HS2. On 24th October 2013, these directions were subsequently replaced with an updated set of directions which included two sections in Northolt and Bromford which had previously not been published. Further details and maps are available on our dedicated safeguarding page at: http://www.hs2.org.uk/safeguarding and with reference to Volume 2,map no.17 you can see that the site lies within the limits of land subject to the Safeguarding Direction and therefore may be required to construct and/or operate HS2. As required by law and Parliamentary rules, the Government has also provided Parliament with a detailed statement assessing the likely significant effects of the project on the environment - an Environmental Statement (ES), see: https://www.gov.uk/government/consultations/hs2-phaseone-environmental-statement.

With reference to Volume 2 map book for Community Forum Area (CFA) 7 - Colne Valley and specifically 'Construction Phase' drawing CT-05-020, you can see that access to the application site is proposed from a road HS2 Ltd has identified as potentially being needed during construction. In addition 'Proposed Scheme' drawing CT-06-020 shows the shows the creation of wetland habitat to the north of the site.

However, HS2 Ltd is satisfied that the two developments can coexist alongside each other and accordingly we would not wish to raise an objection to planning permission being granted in this instance. In the event you are minded to approve the application, HS2 Ltd requests that the following informative is placed on any decision notice:

"Informative:

The Applicant is advised that part of the application site falls within land that may potentially be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed Two (HS2). Powers to construct and operate HS2 are to be sought by the promotion of a hybrid Bill deposited in Parliament on 25th November 2013. As a result the

application site, or part of it, may be compulsorily purchased. More information can be found at www.hs2.org.uk."

NATURAL ENGLAND:

This application is in close proximity to Mid Colne Valley SSSI. Natural England is unclear whether the proposed development (in particular the waste water treatment works) will damage or destroy the interest features for which the site has been notified through nutrient enrichment. We understand that the Environment Agency (EA) has requested further information from the applicant with regards to flood risk and potential impact on the adjacent designated site. So, given the nature of the proposal, we believe that the EA is best placed to advise further on these issues.

HAREFIELD VILLAGE CONSERVATION AREA ADVISORY PANEL:

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The Panel objects to the proposal as it represents a highly undesirable intrusion by new development into the Green Belt.

HERTS & MIDDLESEX WILDLIFE TRUST:

Herts & Middlesex Wildlife Trust objects to the proposed change of use and development of the site on the basis of lack of information on its potential environmental impact and risks of harm to nature conservation interests.

The application site is adjacent to the south of Harefield Moor Lake - part of the Mid Colne Valley Site of Special Scientific Interest (SSSI) and Site of Metropolitan Importance for Nature Conservation. A track and band of trees/vegetation separates the application site from the lake. The application site is also about 175 metres to the east from HMWT's Broadwater Lake Nature Reserve.

I note that the application is part-retrospective, and that some if not all of the development work has already been carried out.

The development involves creation of hardstanding across the entirety of the site, which was previously a grass field. Screening vegetation is indicated on the plans, and the application form specifies laurel and native trees. A water treatment plant is also shown in the north west corner of the site, near to the lake.

The Environment Agency's Flood Map shows the site is in Flood Zone 2. Its proximity to the lake prompts concern about the potential flood risk at the site. Furthermore, we consider there may be a potential risk to the SSSI of pollution during any flood event, in connection to the proposed water treatment plant, waste and refuse storage, and storage of vehicles and other items within the application site. Placement of hardstanding across the whole site will increase the rate surface water runoff into the adjacent SSSI and the paddock, both exacerbating flood risk and increasing risks of pollution and reduced water quality.

The Colne Valley is known as an important habitat corridor for Daubenton's bats in particular, which feed and commute over its water and woodland habitats and roost in nearby structures, trees and bat boxes. The proximity of the development to habitats used by bats within the SSSI is a concern. Lighting associated with the development has the potential to disturb bat activity, harm roost sites and adversely impact habitat connectivity. The council is required to consider the potential impact of the development on bats, which are protected under European law.

No information has been submitted relating to the potential impact of the development on the SSSI, on the water quality of the adjacent lake, or on flood risk. Furthermore, the plans do not propose any precautionary measures or mitigation to manage and reduce the potential risks of harm to the SSSI and its wildlife, including as a result of flooding.

We object to the application due to the lack of information on its likely impact and as a result of its potential adverse impact on the nature conservation interest of the SSSI, SMINC and HMWT's Broadwater Lake Nature Reserve. We consider that the application is contrary to Policies EM3, EM6 and EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), and paragraphs 117 and 118 of the NPPF.

However, in the event that the council is minded to grant permission, we strongly advise the implementation of robust and enforceable conditions to manage any risks of flooding, pollution and other direct or indirect damage or degradation of the SSSI, SMINC and nature reserve as a result of the development.

We would recommend also:

- · Minimising the amount and intensity of exterior lighting and ensuring that it is downward facing and directed away from trees, hedgerows, water bodies or any other features which may be used by bats.
- · Landscaping associated with the scheme should comprise entirely native species suitable to the Colne Valley, and of local provenance where possible. Laurel is not a native species so should not be planted.
- · The quantity of hard standing should be reduced to minimise surface water runoff
- · Sustainable Drainage techniques should be used where appropriate to reduce runoff, capture sediment and pollutants, and help to improve water quality. Sustainable Drainage scheme should follow guidance in 'The SUDS Manual' (CIRIA, 2007 C697)

Advice should be sought from the Environment Agency in respect of flooding, water quality and associated ecological impacts. Natural England should be consulted due to the proximity of the SSSI.

Internal Consultees

CONSERVATION/URBAN DESIGN OFFICER:

Background:

This proposal lies just outside and opposite the Widewater Lock Conservation Area - a heritage asset. It is a very visible location and the immediate vicinity is characterised by its rural appearance of green openness, trees and the absence of any development. The significance of the Widewater Lock Conservation Area is derived from part of the 18th century Grand (Junction) Union Canal, distinctive features and buildings related to the canal network and the wider semi-rural waterscape and landscape setting of this part of the canal. The site is also located in the Green Belt and the Colne Valley SSSI. Any development will therefore not only have an effect on the significance and views of the conservation area, but also the general streetscene, Green Belt and SSSI

Comments:

I consider the proposal unacceptable in principle. Any development on this site would be detrimental to the character and appearance of the conservation area, because of the sites proximity. It would also be detrimental to the openness of the Green Belt. The proposed caravan structures as well as the associated (and necessary) residential paraphernalia associated with residential use would spoil the open semi-rural setting. Furthermore, the hardstanding and 'post and rail fence' would unacceptably dominate the area to the detriment of the character and appearance of the conservation area. For the same reasons, the proposal would appear ugly and incongruous within the streetscene and the Greenbelt. This would cause harm to the character and appearance of the Conservation Area.

Having regard to the National Planning Policy Framework I find for the above reasons that the harm is not outweighed by any public benefit. In addition, it does not meet the Framework's core principles; particularly that planning should be seeking to conserve heritage assets in a manner appropriate to their significance.

Conclusion:

Unacceptable. The proposal will not sustain the significance of the heritage asset or the Green Belt.

TREE AND LANDSCAPE OFFICER:

There are no Tree Preservation Orders covering the site and the site does not form part od a Conservation Area.

There are no significant trees or other vegetation of merit on the site in terms of Saved Policy BE38.

Screening has been shown on the plans but more detail is needed (species, size, numbers etc). This matter can be dealt with by condition.

Conclusion: Acceptable, subject to condition RES9.

HIGHWAY ENGINEER:

The development is for the change of use of existing agricultural land to allow a residential caravan site for the siting of one static and one touring caravan. As part of the proposals, two car parking spaces will be provided within the site for the use of residents. Access to the site will be provided from the adjacent highway via an existing private access road, which also serves an adjacent quarry.

When undertaking assessment of the proposals, it is noted that the Council does not have specific parking standards for this type of use. However, as the site will contain a static caravan, it is considered that the parking standards associated with a residential use, would be appropriate to be used in this instance. As a result, the provision of 2 car parking spaces is acceptable to serve the proposed static caravan. From considering the parking requirements associated with the touring caravan, it is noted that parking is not provided for towing vehicles. Nevertheless, due to the size of the site, it is clear that a towing vehicle can be accommodated within the site curtilage.

In addition, when reviewing access to the site, it is considered that there is adequate visibility provided along the adjacent highway, based on the speed limit along Moorhall Road.

Therefore, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012, (Part 2) and an objection is not raised in relation to the highway aspect of the proposals, provided that the following details are made conditional to any planning consent.

Three car parking spaces shall be provided within the boundary of the site, which shall be maintained and retained at all time for the use of residents. Each car parking space shall be a minimum of 4.8m long and 2.4m wide and constructed from a bound material.

The development site shall only be permitted to accommodate one static and one touring caravan. Any increase in the number of caravans, either static or mobile will first require the permission of the LPA.

SUSTAINABILTY OFFICER:

Given the scale and nature of the development, no objections are raised on sustainability or ecological grounds.

FLOOD AND WATER MANAGEMENT OFFICER:

The site appears to be in Flood Zone 3b and 2 but not Flood Zone 3.

To explain the reason for this.

Flood Zone 3b was established when the Council did our Strategic Flood Risk Assessment a few years ago. This shows the functional flood plain and so an area critical to allow flood water to flow. However since that time the Environment Agency have undertaken more modelling on the River Colne and this reduced the extents of Flood Zones. However we have not updated flood zone 3b which is why it appears that the site is in contradictory Flood Zones.

In terms of risk the site, I would consider that the site lies in Flood Zone 2 based on the fact that it represents the best available data:

Flood Zone 2 comprises land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% - 0.1%) or between a 1 in 200 and 1 in 1000 annual probability of sea flooding (0.5% - 0.1%) in any year.

PPS25 requires the Local Planning Authority (LPA) to demonstrate that they have applied a Sequential Test and ruled out alternative sites, that have less flood risk, on which the development could take place instead. The LPA must provide evidence for public record that they have considered alternative sites prior to allowing development on a site at risk of flooding.

LPAs must apply the Exception Test in addition to and once it has applied the Sequential Test , and in the circumstances set out in table D3 of PPS25. Where applicable, the Exception Test ensures that development is permitted in flood risk areas only in exceptional circumstances and when strict qualifying conditions have been met.

Highly Vulnerable Uses in Flood Zone 2 are only considered appropriate if the Exception test has been passed - Highly Vulnerable uses include:

Caravans, mobile homes and park homes intended for permanent residential use.

The Council are also aware of flooding issues along Moorhall Road restricting safe access.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

National Planning Policy Framework (NPPF) and Government's policy for traveller sites, March 2012

The NPPF advises that the purpose of the planning system is to contribute towards achieving sustainable development and that this has three dimensions, namely economic, social and environmental which are mutually dependent. It states that there is a presumption in favour of sustainable development, although it clarifies that planning law requires applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise and therefore the NPPF does not change the statutory status of the development plan which should be the starting point for decision making.

The application site is designated as forming part of the Green Belt in the Hillingdon Local Plan (November 2012). Paragraph 79 of the National Planning Policy Framework (March 2012) advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open so that the essential characteristics of Green Belts are their openness and permanence. Paragraph 87 goes on to advise that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 advises that "very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' At paragraph 89, the NPPF states that the construction of new buildings should be regarded as inappropriate, and then lists a number of specific exceptions to this general presumption, including buildings for agriculture and forestry; appropriate fascilities for outdoor sport and recreation and for cemeteries, providing the openness of the Greebn Belt is preserved; the extension or alteration of a building, providing that the addition(s) are not disproportionate to the original building; building replacement providing the new buuildiong is in the same use and not materially larger than the one it replaces; and limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan and limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land).

The Government also published in March 2012 alongside the NPPF, 'Planning policy for traveller sites'. This advises that the 'Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilities the traditional and nomadic way of life of travellers while respecting the interests of the settled community.'

To help to achieve this, the Government's aims in respect of traveller sites are stated at Paragraph 4. Among other matters, these are:

- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites,
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply, and
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.

Specifically in relation to Green Belts, at Paragraph 14, the guidance states that:-

'Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development.'

Paragraph 15 goes on to advise that Green Belt boundaries should only be altered in exceptional circumstances and that if the local planning authority wishes to make an exceptional limited alteration, to meet a specific, identified need for a traveller site, this should be done through the plan-making process and not in response to a planning application.

Paragraph 20 emphasises that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise and paragraph 21 highlights the need for applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and this guidance for traveller sites.

Paragraph 22 then lists the issues amongst other relevant matters that need to be considered when determining planning applications for traveller sites, namely:

- a) the existing level of local provision and need for sites,
- b) the availability (or lack) of alternative accommodation for the applicants,
- c) other personal circumstances of the applicant,
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites,
- e) that they should determine applications for sites from any travellers and not just those with local connections.

Paragraph 23 then goes on to advise that new traveller sites in open countryside away from existing settlements or outside areas allocated in the development plan should be strictly limited.

Further clarification of Government policy in relation to Traveller sites in the Green Belt was provided in a written Ministerial Statement, originally given at the House of Commons by Local Government Minister, Brandon Lewis MP on 1 July 2013, which reads:

'Our policy document, Planning policy for traveller sites, was issued in March 2012. It makes clear that both temporary and permanent traveller sites are inappropriate development in the green belt and that planning decisions should protect green belt land from such inappropriate development.

As set out in that document and in March 2012's National Planning Policy Framework, inappropriate development in the green belt should not be approved except in very special circumstances. Having considered recent planning decisions by councils and the Planning Inspectorate, it has become apparent that, in some cases, the green belt is not always being given the sufficient protection that was the explicit policy intent of ministers.

The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the 'very special circumstances' justifying inappropriate development in the green belt.

The Secretary of State wishes to give particular scrutiny to traveller site appeals in the green belt, so that he can consider the extent to which Planning policy for traveller sites is meeting this government's clear policy intentions. To this end he is hereby revising the appeals recovery criteria issued on 30 June 2008 and will consider for recovery appeals involving traveller sites in the green belt.

For the avoidance of doubt, this does not mean that all such appeals will be recovered, but that the Secretary of State will likely recover a number of appeals in order to test the relevant policies at national level. The Secretary of State will apply this criteria for a period of 6 months, after which it will be reviewed.'

The Government is also considering further revisions to both planning policy and practice guidance to strengthen Green Belt protection from both housing schemes and Traveller developments. That prospect emerged in a written Commons statement on the 17th January 2014 by the Local Government Minister Brandon Lewis. He told MPs: "We also want to consider the case for changes to the planning definition of 'travellers' to reflect whether it should only refer to those who actually travel and have a mobile or transitory lifestyle.

"We are open to representations on these matters and will be launching a consultation in due course."

He pointed out that the Coalition's planning policy was clear that "both temporary and permanent traveller sites are inappropriate development in the green belt and that planning decisions should protect green belt land from such inappropriate development".

He reminded Parliament that the Secretary of State's policy position on unmet need, whether for Traveller sites or for conventional housing, was that this was "unlikely to outweigh harm to the green belt and other harm" and would not constitute the "very special circumstances" justifying inappropriate development in the Green Belt.

The minister re-emphasised that point for both local planning authorities and planning inspectors as a material consideration in their planning decisions.

The minister said that for the past six months the Communities Secretary had been looking at the way policy was being applied on the ground by recovering more appeals

involving Traveller projects in Green Belt locations.

He said: "The Secretary of State remains concerned about the extent to which planning appeal decisions are meeting the Government's clear policy intentions, particularly as to whether sufficient weight is being given to the importance of green belt protection. Therefore, he intends to continue to consider for recovery appeals involving traveller sites in the green belt."

London Plan

Policy 7.16 of the London Plan relates to the Green Belt. Overall, the Mayor strongly supports the current extent of London's Green Belt, its extension in appropriate circumstances and its protection from inappropriate development.

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

The Plan refers to Gypsies and Travellers in the supporting text to Policy 3.8: Housing Choice. Paragraph 3.57 states that:

'The Mayor considers that boroughs are best placed to assess the needs of, and make provision for these groups whether through new pitch provision, protection or enhancement of existing pitches, or by other means. As in the rest of the country, they will be responsible for determining the right level of site provision in their areas and in consultation with local communities. They will set targets for provision based on robust evidence of local need. These targets, and the robustness of the evidence on which they are based, will be tested through the process of consultation on, and public examination of, local plans.'

Hillingdon Local Plan

Policy H3 of the Hillingdon Local Plan: Part One: Strategic Policies (November 2012) deals with Gypsy and Traveller pitch provision. This states:

'The Council will ensure that:

- a. The existing Colne Park site will be protected for its current use;
- b. Targets for additional pitch provision take account of need and the availability of suitable sites; and
- c. Proposals for sites to accommodate the specific needs of Travellers (Irish and Scottish), Gypsies, Roma, Sinti and Travelling Show People should:
- i) Be located on a site and in an area that is environmentally acceptable for residential occupation;
- ii) Have no significant adverse effects on the amenity of occupiers of adjoining land;
- iii) Have acceptable road and pedestrian access and be accessible to local services and public transport; and
- iv) Be consistent with other relevant Local Plan policies.'

Policy EM2 deals with the Green Belt and other open land. This states:

'The Council will seek to maintain the current extent, hierarchy and strategic functions of

the Green Belt, Metropolitan Open Land and Green Chains. Notwithstanding this, Green Chains will be reviewed for designation as Metropolitan Open Land in the Hillingdon Local Plan: Part 2- Site Specific Allocations LDD and in accordance with the London Plan policies.

Minor adjustments to Green Belt and Metropolitan Open Land will be undertaken in the Hillingdon Local Plan: Part 2- Site Specific Allocations LDD.

Any proposals for development in Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test.

Any proposals for development in Green Chains will be firmly resisted unless they maintain the positive contribution of the Green Chain in providing a visual and physical break in the built-up area; conserve and enhance the visual amenity and nature conservation value of the landscape; encourage appropriate public access and recreational facilities where they are compatible with the conservation value of the area, and retain the openness of the Green Chain.'

Retained UDP policies in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) generally endorse national and regional guidance. In particular, policy OL1 assesses appropriate uses in the Green Belt and policy OL4 assesses new buildings.

As made clear in ministerial advice, the development represents inappropriate development within the Green Belt. Therefore 'very special circumstances' would need to be demonstrated to justify the development.

Applicant's Case

The Design & Access Statement submitted with the application advises that a case of very special circumstances is detailed in the document and a following health report, but to date, no such health report has been received. The D & A Statement goes on to describe the personal circumstances of the applicant, stating that Mr S. Smith and family are members of the Gypsy Traveller community and they have Gypsy Status for planning purposes. It goes on to advise that:

'It is important that the Smith family have a stable place to live, so consistent health care can be maintained.

Both Mr Smith and his wife have close interdependent relationships with their families (many of which live close by) and it is seen as vital that they are able to live close to family (particularly parents) and continue to contribute to providing care and everyday assistance to the family'.

The D & A Statement goes on to advise that the visual impact of the development is minimal and there is screening around the site which improves during each growing season.

It goes on to consider policy and legislation, noting that the Government's Planning policy for traveller sites promotes more private traveller site provision and paragraph 23 of policy H makes it clear that it does not seek to exclude all new sites from the countryside, and this is a semi-rural location, with the backdrop of the existing aggregate extraction business with associated commercial activity.

The document then states that having regard to the Government's Planning policy for traveller sites - Impact assessment (March 2012), it is clear the new policy was prepared in the knowledge that nationally there remains a significant need for more sites. According to this document, the total number of Gypsy and traveller caravans counted in the biannual counts has gone up by 39% between 2000 and 2011 but over the same period, the percentage of caravans on authorised sites has only increased by 2%. There has been a 22% increase in caravans on authorised sites between 2006 - 2011 but there are still more caravans on unauthorised developments than when Circular 1/2006 came in.

The document therefore goes on to advise that the very special circumstances that are particularly relevent in this instance relate to health, unmet need for sites and the Gypsy Status of the family. Firstly, there is a lack of available sites in the area, secondly there is a lack of a five year supply of land for Gypsy site provision and thirdly, there is a need for the family to be able to access regular health care.

The document goes on to advise that there is a substantial unmet need for more pitches in the greater region as a whole and this needs to be given substantial weight, particularly as the current figures for unmet need are likely to be an underestimate. This lack of provision also has implications for Article 8 of the Human Rights Act. There also appears to be no Development Plan Document in place that covers Gypsy sites and there will not be any new plans or policy in place for some time.

The document also advises that if permanent permission is deemed to be unacceptable, temporary permission may be acceptable to the family.

Officer Consideration

The NPPF makes clear that sustainable development comprises social, economic and environmental dimensions and that these should not be pursued in isolation as they are 'mutually dependant'. By its nature, the development compromises the openness of the Green Belt and therefore the environmental dimension of sustainability. The site is also located within Flood Zone 2 and therefore not generally suitable for residential use (see Section below) and being sited away from other built development, would involve additional resources to access and service, which also compromises the social and economic dimensions. Such compromises are contrary to the spirit of mutual dependency and its environmental, social and economic impacts make the development inherently unsustainable and contrary to the definition of sustainable development contained in the NPPF.

The NPPF states that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. New residential uses and buildings within the Green Belt represent inappropriate development and therefore 'very special circumstances' need to be demonstrated.

The submitted Design & Access Statement advises that the applicant's case revolves around the issues of unmet need for sites, health and the Gypsy Status of the family.

As regards unmet need for additional sites, the information contained in the Design and Access Statement suggests that there is need for additional pitch provision at the national level, but little/no information has been submitted which relates to the local area. Having regard to the criteria in paragraph 22 of the NPPF, at a) the existing level of local provision and need for sites needs to be assessed.

In this regards, Hillingdon contains one authorised traveller site, Colne Park at Cricketfield Road, West Drayton, which provides 22 Gypsy and traveller site pitches. An initial assessment undertaken as part of an appeal on a site on Jacket Lane, Northwood (App. No. 57685/APP/2011/1450 refers) in October last year acknowledged that assessment of need was difficult, particularly predicting in-migration from other areas. However, Council records reveal that in the last 10 years, it only received the one proposal for an additional Gypsy and traveller pitch which was on that site. A number of unauthorised encampments have also been the subject of enforcement proceedings, but the Council does not consider these to be a reliable indicator of need. The assessment concluded that the Colne Park site would be likely to be capable of accommodating new demand for additional pitch provision. Although it does not currently have any vacant pitches, anticipated turnover rates at the site (5 pitches have become available over the last 5 years) and an assessment of likely new householder formation rates amongst the Gypsy/traveller community suggest that the site could accommodate likely demand, at least over the next 5 years. The Council will also be undertaking a full assessment of the need for Gypsy and traveller provision as part of the production of its Site Allocations document for the Local Plan.

As regards criterion b) the availability (or lack) of alternative accommodation for the applicants, the Council uses Locata Housing Services (LHS) to manage the letting of available vacancies on pitches and in bricks and mortar accommodation. Housing need is determined by assessing the current housing circumstances of the applicants. A priority 'band' is then allocated according to the urgency of the housing need. The applicant's housing needs would be assessed through this system to determine the level of priority and therefore the availability of suitable accommodation. However, as it appears that the applicant has not registereed with the Council as being in housing need, it has not been possible to assess the suitablility of alternative accommodation.

Notwithstanding the issues regarding unmet need, the Secretary of State has confirmed that unmet need, whether for Traveller sites or for conventional housing, was "unlikely to outweigh harm to the green belt and other harm" and would not constitute the "very special circumstances" justifying inappropriate development in the Green Belt.

As regards the other personal circumstances of the applicant (criterion c) of paragraph 22 of the NPPF), whilst the family's desire to live in the area is understandable in order to be close to other family members, particularly parents in order to provide everyday care and support, this does not amount to very special circumstances that would clearly outweigh the presumption against development in the Green Belt. On the contrary, these circumstances are not 'very special' or even 'special', but rather ordinary and commonplace and could be cited by many prospective families wishing to locate in the area. Furthermore, any arguements made concerning Article 8 of the Human Rights Act would not be supported, as this site is located within a flood zone and therefore its residential use presents a direct threat to its inhabitants. This is dealt with in Section below.

As regards criteria d) and e), the assessment of this site in terms of locally specific policy has been addressed in this and other sections of the officer's report and criterion e) is not directly applicable in this instance.

The residential use of the site involving the proposed siting of a static caravan within the centre of the site, the siting of a mobile caravan adjacent to the western boundary with associated parking spaces for two vehicles and hardstanding covering the entirety of the site, together with associated residential paraphenalia would give the site an urban

appearance, out of keeping with its rural location. Furthermore, additional works have been carried out in commection with the residential use, such as 1.8 - 2.0m high close boarded fencing has been erected along two boundaries of the field which has detracted from the openness of the site and added to its urban appearance.

The development therefore represents inappropriate development, the retention of which is harmful by definition, to the Green Belt contrary to the NPPF (March 2012), Planning policy for traveller sites (March 2012), Policy 7.16 of the London Plan (July 2011), Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

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

The western boundary of the Widewater Lock Conservation Area lies adjacent to the site, on the opposite side of the access road.

The development has introduced a residential use and involve caravans being sited on the fringe of the conservation area, where previously there was an open paddock. The Council's Conservation and Urban Design Officer advises that the development, due to its proximity to the conservation area, is detrimental to its character and appearance which is derived its rural location, surrounded by open fields, lakes and trees and the 18th century Grand Union Canal with its distinctive features and buildings. The proposed caravan structures as well as the associated (and necessary) residential paraphernalia associated with the residential use would spoil the open semi-rural setting. Furthermore, the hardstanding and 'post and rail fence' would unacceptably dominate the area to the detriment of the character and appearance of the conservation area.

The development is therefore contrary to the NPPF, Policy 7.8 of the London Plan and Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (Novembeer 2012).

7.04 Airport safeguarding

There are no airport safeguarding concerns raised by this application.

7.05 Impact on the green belt

This is considered in Section 7.01 above.

7.07 Impact on the character & appearance of the area

This is considered in Section 7.01 above.

7.08 Impact on neighbours

The nearest residential property to the application site is Lock Cottage, sited some 35m to the east of the application site on the opposite side of the access road. Having regard to the nature and scale of the development and the existing use made of the access road which also serves a sand and gravel works, the residential use of the site and associated building works are not considered to be harmful to the residential amenities of the occupiers of this or any other residential property, by reason of overshadowing, dominance, loss of privacy, noise generation and/or general disturbance. The development therefore complies with Policies BE20, BE21, BE24 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP POlicies (November 2012).

7.09 Living conditions for future occupiers

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

The area around the static and mobile caravans would provide adequate amenity space for the occupiers of the site.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal shows two parking spaces on site. The Council's Highway Engineer advises that the access to the site is acceptable, but that in view of the need to provide space for a towing vehicle, three spaces would be needed to serve the static and mobile caravans. However, given the size of the site, additional space could be provided and therefore no objections are raised, subject to conditions. The development is considered to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

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

7.12 Disabled access

Not applicable to this development.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided wherever it is appropriate.

The Council's Tree/Landscaping Officer advises that there are no significant trees or other vegetation of merit on the site. Although screen planting has been shown on the plans, more detail is needed such as species, size, number etc. This could have been conditioned had the application been recommended favourably.

Policies EC1 and EC3 of the Hillingdon Local Plan safeguards designated ecology sites and advises that if development is proposed on or near such sites, an ecological assessment may be required to demonstrate that the development would not have unacceptable ecological effects.

Notwithstanding the possible impact of the water treatment plant on water quality, which forms a reason for refusal, given the scale and nature of the development, it is considered that the development would be unlikely to have a detrimental impact on the ecology of these sites, or have any implications for protected species in the area.

7.15 Sustainable waste management

An area adjacent to the entrance of the sited has been shown as providing storage space for waste and recycling, the details of which could have been conditioned had the application not of been recommended for refusal.

7.16 Renewable energy / Sustainability

The Council's Sustainability Officer advises that given the scale and nature of the development, no objections are raised on renewal energy/ sustainability grounds.

7.17 Flooding or Drainage Issues

The Council's Flood and Water Management Officer provides an explanation as to why the site has 2 contradictory zonings in terms of its flood risk and then goes on to advise that it should be considered to lie within Flood Zone 2 as this is based upon more up-to-date and accurate data.

The NPPF (March 2012) advises that inappropriate development in areas at risk of flooding (Flood Zones 2 and 3 and those parts of Zone 1 which have critical drainage

problems) should be avoided by directing development away from areas at highest risk. It goes on to advise that a sequential approach should be used in areas known to be at risk of flooding and that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding and that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas of a lower probability of flooding. It specifies that a flood risk assessment is required for all new development in Flood Zones 2 and 3.

Technical Guidance to the National Planning Policy Framework (March 2012) identifies caravans, mobile homes and park homes intended for permanent residential use are highly vulnerable uses within Flood Zone 2 and proposals for a change of use, the Sequential and Exception Test should be applied.

The application has not been accompanied by a Flood Risk Assessment which would need to apply the Sequential and Exception Tests. Indeed, having regard to the nature of the proposed development and location of the site, it is difficult to envisage any circumstances in which the proposal could satisfy these tests. On this basis, the Environment Agency and the Council's Flood and Water Management Officer advise that the flooding risks associated with the development are unknown and object to the scheme.

This is also a Source Protection Zone (SPZ)1 and a groundwater abstraction point is located nearby. The Environment Agency also raise objection to the scheme on the basis of the inclusion of a water treatment plant. They advise that an additional discharge to ground from a non-mains drainage system could cause pollution to the water supply and given that groundwater is shallow in this area, a discharge to ground may be ineffective.

In the absense of a drainage risk assessment, the potential risks of pollution can not be assesseed and the scheme fails to comply with the NPPF, Policy 5.14 of the London Plan (July 2011) and Policy EM1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

7.18 Noise or Air Quality Issues

The proposal does not give rise to any concerns relating to noise or air quality.

7.19 Comments on Public Consultations

As regards the points raised to public consultation, points (i), (ii), (v), (viii) - (x), (xii), (xiii) - (xvi), (xix) - (xxi) have been dealt with in the officer's report. Points (iii), (iv), (xxii), (xxvii) and (xxviii) are noted. As regards point (vi), the lighting from the residential use of the outbuilding and external lighting is typical of a residential plot and is not unduly detrimental on the amenities of surrounding properties as to warrant a separate reason for refusal. As regards point (xi) the close boarded fencing around the wider site is to be considered in a separate enforcement report. Point (xvii) represents speculation and a commercial use of the site is not being proposed as part of this application. Points (xviii) and (xxv) do not raise a material planning concern. As regards point (xxiv), it is considered that the site is adequately separated from the Grade II listed Lock Cottage so that its setting would not be advesely affected.

The relevant planning issues raised have been dealt with in the officer's report.

7.20 Planning Obligations

Not applicable to this development.

7.21 Expediency of enforcement action

A further report which considers the expediency of taking enforcement action on this site

will be presented to this committee.

7.22 Other Issues

The application site is located within an area that has been safeguarded by High Speed Two Ltd. They advise that access to the application site is from a road HS2 has identified as potentially being needed during construction and wetland habitat is intended to be created to the north of the application site. However, they advise that the two developments can coexist alongside each other, and on this basis, they do not object to the application, although they do advise of the need for an informative, advising the applicant that the site may be compulsory purchased in the future, which has been attached.

8. Observations of the Borough Solicitor

Genera

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**

10. CONCLUSION

The site forms part of the Green Belt. The development represents inappropriate development and no compelling reasons have been put forward or are evident to suggest that 'very special circumstances' exist to outweigh Green Belt policy.

The use and associated structures are also detrimental to the character and appearance of the adjoining Widewater Lock Conservation Area.

Furthermore, the site lies within Flood Zone 2 where the siting of caravans, mobile homes and park homes intended for permanent residential use represents a highly vulnerable use. A Flood Risk Assessment as required by the NPPF has not been submitted with the application and the development does not meet the Sequential and Exceptions Tests. The Environment Agency and the Council's Flood and Water Management Officer therefore raise objection to the development. The Environment Agency have also lodged an objection on the grounds of the inclusion of a water treatment plant within this sensitive area forming part of a Source Protection Zone (SPZ)1.

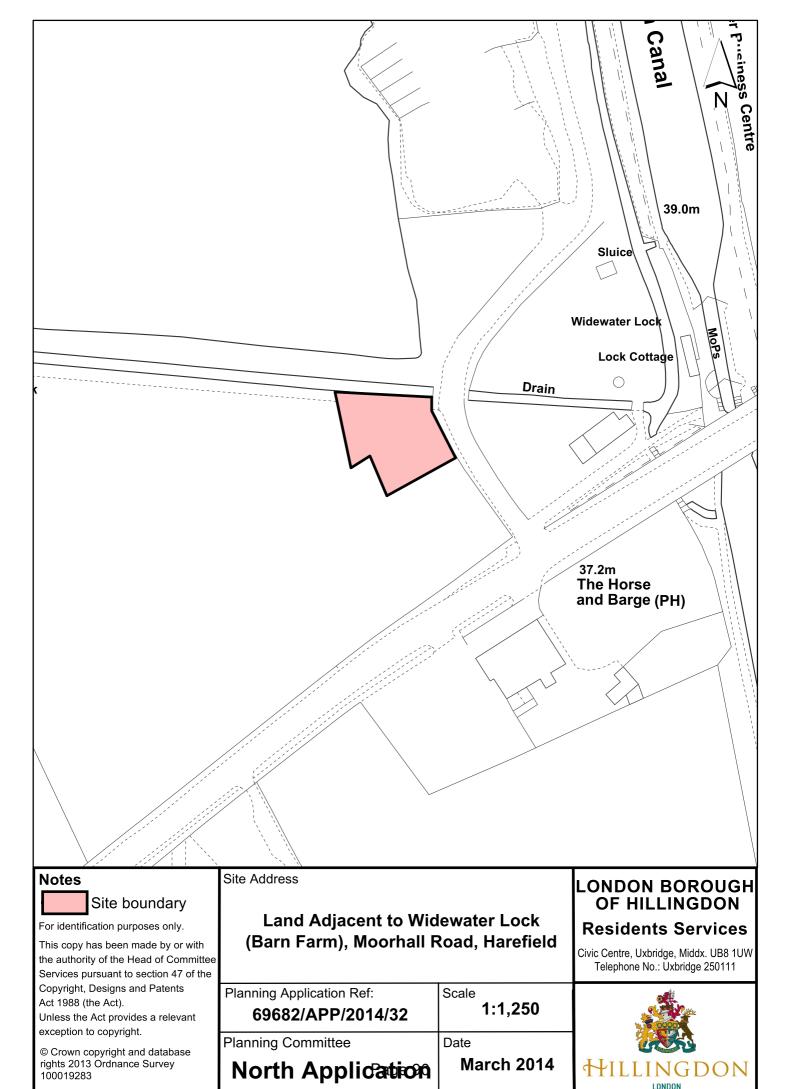
The application is recommended for refusal.

11. **Reference Documents**

NPPF (March 2012) Planning policy for traveller sites (March 2012) Technical Guidance for NPPF (March 2012) National Planning Practice Guidance (March 2014) London Plan (July 2011) Hillingdon Local Plan (November 2012) HDAS: Residential Layouts & Accessible Hillingdon

Consultation responses

Contact Officer: Richard Phillips **Telephone No:** 01895 250230



Agenda Item 11

Report of the Head of Planning, Sport and Green Spaces

Address 37 MOOR PARK ROAD NORTHWOOD

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

associated parking and amenity space, installation of vehicular crossover to front, installation of fence to front involving demolition of existing dwelling

(Resubmission)

LBH Ref Nos: 4581/APP/2013/3765

Drawing Nos: P12b

P13b P11a P15a

Design and Access Statement

Drainage Statement

Tree Survey 5377/01A P06 P07

Date Plans Received: 17/12/2013 Date(s) of Amendment(s): 17/12/2013

Date Application Valid: 17/12/2013

1. SUMMARY

The application proposes to demolish the existing house and to erect two, two-storey houses with habitable accommodation in the roof space, together with a single garage and two parking spaces as well as installation of a new vehicular crossover.

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

2. RECOMMENDATION

- a) That the Council enters into a legal agreement with the applicant under Section 106 of the 1990 Town & Country Planning Act (as amended) or other appropriate legislation to secure:
- i) Educational facilties contribution of £12,796.
- b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal agreement and any abortive work as a result of the agreement not being completed.
- c) That planning officers be authorised to negotiate and agree details of the legal agreement.

d) If the Legal Agreement has not been finalised before before the 31st May 2014, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of capacity enhancements in educational facilities). The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations SPG.

- e) 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 agreement.
- f) That if the application is approved, the following conditions be attached:

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 P11a, P12a, P13a, P15a, Design and Access Statement, Drainage Statement, Tree Survey, 5377/01A, P06, P07.

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 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of windows and doors 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).

4 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Amenity space (Plan No.P11a) Parking (Plan No.P11a) Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that the development complies with the objectives of Policies AM14 and AM23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 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.

REASON

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

6 HO6 Obscure Glazing

The first floor side windows and the side windows in the roofspace of Plot 2 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.

RFASON

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

7 RES8 Tree Protection

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

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

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

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

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

REASON

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

8 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: -

- 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.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts
- 2.e Hard Surfacing Materials, inlcuding hard surfacing to the front of the dwellings
- 2.f External Lighting
- 6. Other
- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 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).

9 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first

planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

10 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)

11 RES18 Lifetime Homes/Wheelchair Units

The development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

REASON

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

12 RES24 Secured by Design

The dwellings 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.

13 RES16 Code for Sustainable Homes

The dwellings 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

14 RES15 Sustainable Water Management (changed from SUDS)

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

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

ii. include a timetable for its implementation; and

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

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

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

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

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

REASON

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

15 COM6 Levels

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

REASON

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

16 NONSC Non Standard Condition

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

REASON:

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

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

18 RES20 Traffic Arrangements - submission of details

Development shall not begin until details of the proposed cross over, including position, design, surfacing and dimensions have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate offstreet parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

INFORMATIVES

1 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.

2 I52 Compulsory Informative (1)

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

3 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.

AM7 AM13 Consideration of traffic generated by proposed developments. AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -

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| | (i) Dial-a-ride and mobility bus services(ii) Shopmobility schemes(iii) Convenient parking spaces(iv) Design of road, footway, parking and pedestrian and street |
|----------|---|
| | furniture schemes |
| AM14 | New development and car parking standards. |
| 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. |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| R16 | Accessibility for elderly people, people with disabilities, women and |
| | children |
| H4 | Mix of housing units |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.1 | (2011) Ensuring equal life chances for all |
| LPP 3.3 | (2011) Increasing housing supply |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 3.8 | (2011) Housing Choice |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.7 | (2011) Renewable energy |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 7.4 | (2011) Local character |
| PO-EDU | Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010 |

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 | 12 | Encroachment

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

6 I3 Building Regulations - Demolition and Building Works

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

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 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.

10 I23 Works affecting the Public Highway - Vehicle Crossover

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

11 J47 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).

12

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 £17,360.00 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south western side of Moor Park Road, on the corner with Hill Road and contained within the site is a large detached property with single and two storey elements to the building on a substantial plot. To the south of the site is Elmside, Hill Road, while another detached property, curtilage of No.39 abuts the site on the western side and Hill Road on the eastern side. The area is relatively flat.

The application site is within an established residential area. Moor park Road comprises large detached properties with a variety of designs. The site is within the 'Dene Road Area of Special Local Character' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is also covered by TPO 90.

3.2 Proposed Scheme

The application proposes to demolish the existing house and erect two, two-storey houses with habitable accommodation in the roof space to provide 5 bedroom houses, together with a single attached garage and two parking spaces to the front, landscaping,

installation of vehicular crossover and bin and recycling store.

The proposed buildings would be approximately:

Plot 1: 12.45m wide, 18m deep and 8.50m high. Plot 1 would provide approximately 372sq.m of internal floor area and some 452sq.m of amenity space. The existing garage to the bottom of the garden would be refurbished and retained.

Plot 2: 15.90m wide, 15m deep and 8.50m high. Plot 2 would provide 412sq.m of internal floor area and some 368sq.m of amenity space.

The building would have a hipped roof with a small crown roof and a catslide roof over the single storey garage joining the main roof of the house. There would be two, two storey forward projecting hip ended element to the front of the property and would be set down from the main ridge of the house by 0.95m for plot 2 and 1.30m for plot 1. This design feature would also be reflected to the rear of the property with a single storey rear extension and rear dormer windows. Plot 2 has a front dormer window.

Each building would maintain a minimum 1m distance from the side boundaries. Plot 1 would maintain a minimum 9.50m from the boundary along Hill Road. The buildings would be set back from the highway by a minimum 15m and approximately in line with the building line of the adjacent properties. Parking is shown for one car to the front and an integral single garage would be provided. The existing crossover would be reinstated and a new crossover provided in front of Plot 1 would be provided to access both properties.

The elevations of the building would comprise white render and the roof would be of clay tiles. A 1m high pallisade fence would be erected along the front boundary and 1.8m close boarded fence surrounding the rear gardens.

Revised plans were submitted increasing the width of the garages to 3m wide, showing visibility splays and lifetime homes standard were revised.

3.3 Relevant Planning History

4581/A/82/1662 37 Moor Park Road Northwood

Tree application (P)

Decision: 12-01-1983 Approved

4581/APP/2013/2765 37 Moor Park Road Northwood

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

Decision: 03-12-2013 Withdrawn

4581/B/88/1992 37 Moor Park Road Northwood

To carry out tree surgery to G5 on TPO 90.

Decision: 29-09-1988 Approved

4581/TRE/2000/124 37 Moor Park Road Northwood

TO FELL ONE LAWSON CYPRESS (T102) ON TPO 90

Decision: 15-11-2000 Approved

4581/TRE/2001/146 37 Moor Park Road Northwood

TO FELL THE MONTEREY CYPRESS TREES IN GROUP G5 ON TPO 90

Decision: 14-03-2002 Approved

4581/TRE/2005/90 Land East Of Hill Road/Adjacent To 37 Moor Park Road Northwood

TO CARRY OUT TREE SURGERY TO ONE BEECH (T4) AND ONE ASH (IN GROUP G1) ON

TPO 366

Decision: 18-11-2005 Approved

4581/TRE/2006/106 37 Moor Park Road Northwood

TO FELL ONE LAWSON'S CYPRESS (T107) ON TPO NO. 90

Decision: 05-01-2007 Approved

4581/TRE/2008/47 37 Moor Park Road Northwood

To fell one cedar tree (T105)

Decision: 01-07-2008 Withdrawn

4581/TRE/2008/51 37 Moor Park Road Northwood

To fell one Cedar tree (T105) on Tree Preservation Order 90

Decision: 03-02-2009 Approved

Comment on Relevant Planning History

4581/APP/2013/2765 - 3 x two storey, 5-bed, detached dwellings with habitable roofspace, with associated parking and amenity space, installation of vehicular crossover to front, installation of fence to front involving demolition of existing dwelling. Withdrawn.

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

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Part 2 Policies:

| AM7 | Consideration of traffic generated by proposed developments. |
|----------|--|
| AM13 | AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes |
| AM14 | (iv) Design of road, footway, parking and pedestrian and street furniture schemes 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. |
| DLZZ | Residential extensions/buildings of two of 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. |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| R16 | Accessibility for elderly people, people with disabilities, women and children |
| H4 | Mix of housing units |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.1 | (2011) Ensuring equal life chances for all |
| LPP 3.3 | (2011) Increasing housing supply |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 3.8 | (2011) Housing Choice |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.7 | (2011) Renewable energy |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 7.4 | (2011) Local character |
| PO-EDU | Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010 |

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

14 neighbouring properties have been consulted on 20 December 2013 and a site notice was also displayed on 2 January 2014. Five letters were received with the following objections summarised below:

- 1. Overbearing to No.37: Plot 2 is in fact bigger than Plot 1 and therefore no account has been taken of its overbearing impact;
- 2. Loss of daylight and sunlight; particularly to No.39's side window serving a living room and also the window serving bathroom and utility room.
- 3. Loss of privacy;
- 4. The use of single entry shared drive is not in keeping with that of adjacent properties in Moor Park Road;
- 5. Additional trees on the boundary between No.37 and Elmside, Hill Road may adversely affect the paths, drains and buildings on my property;
- 6. There is a mature hedgerow full of wildlife on the current boundary between 37 Moor Park Road and 'Elmside', Hill Road. It provides a natural screen between the development and my property. It seems a pity that the existing hedgerow will be lost.
- 7. Drainage surface water disposal item 12 on the Application for Planning permission form indicates x against soakaway but conflicts with the Drainage statement item 4.2 where it states 'the underlying geology of the area is predominately clay and precludes the use of soakaways';
- 8. No building vehicles allowed to use Hill Road at any time;
- 9. I consider these houses to be an attractive development, but they seem rather too large for the overall plot. Why could the current house not be developed and an additional house be built alongside?
- 10. It appears that the window to the utility room and/or the dining room window of Plot 2 may overlook our side window serving our living room and this will infringe our privacy in breach of BE24.
- 11. The proposed development infringes the 45 degree principle and would breach the side window serving the living room at No.39.

Northwood Residents Association:

Northwood Residents' Association objects to this application because of the loss of a large number of trees which are proposed to be felled contrary to Policy BE38.

Internal Consultees

Conservation and Urban Design:

I have looked at the application drawings and have no objection to the scheme in principle. Materials for the external finishes for the buildings should be conditioned as should elements such as windows and doors. We should also condition the treatment of the frontage parking areas, to ensure that the materials used for the hard surfacing retain the character of the street and that appropriate planting is introduced to maintain the "green" appearance of the road. Boundary treatments should also be conditioned.

Otherwise no objections.

Trees and Landscape:

Tree Preservation Order (TPO) / Conservation Area: This site is covered by TPO 90 and, partly, by TPO 366.

Significant trees / other vegetation of merit in terms of Saved Policy BE38: The most obvious feature at this location is the linear group of mature, protected trees to the eastern side of the site. A previous application proposed 3 new dwellings which may have put future pressure on some of the trees to be removed; that application was withdrawn. This current application proposes 2

dwellings and this should not put undue pressure on the nearby trees. The submitted tree report provides an adequate level of protection for these trees and they can be successfully retained (as part of the demolition and re-building process).

Scope for new planting (yes/no): Further details of soft and hard landscaping should be provided and should strengthen the existing front boundary screening and replace removed protected trees (where possible). This matter can be dealt with by condition.

Recommendations: As above.

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

Access Observations:

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The current dwelling occupies a plot of around 1868sqm on the southern side of Moor Park Road, and is occupied by a circa 1920/30s dwellinghouse. The proposal, which sets out to erect two, five bedroom detached properties, is said to have been designed to accord withthe Lifetime Home Standards. However a condition is required to ensure that the design is compliant, in addition a further condition is required relating to level access:

'Level access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2010 (2004 edition, incorporating 2010/13 amendments), and shall be retained in perpetuity.

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

Highways:

Garage internal width needs to be 3.0 m minimum. Only two parking spaces per dwelling ought to be shown on plans.

New cross over does not show splays either side where it meets the carriageway. This will need to be resolved, details should submitted to and checked by the Council. Subject to conditions to ensure the visibility splays and cross overs are adequate, no objections would be raised on highway grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is not located in a conservation area and the building is not listed. There are no policies which prevent the demolition of the existing building, in principle.

7.02 Density of the proposed development

The London Plan 2011 requires that new housing within a suburban setting and a PTAL score of 1a to generally be in the range of 150-200 habitable rooms per hectare (hr/ha) and 35-55 units per hectare (u/ha). The residential density of the proposed development equates to 111.11 hr/ha and 11.11 u/ha. As such, the proposed scheme is consistent within the London Plan Density matrix guidelines. However, density is only one consideration and the proposal needs to comply with other Council and London Plan policies and standards.

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

The site is located within an Area of Special Local Character and there is no objection in principle to houses on the site subject to the proposal satisfying other policies in the plan and supplementary planning documents.

Local Plan Policies BE13 and BE15 resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The street scene is characterised by large detached properties individually designed. The proposed houses would be well designed, rectangular in shape with a small crown roof. It is proposed that the buildings would follow the existing front building line of the adjacent properties and it would retain a large front garden which, despite the provision of parking on the frontage, would still entail a considerable level of soft landscaping. This would ensure that the buildings would integrate well into its surroundings and that the front garden would not have the appearance of a car park.

Moor Park Road consists of large properties in spacious surroundings. This proposal results in a building which is sited a minimum 15m back from the front boundary, on a similar building line as the adjoining properties and in fact further back than the existing property. The proposed building would also be set in from the side boundaries by a minimum of 1m and approximately 9.50m from Hill Road retaining the open character of the corner site and the spacious nature of the setting of the properties in Moor Park Road. The siting of the property and its overall footprint is thus considered to be in character with the existing character of the road.

Moor Park Road comprises of, in the main large detached properties, of varying designs. It does not have a homogenous character and thus the provision of a modern building designed in a traditional style, with a crown roof, would not in itself be alien to the street.

Overall, it is considered that the proposed development, in terms of its siting, size, scale, bulk and design would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

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

See section 7.03.

7.08 Impact on neighbours

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 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

In relation to the adjoining properties, No. 39 has secondary windows in the side elevation. These windows serve a living/dining room and utility room on ground floor and ensuite on

first floor. The proposed house on plot 2 is set 1m from the adjoining boundary with No.39, however this distance would be measured to the single storey side garage with a catslide roof sloping away from No.39. It is considered the proposal would not result in overshadowing adjoining properties or loss of light.

The application complies with the Council's 45 degree angle in terms of habitable room windows on the rear elevation of both adjoining properties, due to the changes made to the size of the building. As a result it is considered that the proposal would not impede upon the daylight serving these properties or result in loss of outlook. The building would be a sufficient distance from the side boundary and the neighbouring properties to not result in an overbearing impact. The first floor rear windows and dormer windows would not directly overlook the neighbouring properties and their gardens anymore than the existing rear windows, as the rear elevation would be approximately 18m to the rear boundary and even more to the neighbours nearest windows. The first floor side windows serving en-suites can be conditioned to be obscure glazed and fixed shut below 1.8m to prevent any unacceptable overlooking to the neighbouring properties. The first floor side window serving a bedroom in Plot 1 would look out on to Hill Road and not directly overlook any neighbouring properties. The roof space would have rooflights on the side elevation, however due to the angle of these windows, they would not directly overlook the adjacent properties. Furthermore, the study windows in the roof space, due to their angle would have oblique views of the roof of Plot 2. The roof lights in the side elevation of plot 2 are secondary windows serving bedrooms and could be conditioned to be obscure glazed and fixed shut to prevent any overlooking.

As a result it is considered that the proposal would not be harmful to the amenity of nearby residents through loss of privacy, loss of light and overbearing impact. It would be in compliance with Policies BE20, BE21, and BE24 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) in this respect.

7.09 Living conditions for future occupiers

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

The London Plan's Housing SPG, November 2012 sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. Annex 4 requires a 3 storey, 5 bedroom, 10 person dwelling, to have a minimum size of 115 sq.m. The proposed new dwellings would be approximately 372sq.m for Plot 1 and 412sq.m for Plot 2 and would comply with the required standard resulting in a satisfactory residential environment for future occupiers, in compliance with The London Plan, Housing SPG, November 2012 and Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The minimum level of amenity space required for a five bedroom house is 100sq.m of amenity space to meet the standard. The scheme provides some 452sq.m for Plot 1 and 368sq.m for Plot 2 and would thus far exceed these standards.

The proposed bedrooms would have windows that face the front and rear of the property

and would therefore not be overlooked by adjoining properties.

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

7.10 Traffic impact, car/cycle parking, pedestrian safety

The application proposes a garage space and a parking space to the front of the property while retaining landscaping in the front garden. Two parking spaces per dwelling would be sufficient and would comply with parking standards in terms of their dimensions. Revised plans were submitting showing visibility splays to the proposed crossover, therefore, no objection is raised in this regard. In addition at least 25% of landscaping would be retained. The garages would provide sufficent space for cycle storage. The details of the landscaping, visibility splays and car parking layout will be conditioned.

7.11 Urban design, access and security

URBAN DESIGN

The design of the new building would be in a traditional style to reflect the design of existing buildings in the surrounding area. Individuality has been provided for with each plot being different. Taking into consideration the similar large size and design of houses in the street, there would be no objection from a design point of view. Furthermore, the crown roof would be acceptable in this instance due to its small size and it has been allowed in other schemes on the street. The proportions of the windows, dormers and the roof are considered acceptable.

SECURITY

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

7.12 Disabled access

London Plan Policy 3.8 and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon require all new housing to be built to Lifetime Homes standards. Given the space available within the houses, this can be secured by means of a condition. In addition, revised plans were submitted addressing the Access Officer's comments. The Access Officer has recommended a condition which requires level access into the building and this is incorporated.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The site is covered by TPO 90 and partly by TPO 366. The submitted tree report provides an adequate level of protection for these trees and they can be successfully retained (as part of the demolition and re-building process). Further details of soft and hard landscaping should be provided and should strengthen the existing front boundary screening and replace removed protected trees (where possible). This matter can be dealt with by condition. No objection has been raised by the Trees and Landscaping Officer, subject to Conditions RES9 (1, 2, 6) and RES10.

It is considered that the proposal would comply with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), subject to appropriate conditions being imposed.

7.15 Sustainable waste management

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and

specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. No details have been provided with regard to this issue, however it is considered this could be dealt with by a suitable condition.

7.16 Renewable energy / Sustainability

The redevelopment of the site allows the opportunity to significantly improve the energy efficiency of the property and accordingly reduce energy demand and CO2 emissions. The Design & Access Statement states there is scope for solar panels on the roof slope or air sourced heat pumps. A condition requiring that the development meets Level 4 of the Code for Sustainable Homes is recommended.

7.17 Flooding or Drainage Issues

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding. The Drainage Statement states surface water will be controlled and underground tanks will comply with national standards. The Flood and Water Management Officer has reviewed the Drainage Statement submitted and is satisfied subject to conditions.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concerns raised over loss of privacy, loss of sunlight, overbearing, tree issues and drainage are considered in the main body of the report.

7.20 Planning Obligations

Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The proposed scheme has more than six habitable rooms and would result in a requirement for an education contribution of £12,796 if the application is recommended for approval. The applicant has agreed to pay this financial contribution.

Community Infrastructure Levy:

The proposed scheme represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £17,360.00.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the

Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

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

11. Reference Documents

Hillingdon Local Plan (November 2012)

London Plan (July 2011)

National Planning Policy Framework

HDAS: Residential Layouts

Supplementary Planning Guidance - Community Safety by Design

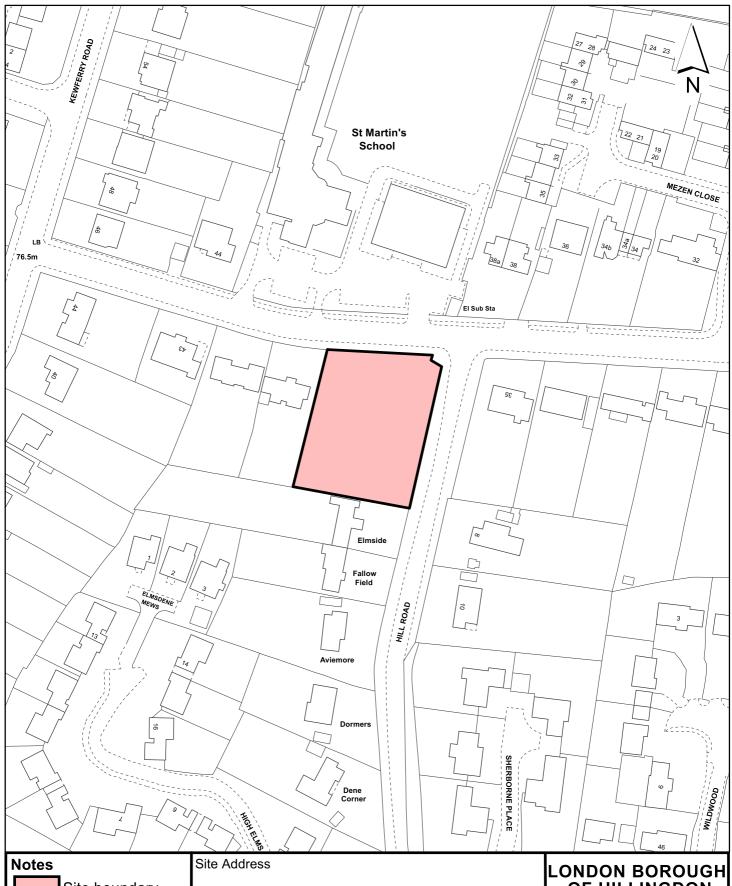
Supplementary Planning Guidance - Noise Supplementary Planning Guidance - Air Quality

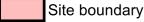
HDAS: Accessible Hillingdon

Hillingdon Planning Obligations Supplementary Planning Document July(2008) and

updated chapter 4 Education (August 2010).

Contact Officer: Mandeep Chaggar Telephone No: 01895 250230





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37 Moor Park Road Northwood

Planning Application Ref:

4581/APP/2013/3765

Scale

້ 1:1,250

Planning Committee

North Application

Date

March 2014

LONDON BOROUGH OF HILLINGDON Residents Services

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



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Agenda Item 12

Report of the Head of Planning, Sport and Green Spaces

Address LAND REAR OF 81-93 HILLIARD ROAD NORTHWOOD

Development: 2 x two storey, 3- bed detached dwellings with associated parking and

amenity space, involving demolition of existing material shed, office building

and material storage shelter.

LBH Ref Nos: 64786/APP/2013/1434

Drawing Nos: 5069/01

1158/P2/1A 1158/P2/2 1158/P2/3 1158/P2/4 1158/P2/5 1158/P2/6 1158/P2/7 1158/P2/8

Renewable Energy Assessment and Statement

Design and Access Statement

Photographs x 15

Date Plans Received: 31/05/2013 Date(s) of Amendment(s): 31/05/2013

Date Application Valid: 06/06/2013

1. SUMMARY

This scheme proposes to erect 2 x two storey, 3- bed detached dwellings with associated parking and amenity space.

It is considered that the proposed development provides good quality accommodation, whilst harmonising with the Old Northwood Area of Special Local Character and does not unduly detract from the amenities of the surrounding residential occupiers.

2. RECOMMENDATION

- 2.1 That delegated powers be given to the Head of Planning, Culture and Green Spaces 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 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, Culture and Green Spaces then delegated authority be granted to the Head of Planning, Culture and Green Spaces 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), the Council's Planning Obligations SPD.'

- 2.5 That subject to the above, the application be deferred for determination by the Head of Planning, Culture 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.
- 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 5069/01, 1158/P2/1A, 1158/P2/2, 1158/P2/3, 1158/P2/4, 1158/P2/5, 1158/P2/6, 1158/P2/7, 1158/P2/8, Renewable Energy Assessment and Statement, Design and Access Statement & Photographs x 15 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 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 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 Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Hard Surfacing Materials
- 2.e External Lighting
- 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

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)

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

6 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.

7 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.

8 RES18 Lifetime Homes/Wheelchair Units

No development shall take place until a scheme showing all residential units within the development being built in accordance with 'Lifetime Homes' Standards, has been submitted to an approved in writing by the Local Planning Authority.

Thereafter, the scheme shall be completed and maintained in strict accordance with the approved plans for the lifetime of the development.

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

9 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the

parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan. (July 2011).

10 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.

11 RES26 Contaminated Land

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

12 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).

13 NONSC Non Standard Condition

Notwithstanding the plans hereby approved, each of the dwellings shall be fitted with an external electrical socket or electric vehicle charging point prior to its occupation.

REASON

To ensure that the development provides facilities for the charging of electric vehicles in accordance with Policies 5.8 (Innovative energy Technologies) and 6.13 (Parking) of the London Plan (July 2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

| BE5 | New development within areas of special local character |
|------|--|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of |

| | new planting and landscaping in development proposals. |
|----------|--|
| H4 | Mix of housing units |
| AM14 | New development and car parking standards. |
| AM7 | Consideration of traffic generated by proposed developments. |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, |
| | Supplementary Planning Document, adopted July 2006 |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.13 | (2011) Sustainable drainage |
| 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 Neighbourly Consideration - include on all residential exts

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).

5 I47 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).

6 I15 Control of Environmental Nuisance from Construction Work

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

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

7 I21 Street Naming and Numbering

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a 0.0653 hectares (653m²) rectangular shaped site located on the north-western side of Hilliard Road at the rear of Nos.81 to 93. The site abuts the rear boundaries (gardens) of Nos. 81 to 90 Hilliard Road to the east, rear boundaries of Nos. 58 to 68 High Road (predominantly commercial with 1st floor residential accommodation), the rear/side boundary of 79 Hilliard Road to the southwest and the rear/side boundary of Woodlodge Montessori School to the north.

The site is currently used as a builder's yard. There are various buildings on the site, predominantly single-storey, comprising office, workshop garage and covered storage. The site is infrequently used with some of its structures in a poor state of repair. Access to the site is via a 2.5m gap driveway between Nos.83 and 85.

Hilliard Road is characterised by a mixture of semi-detached and terraced houses. Nos.81 and 83 are semi-detached houses while Nos.85 to 93 are terraced houses. The road is in the Old Northwood Area of Special Local Character and lies within the 'developed area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposed development comprises 2 x two storey, 3- bed detached dwellings with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

Plot 1 and 2 would both comprise a two-storey detached property with a traditional barn hipped roof profile, measuring 7.178m and 6.650m high respectively, 9m wide and 7.2m deep. The front elevations of the properties would include a front dormer roof addition, a ground to ceiling height window, chimney features and a porch. On the rear elevation three dormer roof additions are proposed and bi-fold doors at ground floor level. The property would be finished in white render and soft stock brickwork.

The total internal floor area would be 108 square metres. The amenity space would be between 98 and 100 square metres.

Four parking spaces are provided on a communal harstanding area in front of the properties.

As noted in the planning history section in more detail, the main issues in relation to the previous submission(s) related to the following:

- 1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the character of the area
- 2. Poor levels of outlook from ground floor windows of Plot 1.
- 3. Inadequate internal floor area
- 4. Inadequate amenity space
- 5. Lack of Education Contribution
- 6. Failure to meet Lifetime Homes standards

The applicant seeks to address the above issues through the following amendments:

- -Reducing the density and number of units from 3 units to 2 units
- -Increasing the amount of landscaping and depth of the garden, reorganising the ground floor layout to increase outlook from Plot 1 ground floor windows
- -Increasing the floor areas of bedrooms to meet minimum standards
- -Increasing the amenity garden areas to exceed minimum standards
- -Agreeing to pay educational contributions
- -Meeting lifetime home standards
- -Removing the front 'gated' entrance to the development

3.3 Relevant Planning History

64786/APP/2008/2373 Land Rear Of 81-93 Hilliard Road Northwood

TWO STOREY BUILDING COMPRISING 4 TWO-BEDROOM FLATS, WITH ASSOCIATED CAR PARKING, CYCLE STORE AND BIN STORE INVOLVING DEMOLITION OF EXISTING BUILDINGS

Decision: 15-12-2008 Refused

64786/APP/2009/452 Land Rear Of 81-93 Hilliard Road Northwood

ERECTION OF 2 TWO STOREY BUILDINGS EACH COMPRISING OF TWO 2-BEDROOM MAISONETTE FLATS, WITH ASSOCIATED CAR PARKING, CYCLE STORE AND BIN STORE INVOLVING DEMOLITION OF EXISTING BUILDINGS.

Decision: 21-07-2009 Refused **Appeal**: 04-03-2010 Dismissed

64786/APP/2012/2421 Land Rear Of 81-93 Hilliard Road Northwood

2 x two storey, 3- bed semi detached dwellings and 1 x two storey, 3- bed detached dwelling

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with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

Decision: 07-03-2013 Withdrawn

Comment on Relevant Planning History

Application ref. 64786/APP/2012/2421 for a similar development comprising 3 houses was recommended for refusal and due to be heard at Planning committee on the 7 March 2013, however the application was withdrawn shortly before Planning Committee. However the potential reasons for refusal at the time are listed below:

- 1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the established character of the surrounding area to the detriment of the character and appearance of the Old Northwood Area of Special Character. The proposal is therefore contrary to Policies BE15, BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the Supplementary Planning Document HDAS: 'Residential Layouts'.
- 2. The proposal by reason of its siting and layout would result in a poor level of outlook from the ground floor windows to the detriment of the future occupiers of Plot 1, contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Section 4.0 of the Council's HDAS "Residential Layouts".
- 3. The proposed units fail to provide an adequate amount of internal floor space for individual bedrooms, and therefore would fail to afford an adequate standard of residential amenity for their future occupiers. The proposal is therefore contrary to Policy BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Mayor of London's adopted Housing Supplementary Design Guide (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.
- 4. The proposed development fails to afford an adequate standard of residential amenity space for future occupiers by virtue of the layout and size of the amenity space. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Mayor of London's adopted Housing Supplementary Design Guide (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.
- 5. The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008) and updated Education Chapter 4 (August 2010).
- 6. The proposed dwellings, by reason of failing to provide units which would be easily adaptable for use by a wheelchair disabled person, or to Lifetime Home standards, fails to meet the needs of people with disabilities, contrary to Policy 3A.4 of the London Plan and the adopted Supplementary Planning Document HDAS: "Accessible Hillingdon."

An appeal (ref. APP/R5510/A/09/211540) was dismissed with regards to application 64786/APP/2009/452 FUL, detailed below. However, the Inspector considered that the proposed use of the existing vehicular crossover and access was acceptable.

Planning permission (reference 64786/APP/2009/452 FUL) was refused for the erection of 2 two storey buildings each comprising of two 2-bedroom maisonette flats, with associated car parking, cycle store and bin store, and involving the demolition of the existing buildings. The application was refused on the following grounds:

- 1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the established character of the surrounding area. The proposal would result in a scale of buildings and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. This would also be to the detriment of the character and appearance of the Old Northwood Area of Special Character. The proposal is therefore contrary to Policies BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: 'Residential Layouts'
- 2. The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.
- 3. The proposal by reason of its siting would result in the provision of a poor level of outlook to the detriment of the future occupiers of the ground floor dwelling units, contrary to Policies BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Section 4.0 of the Council's HDAS "Residential Layouts".
- 4. The proposed development by reason of the restricted width of the vehicular access represents a significant threat to highway and pedestrian safety, as it is likely to result in vehicles needing to wait in the road until the access way is clear. As such, the proposal is contrary to Policies AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
- 5. The proposal fails to provide adequate refuse collection facilities, including its collection point, which would be in excess of the travel distance of refuse operators. The proposal would therefore be likely to create a poor quality of environment, result in refuse vehicles stopping up the free flow of traffic on the public highway and be contrary to the Council's recycling policies. The proposal is contrary to Policy AM7(ii) of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and policy 4.A3 of the London Plan.
- 6. The proposed dwellings, by reason of failing to provide units which would be easily adaptable for use by a wheelchair disabled person, or to Lifetime Home standards, fails to meet the needs of people with disabilities, contrary to Policy 3A.4 of the London Plan and the adopted Supplementary Planning Document HDAS: "Accessible Hillingdon."

Planning permission (reference 64786/APP/2008/2373) for the erection of a two storey building comprising 4 two-bedroom flats, with associated car parking, cycle store and bin store involving the demolition of existing buildings was refused in December 2008 for the following reasons:

- 1. The proposal by reason of its siting, design, overall layout, size, bulk, site coverage and excessive density, would result in a cramped overdevelopment of the site and an incongruous form of development which would detract from the character and appearance of the surrounding area and the Old Northwood Area of Special Local Character therefore failing to harmonise with the established character of the surrounding area. The proposal would result in a scale of building and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. The proposal is therefore contrary to Policies BE5, BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: Residential Layouts and Policy 3A.3 of the London Plan.
- 2. The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.
- 3. The floor area of the proposed dwellings is below the minimum 63m² internal floor area required for a two-bedroom flat. As such the proposal fails to provide a satisfactory residential environment for future occupiers, contrary to Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.
- 4. The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. **Planning Policies and Standards**

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

| BE5 | New development within areas of special local character |
|------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE23 | Requires the provision of adequate amenity space. |

| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
|----------|---|
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| H4 | Mix of housing units |
| AM14 | New development and car parking standards. |
| AM7 | Consideration of traffic generated by proposed developments. |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.13 | (2011) Sustainable drainage |
| 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

32 neighbours were consulted and a site notice was erected adjacent the site, expiring on 11 November 2012. 11 individual letters were received and a petition with 32 signatories as follows:

2 individual letters of objection on the following grounds:

- i. Design and Layout
- ii. Cramped
- iii. Dominance
- iv. Traffic
- v. Parking
- vi. Poor Aspect
- vii. Height
- viii. Gate causing a nuisance to road safety and wheelchair users

A Petition with 25 signatories objects on the following grounds:

- i. Over-dominant design, size and proportions
- ii. Poor outlook
- iii. Density
- iv. Negative impact on open, light and airy verdant rear garden
- v. Detrimental to amenities of adjoining occupiers
- vi. Detrimental to the Old Northwood ASLC
- vii. Detrimental to highway and pedestrian safety

Northwood Hills Residents Association object on the following grounds:

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- i. Layout and appearance
- ii. Out of character with ASLC
- iii. Traffic and congestion

Internal Consultees

Environmental Protection Unit:

As a number of sensitive receptors are being introduced and a works is indicated adjacent to the site it may be advisable to include the standard contaminated land condition and imported soils condition.

Highways Officer NO OBJECTION.

When undertaking assessment of the development it is noted that the PTAL index within the area is 1a/1b, which is classified as very poor. Therefore, it is considered that the maximum parking provision of 2 car parking spaces per dwelling is acceptable.

When considering the proposed means of vehicle access, it is noted that this measures approximately 2.5m in width for a distance of approximately 20.0m into the site from the adjacent highway. The adequacy of this access arrangement was a concern which was raised within the refusal reasons of previous applications.

However, it is noted that there has been a previous planning appeal at the site (planning application Ref: 64786/APP/2009/452), where the Planning Inspector considered access to be acceptable even though 2 vehicles could not pass side by side. The Inspector considered visibility along the access to be good and with sufficient room for on-site manoeuvring and given the modest size of the proposed scheme, occupants would likely generate less traffic than the existing use at the site. As a result, the scheme was not considered to be prejudicial to highway safety.

When considering the location of the refuse collection point, it is noted that the Manual for Streets quotes Schedule 1, Part H of the Building regulations, which specifies that residents should not be required to carry waste more than 30.0m Also refuse vehicles should be able access the storage point from within 25.0m. From the submitted plans, it is considered that both criteria can be met by the development proposals.

Therefore having considered the development and the Planning Inspector's comments, it is considered that the proposals are acceptable and an objection is not raised in this instance.

CONSERVATION & URBAN DESIGN NO OBJECTION

ACCESSIBILITY OFFICER

Whilst the development demonstrates that many of the lifetime home Standards full compliance should be secured by condition should the application be recommended for approval.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection in principle to the demolition of the existing buildings and the change of use to residential use as Hilliard Road is predominantly residential. Although the site is located to the rear of existing gardens on Hilliard Road, it comprises previously developed land and does not constitute back garden development. Furthermore, the Inspector stated in Paragraph 4 of his decision that 'in principle there is no objection to the redevelopment of the site for residential purposes'.

7.02 Density of the proposed development

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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

See considerations in section 7.07 below in relation to the impact on the Area of Special Character.

The proposal is not located in proximity to any Listed Buildings or within a Conservation Area. Nor is it considered that the proposal would have any adverse impacts on archaeological remains.

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 BE22 requires a minimum of 1m separation distance to the side boundary for the full height of a two storey building to maintain a degree of openness in residential developments.

The design of the proposed development incorporates elements of arts and crafts design, which would harmonise with the overall appearance and character of the area and as such infuse more interest and character to the new group of buildings. Chimney features, mock tudor cladding, render and soft facing brickwork reflect the architectural detailing and materials prevalent within the locality.

The omission of a residential unit has now enhanced the overall layout, size and site coverage of the properties, which is reflected in the increase in amenity space provision and landscaping, an increase in separation distances to the rear boundaries and a internal floor areas which meet minimum standards. The properties maintain the specified 1m gap to the boundary of the site. Overall, it is considered that the proposed scheme provides an improved layout and would now harmonise with the prevailing open and verdant rear garden environment.

Overall, the proposed development would now provide a good quality of urban design and would be in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), 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.

The proposed dwellings would not affect the 45-degree line of sight nor would they project beyond the rear of the nearest adjoining properties. Plot 1 and Plot 2 would be 22.3 metres away from the nearest adjoining properties to the south-east (Plot 1 to No.85 Hillard Road). In addition, the proposed properties would be approximately 2.0m lower in height than the properties in Hilliard Road. As such, the proposed development would maintain adequate separation distances from the adjoining properties and would not cause an undue loss of daylight, sunlight, visual intrusion or loss of privacy. It is therefore considered that overall the proposed development would not constitute an un-neighbourly form of development in accordance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 4.0 of HDAS Residential Layouts.

7.09 Living conditions for future occupiers

HDAS Paragraph 4.7 indicates that consideration will be given to the ability of residential developments to provide satisfactory indoor living spaces and amenities. Paragraphs 4.6 to 4.8 and Table 2 of the Council's SPD HDAS: Residential Layouts advises that 3 bedroom units should have a minimum floor area of 81 square metres. Furthermore, London Plan Policy 3.5 and Table 3.3 states that a 3 bedroom, 4-person house should have a minimum size of 87 square metres. On this basis, the proposed units provide 108 square metres which exceeds the policy requirement.

The Mayor's Housing Supplementary Planning Guidance (November 2012) requires the minimum area for a single bedroom to be 8 square metres and a minimum floor area for a double bedroom to be 12 square metres. Furthermore, each home for two or more people should contain at least one double bedroom/twin room. The proposed development accords with guidance, each plot providing three bedrooms, comprising a single bedroom providing 8.5 square metres of internal floor area, and two double bedrooms providing between 12-13 square metres of floor area.

HDAS advises in Paragraph 4.15 that 3 bedroom houses should have a minimum private amenity area of 60 square metres. Plot 1 would provide 98 square metres of amenity space and Plot 2 would provide 100 square metres of amenity space, exceeding minimum requirements.

In terms of outlook, a ground living room and landing windows on Plot 1 directly face and would be 1m away from a 1.8m high brick wall to the side, however as this living room window is a secondary living room window and the landing window would not serve a habitable room the development would have adequate outlook and light. The distance from the ground floor windows to the rear boundary has now been increased from 5.25m (in the refused scheme) to 6.25m (in the withdrawn scheme) to 9.0m from the single storey structure which measures 3.1 metres in height, which would provide adequate light and outlook from the windows.

The proposed habitable room windows of plots 2 face away from neighbouring properties to the rear of the garden. Although there is a 2.0m high wall to the side boundary and a 2.5m high wall to the rear, it is considered that the separation distance of 8.73m would be appropriate. Notably, this relationship would not be contrary to the recommendations of the Residential Layouts SPD and would be improvement to the previously refused scheme which provided a separation distance to the rear boundary of 6.0m.

Overall, it is considered that the proposed development would provide good accommodation for future occupiers in terms of internal floor area, amenity space provision and outlook, and addresses the previous concerns and reasons for refusal. It is therefore considered that the proposed development would accord with Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 and Table 3.3 of the London Plan (2011), the adopted SPD HDAS Residential Layouts and the Mayor's Housing Supplementary Planning Guidance (November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Although the previous scheme (ref. 64786/APP/2009/452) was refused on highway grounds, the Planning Inspector considered the existing access to be acceptable even though 2 vehicles could not pass side by side. The Inspector considered that visibility along the access was good and with sufficient room for on-site maneuvering and given the modest size of the proposed scheme and the occupants would likely generate less traffic than the existing use at the site. As a result, the scheme was not considered to be prejudicial to highway safety.

The location of the refuse collection point would allow residents not to carry waste for more than 30m and vehicles to access the point within 25m in accordance with Manual for Streets. Therefore having considered the development and the Planning Inspector's comments, it is considered that the proposals are acceptable and an objection is not raised in this instance from Council's Highway Officer.

7.11 Urban design, access and security

Please refer to section 7.09 and 7.12.

7.12 Disabled access

All new development is expected to meet Lifetime Home Standard in accordance with London Plan Policy 3.8 and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon. The proposed development would be conditioned to ensure it complies with Lifetime Home Standards, in line with the requirements of the Accessibility Officer.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

No trees are present on the site and the site is considered to be of no significant ecological value, however a landscaping scheme has been conditioned.

7.15 Sustainable waste management

The application has shown a suitable location for the bin stores at the entrance to the site, which are acceptably located for the refuse lorry on collection days.

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 proposal seeks to achieve Code for Sustainable Homes Level 4 and this would be conditioned.

7.17 Flooding or Drainage Issues

The application site is not within a Flood Risk Area and the issue of sustainable water management has been conditioned.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

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The comments made by the individual responses are noted and are considered within the main report.

7.20 Planning Obligations

The proposed development is CIL liable, however as the proposed floorspace is less than the existing there is no charge (i.e. 267.40 of existing floorspace would be demolished, the proposed floor area is 221 square metres, therefore the net additional gross internal floor area is -46.40 square metres).

The proposed development would provide a total of 16 habitable rooms which would trigger the requirement for Educational Contributions. The sum of £25,953 is sought which has been agreed by the applicant in accordance with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Not applicable to this application.

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

It is considered that overall the scheme has addressed all of the previous concerns and reasons for refusal upheld in the Inspector's decision. As such the scheme is now recommended for approval.

11. Reference Documents

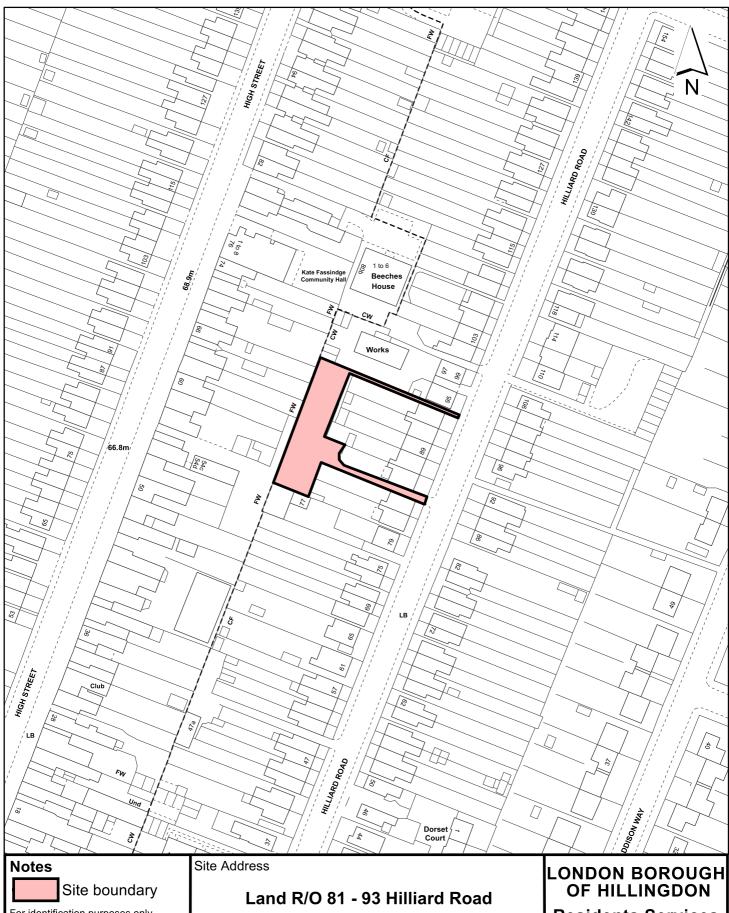
Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

HDAS: Residential Layouts The London Plan 2011

The Mayor's Housing Supplementary Planning Guidance (November 2012)

HDAS: Accessible Hillingdon National Planning Policy Framework

Contact Officer: Henrietta Ashun Telephone No: 01895 250230



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Northwood

Planning Application Ref:

64786/APP/2013/1434

Scale

1:1,250

Planning Committee

North Application

Date

March 2014

Residents Services

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



Agenda Item 13

Report of the Head of Planning, Sport and Green Spaces

Address MIDDLESEX STADIUM BREAKSPEAR ROAD RUISLIP

Development: Single storey front extension

LBH Ref Nos: 18443/APP/2013/3732

Drawing Nos: HSD005 Proposed plans and Elevations (amended with ramp access)

BLOCK PLAN LOCATION PLAN

HSD001 EXISTING PLANS AND ELEVATIONS

Date Plans Received: 16/12/2013 Date(s) of Amendment(s): 26/02/2014

Date Application Valid: 07/01/2014

1. SUMMARY

The application seeks planning permission for a single storey front extension to the main building. The extension measures 6.9m wide, 3.8m deep and 5.1m high(max). The extension would be built of brick beneath a tile pitched roof. The application site is located within an area of Green Belt.

The application site is located near the northern boundary of The Middlesex Stadium site, located off of Breakspear Road. The Middlesex Stadium site is bordered by fields to the west, north and east. Residential properties are located south-east of the site. There is a clubhouse type building located within the site adjacent to the car parking area. It is this building that is proposed to be extended.

The proposed scheme comprises the erection of a single storey extension at the Middlesex Stadium. It is not considered that the proposal is harmful to the character of the area due to its position, design and size. Similarly it is not considered that the proposed development would constitute a disproportionate extension to the original building and is therefore not inappropriate development and is not harmful to the openness of the Green Belt.

Accordingly the application is recommended for permission.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled BLOCK PLAN, HSD001 EXISTING PLANS AND ELEVATIONS & HSD005 PROPOSED PLANS AND

ELEVATIONS (amended with ramp access 27/02/2014) and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 COM7 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 I47 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).

2 I52 Compulsory Informative (1)

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

3 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.

| AM7 | Consideration of | f traffic generated by | proposed developments. |
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AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

| BE18 | Design considerations - pedestrian security and safety |
|------|--|
| BE19 | New development must improve or complement the character of the |
| | area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| OL4 | Green Belt - replacement or extension of buildings |
| OL5 | Development proposals adjacent to the Green Belt |
| | |

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.

Councils Local Plan: Part 1 - Strategic Policies

3. CONSIDERATIONS

4

159

3.1 Site and Locality

The application site is located near the northern boundary of The Middlesex Stadium site, located off of Breakspear Road. The Middlesex Stadium site is bordered by fields to the west, north and east. Residential properties are located south-east of the site. There is a clubhouse type building located within the site adjacent to the car parking area. It is this building that is proposed to be extended.

The clubhouse building is single storey rectangular structure constructed of brick beneath a tile roof. To the front there is a fenced area for storage of materials such as gas bottles, small plant etc.

The application site is located within an area of Green Belt.

3.2 Proposed Scheme

The application seeks planning permission for a single storey front extension to the main building. The extension measures 6.9m wide, 3.8m deep and 5.1m high(max). The extension would be built of brick beneath a tile pitched roof.

3.3 Relevant Planning History

18443/APP/2012/3037 The Middlesex Stadium Breakspear Road Ruislip

The installation of a 24m lightweight lattice mast with 3 no. antennas installed on 3m head frame, 1 no. 300mm dish, radio equipment housing and ancillary development.

Decision:

Comment on Relevant Planning History

There is no relevant planning history relevant to the current application.

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:

| AM7 | Consideration of traffic generated by proposed developments. |
|------|--|
| AM14 | New development and car parking standards. |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| 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. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| OL4 | Green Belt - replacement or extension of buildings |
| OL5 | Development proposals adjacent to the Green Belt |

5. **Advertisement and Site Notice**

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

6. Consultations

External Consultees

1 neighbouring occupier and the Ruislip Residents Association were notified of the proposed development on 8th January 2014 and a site notice was erected. By close of the public consultation, no consultation responses has been received.

Internal Consultees

The Council's Access Officer commented has no objection and considers the scheme acceptable subject to a condition requiring a ramp at the entrance.

Officer Comment: It is considered that this could be provided under the buildings regulations process, however, the applicant has provided an amended plan showing the ramp access.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The first consideration is whether the development constitutes inappropriate development within the Green Belt which would require very special circumstances to be approved. Paragraph 89 of the NPPF states, "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

The original building has an area of approximately 246.8 sq.m, the proposed extension is 26.2 sq. m. This is an increase of approximately 10%. The height is lower than the main building. It is therefore not considered to be a disproportionate extension and does not constitute inappropriate development. It is considered, therefore, that the proposed development complies with Policies OL1 and OL4 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and does not conflict with the NPPF. As such the principle of development is acceptable.

7.02 Density of the proposed development

Not Applicable to the current application.

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

Not Applicable to the current application.

7.04 Airport safeguarding

Not Applicable to the current application.

7.05 Impact on the green belt

Notwithstanding the above conclusion that the principle of development is acceptable, the impact upon the objectives needs to be considered, primarily with regard to the openness of the Green Belt. The proposed development is of a small scale and is located within the established stadium complex in close proximity to other existing development. The proposed extension is small and will be seen against this existing development. Whilst any development could impact on the openness of the Green Belt it is the degree of impact that needs to be considered and whether this is material and harmful to the wider openness of the Metropolitan Green Belt.

Policies OL4 and OL5 reflect current advice in the NPPF. The policies seek to ensure development does not harmfully increase the built up area of the Green Belt. Given the small percentage increase in the size of the building and the siting of the proposed development, the proposed development will not have a detrimental impact upon the openness of the Green Belt. As such the proposed development complies with Policy OL1, OL4 and OL5 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and NPPF policy.

7.07 Impact on the character & appearance of the area

The clubhouse building is set well within the site at the rear of the car park area. It is approximately 76m from the the vehicular access to the site. Therefore, the view of the clubhouse from the road is not significant, due to this distance, which is also further minimised by the presence of isolated trees.

The proposed extension is a small addition and is subordinate to the main building. Indeed the introduction of the small pitched roof addition adds some interest to an otherwise bland original building. The extension and roof design is in keeping with the main building, the roof is set below the main roof by 0.6m. The proposal has a pair of entrance doors which clearly identifies the proposed extension as the entrance to the clubhouse. It is therefore considered that the proposed extension is not harmful to the character and appearance of the subject property or wider area.

As such the proposal complies with policies BE13 and BE15 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.08 Impact on neighbours

The proposed development has no windows and only has a pair of doors in the front elevation and in the side elevation. The extension serves to provide an entrance area to the clubhouse and a toilet area. It does not provide accommodation where customers would be sitting or activities taking place.

The nearest residential property to the proposed extension is some 57m away. The proposed scheme will not generate any additional noise and disturbance to that which occurs now. There are now windows facing the residnetial properties and there is established boundary treatment between the proposed extension and the houses.

Therefore, given the size and design of the proposed extension, the proposed use and the significant distance to the nearest residential property it is considered that the proposed scheme will not be have an unacceptable impact on neighbouring occupiers die to loss of light, privacy, dominance or disturbance.

Accordingly the proposed scheme complies with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.09 Living conditions for future occupiers

Not Applicable to the current application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed extension will not lead to a loss of any existing car parking, of which there is an extensive parking area nor will it change the access arrangements. As the proposed extension provides an entrance area it does not lead to an increase in traffic over the existing use.

The proposed development therefore complies with policies AM7 and AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.11 Urban design, access and security

This matter has been addressed previously.

7.12 Disabled access

The Council's Access Officer has raised no objection subject to the imposition of a planning condition requiring details of an access ramp to be submitted and approved, as mentioned this could be addressed through the building regulations process, however, the applicant has provided an amended plan that shows the proposed ramp access. Therefore, it is considerd that the scheme is acceptable on this ground and complies with the Council's requirements in Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not Applicable to the current application.

7.14 Trees, Landscaping and Ecology

Not Applicable to the current application.

7.15 Sustainable waste management

Not Applicable to the current application.

7.16 Renewable energy / Sustainability

Not Applicable to the current application.

7.17 Flooding or Drainage Issues

Not Applicable to the current application.

North Planning Committee - 25th March 2014 PART 1 - MEMBERS, PUBLIC & PRESS

7.18 Noise or Air Quality Issues

Not Applicable to the current application.

7.19 Comments on Public Consultations

2 letters were sent to local residents and The Residents Association on 8 January 2014 and the site notice was posted on 16 January 2014. No representations have been received in response to the public consultation.

7.20 Planning Obligations

Not Applicable

7.21 Expediency of enforcement action

Not Applicable

7.22 Other Issues

No further issues.

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 regardto 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

None received.

10. CONCLUSION

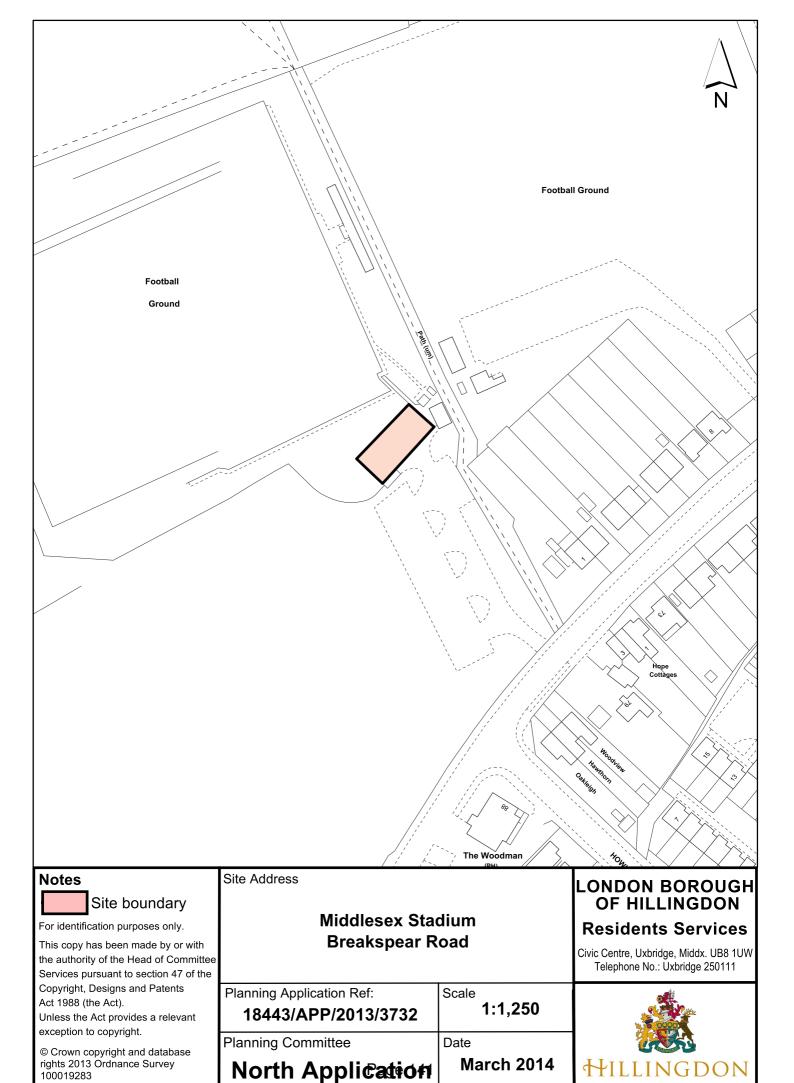
The proposed scheme comprises the erection of a single storey extension at the Middlesex Stadium. It is not considered that the proposal is harmful to the character of the area due to its position, design and size. Similarly it is not considered that the proposed development is inappropriate development and is not harmful to the openness of the Green Belt.

Accordingly the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved Policies (November 2012)
Supplementary Planning Document 'Accessible Hillingdon' (January 2012)
National Planning Policy Framework (March 2012)

Contact Officer: Mark Jones Telephone No: 01895 250230



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Agenda Item 14

By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Item 15

By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Plans for North Planning Committee

25th March 2014





Address 77 EASTCOTE ROAD RUISLIP MIDDX

Development: Change of use from Use Class C3 (Dwelling House) to Use Class C3/D1

(Dwelling House/ Non-Residential Institutions) for use of childcare within the

domestic setting

LBH Ref Nos: 62431/APP/2013/2341

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

Date Application Valid: 21/08/2013



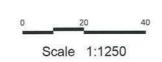
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The representation of a road, track or path is no evidence of a right of way.

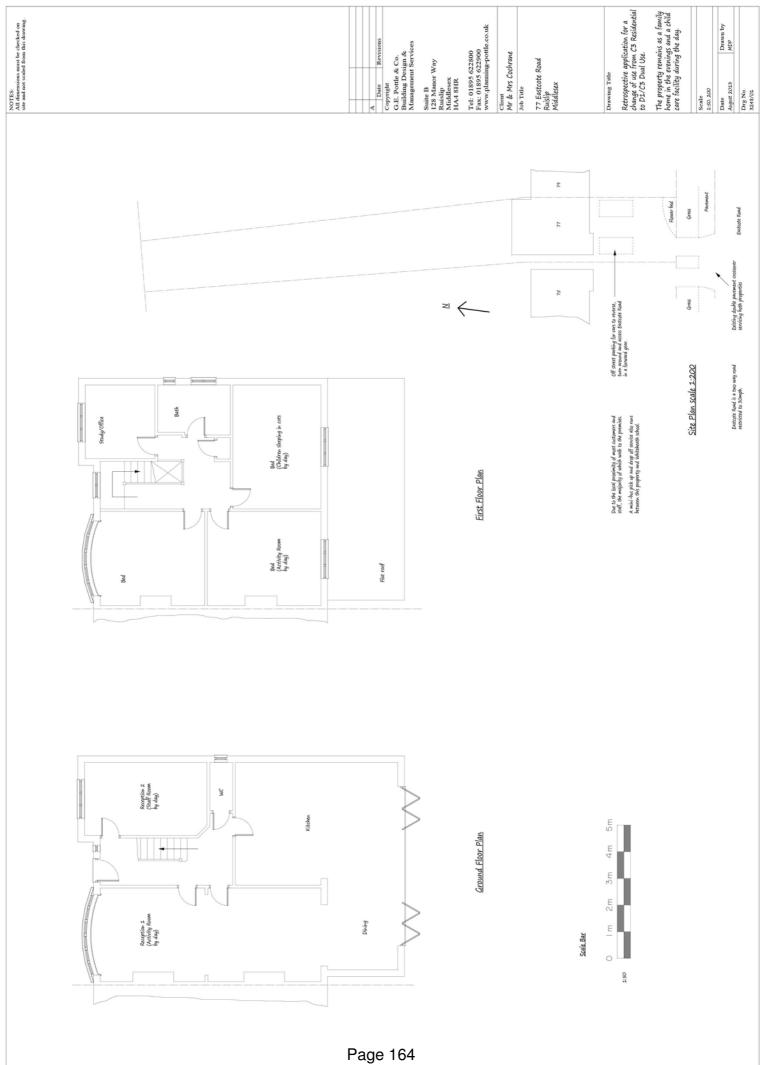
The representation of features as lines is no evidence of a property boundary.



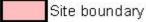
Supplied By: A Boville Wright Serial number: 001113541

Plot Centre Coordinates: 509531, 187751

77 Eastcote Road HA4 8BG







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77 Eastcote Road Ruislip

Planning Application Ref: 62431/APP/2013/2341 Scale

1:1,250

Planning Committee

North Applicateoff

Date

March 2014

LONDON BOROUGH OF HILLINGDON

Residents Services

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111



Address 4A EASTBURY AVENUE NORTHWOOD

Development: Part two storey, part single storey front/side/rear extension involving raising of

roof

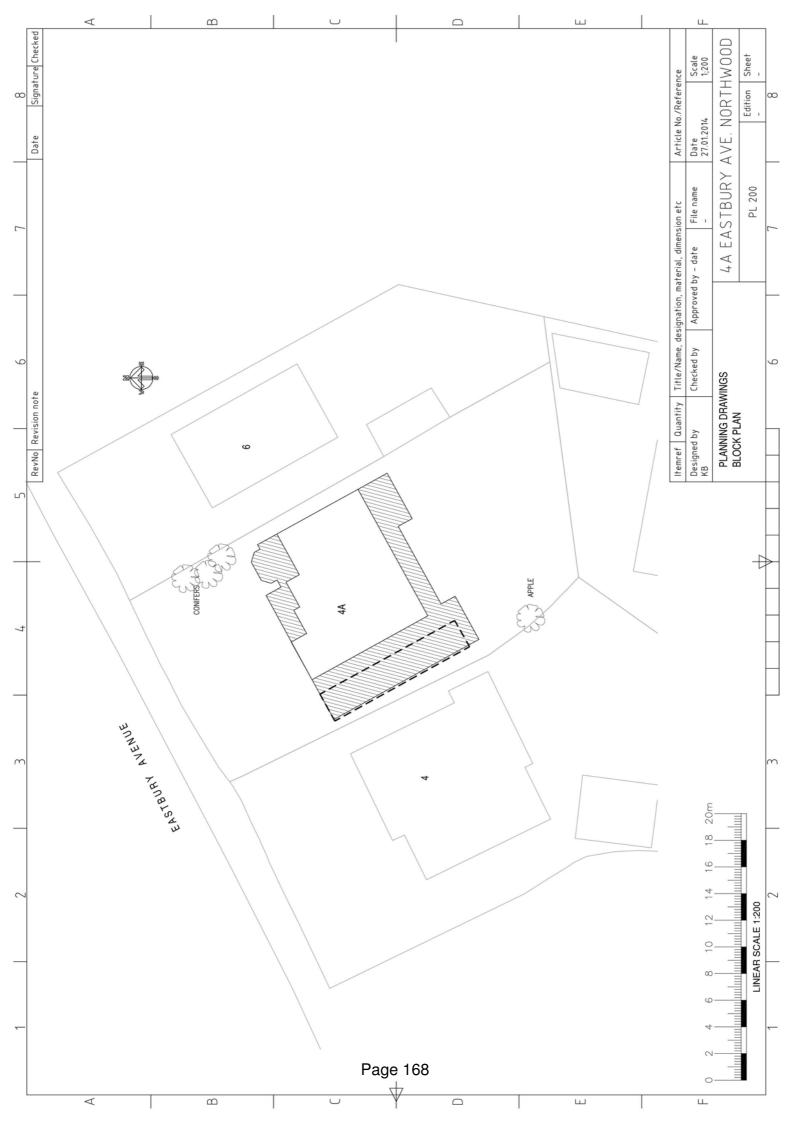
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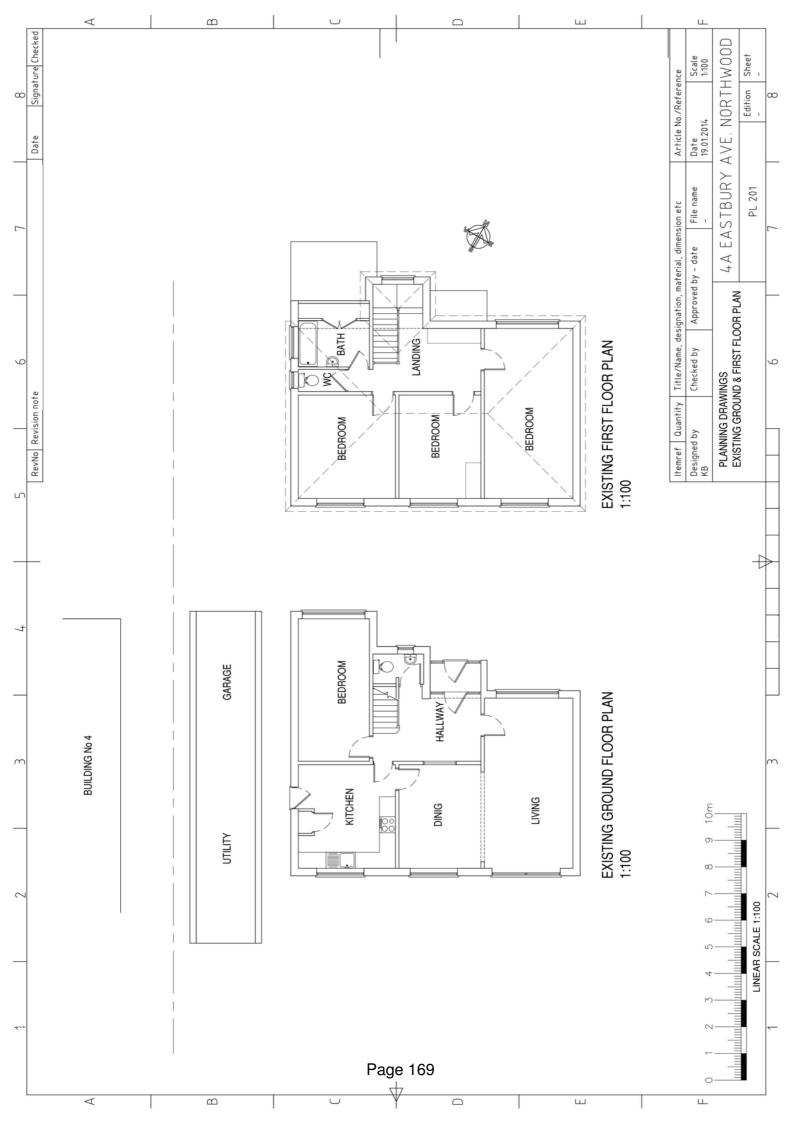
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Date Application Valid: 27/01/2014

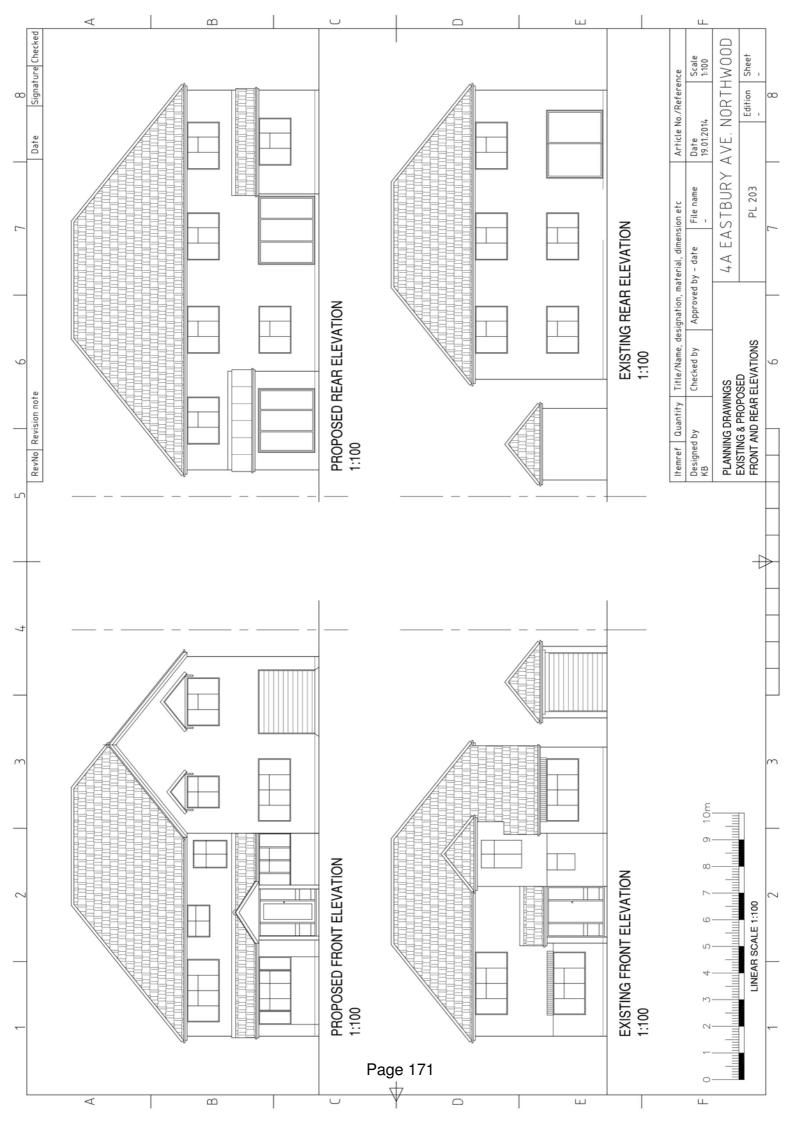
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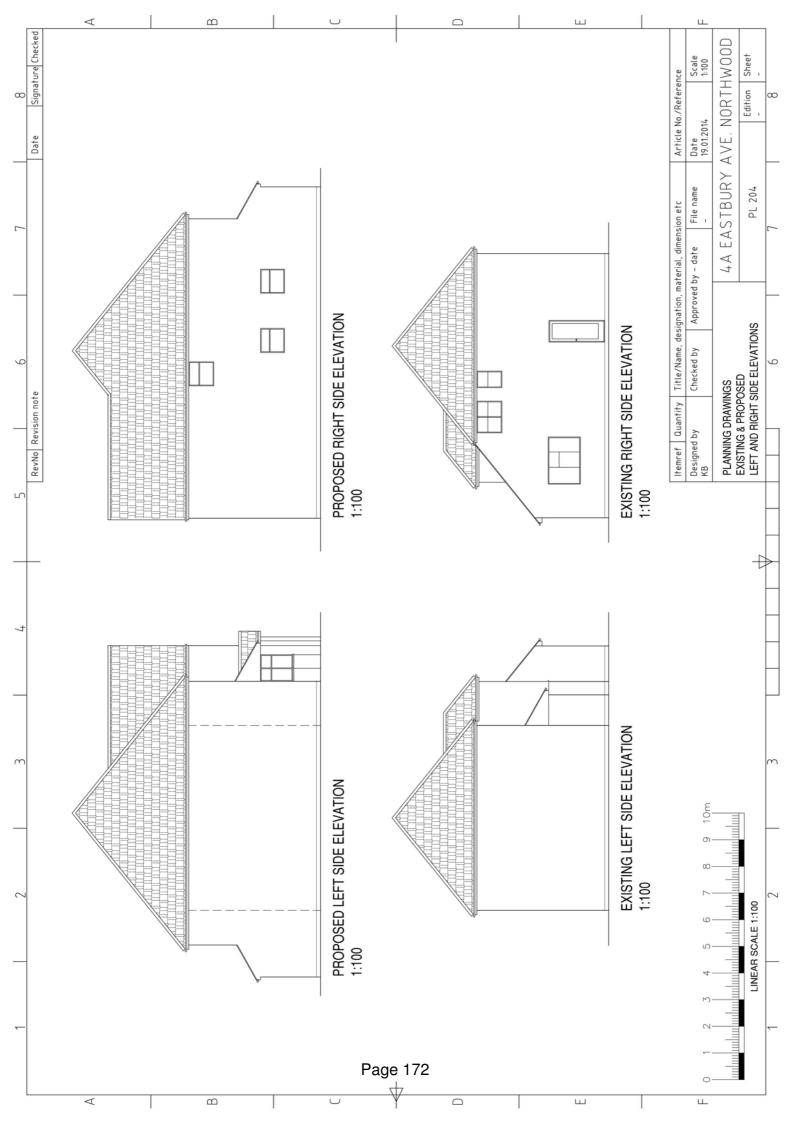


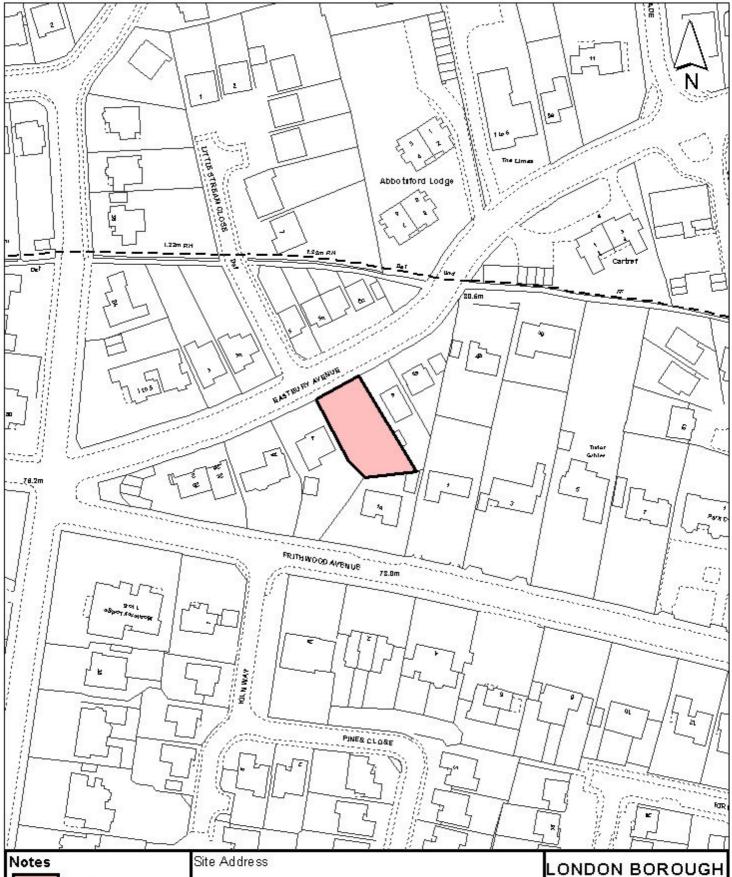


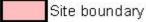












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4A Eastbury Avenue Northwood

Planning Application Ref: 36828/APP/2014/184 Scale

1:1,250

Planning Committee

North Application North Application

Date

March 2014

LONDON BOROUGH OF HILLINGDON

Residents Services

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



Address 2 LINKSWAY NORTHWOOD

Development: Two storey, 5-bed, detached dwelling with habitable roofspace involving

demolition of existing dwelling.

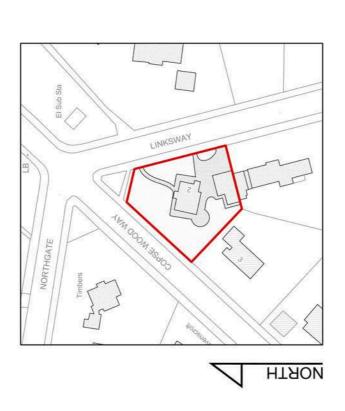
LBH Ref Nos: 36910/APP/2013/2338

Date Plans Received: 15/08/2013 Date(s) of Amendment(s): 13/02/2014

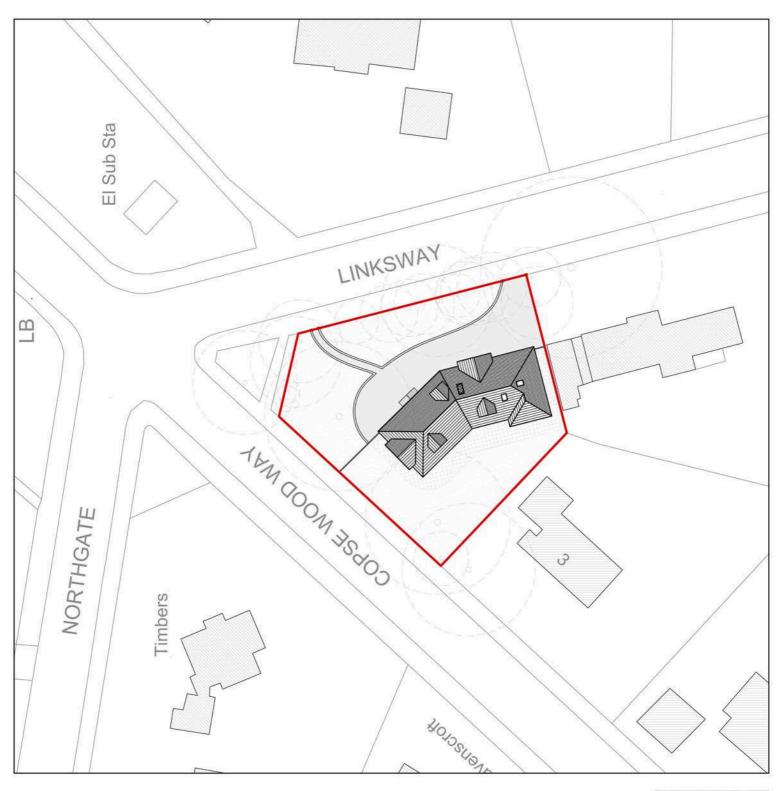
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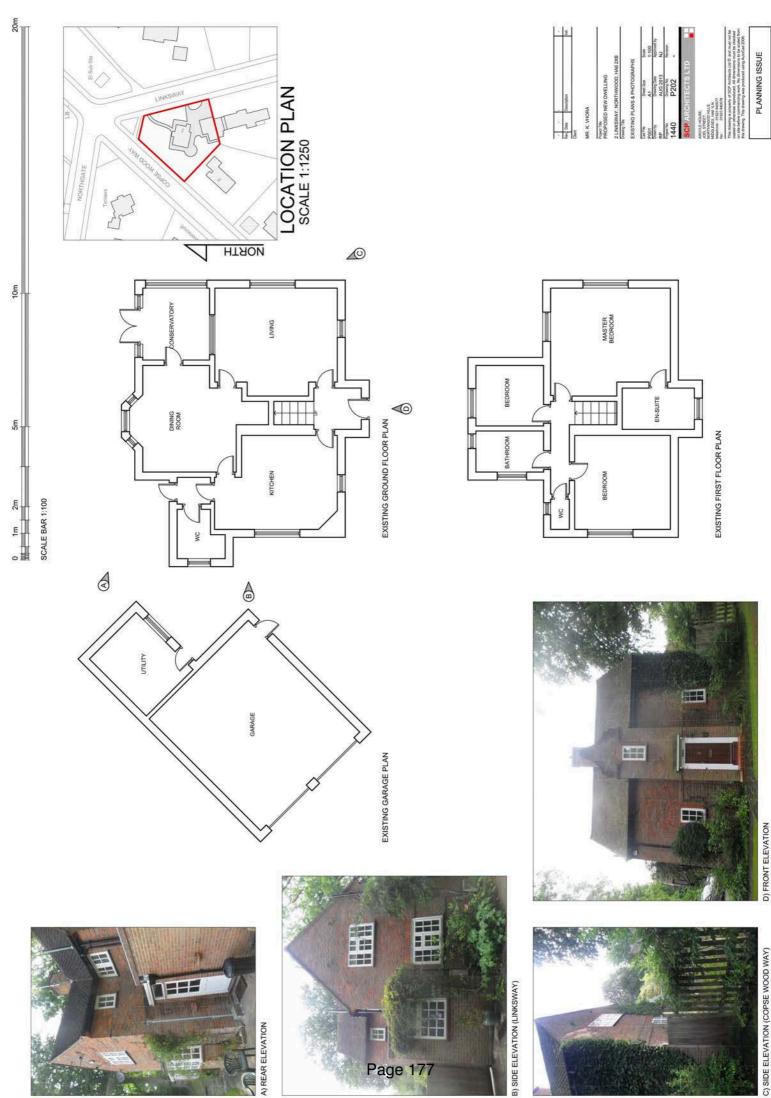
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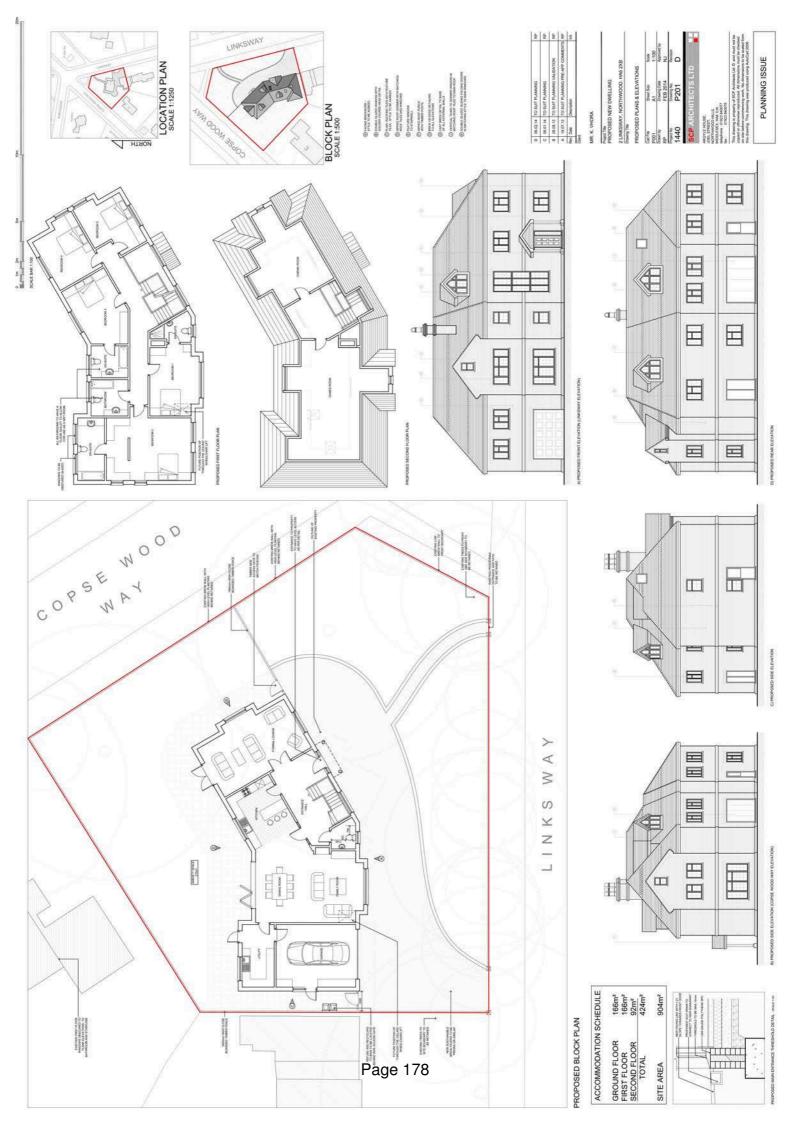
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Page 177

C) SIDE ELEVATION (COPSE WOOD WAY)





2 Linksway, Northwood Proposed New 5 Bedroom Dwelling

Proposed Perspectives

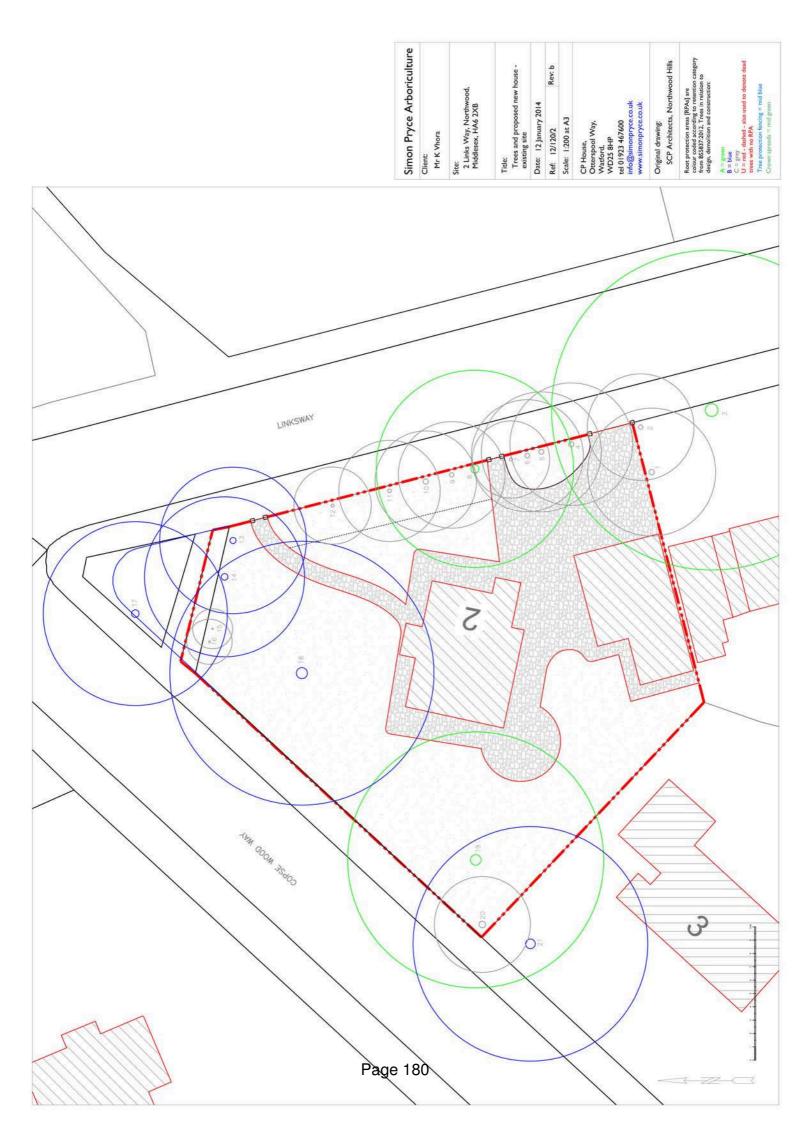


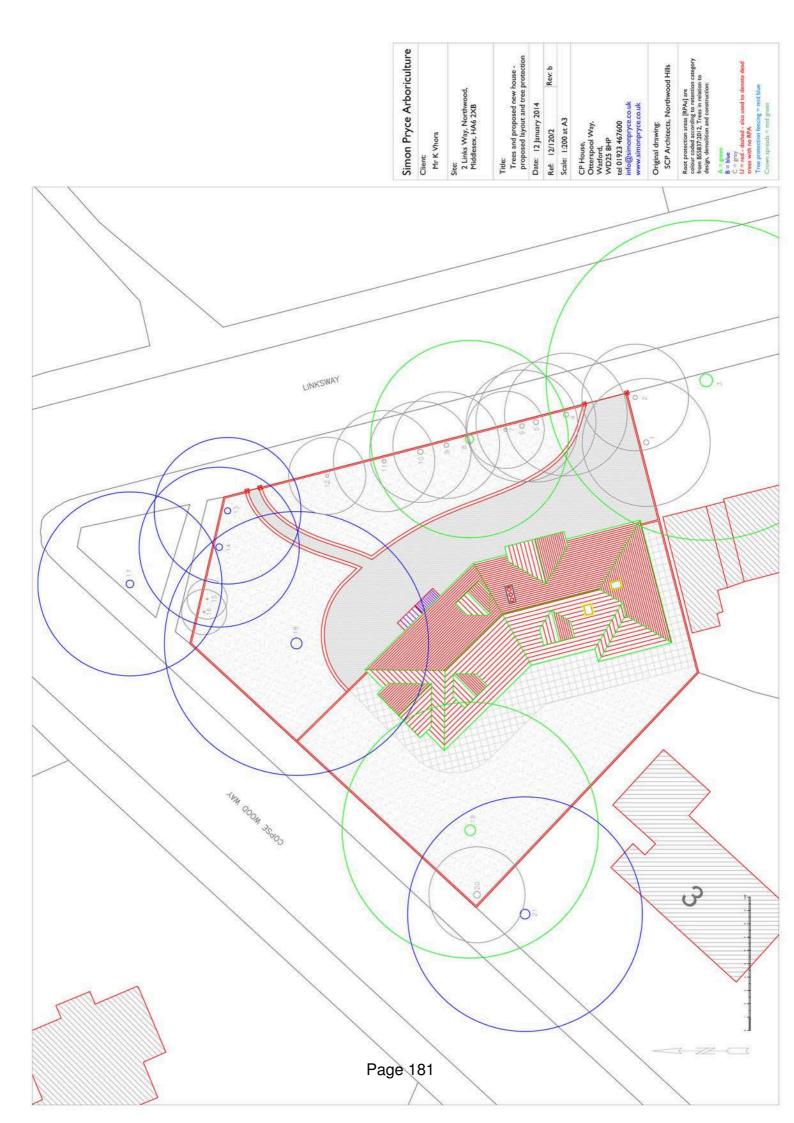


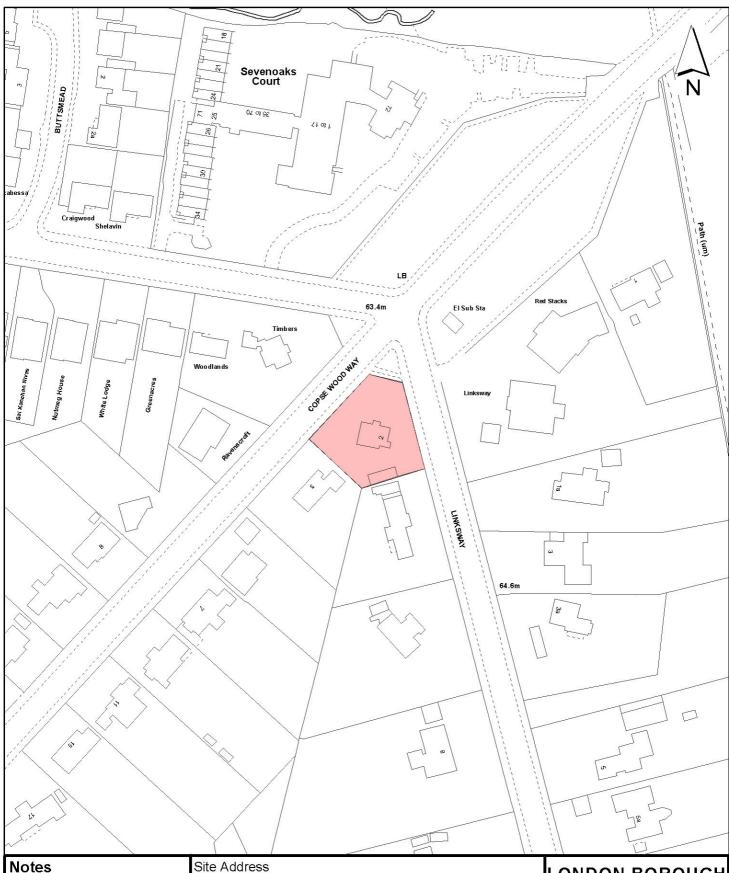
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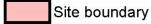












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2 Linksway Northwood

Planning Application Ref: 36910/APP/2013/2338

Scale

1:1,250

Planning Committee

North Application

Date

March 2014

LONDON BOROUGH OF HILLINGDON

Residents Services
Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111



Address 28 & 28A KINGSEND RUISLIP

Development: Variation of condition 27 of Planning Permission Ref: 5740/APP/2008/1214 to

allow resiting of bin store to front (Erection of a three storey building to contain 7, two-bedroom and 1, one-bedroom flats, together with associated parking and amenity space (Amendment to previous approval ref. 5740/APP/2007/104

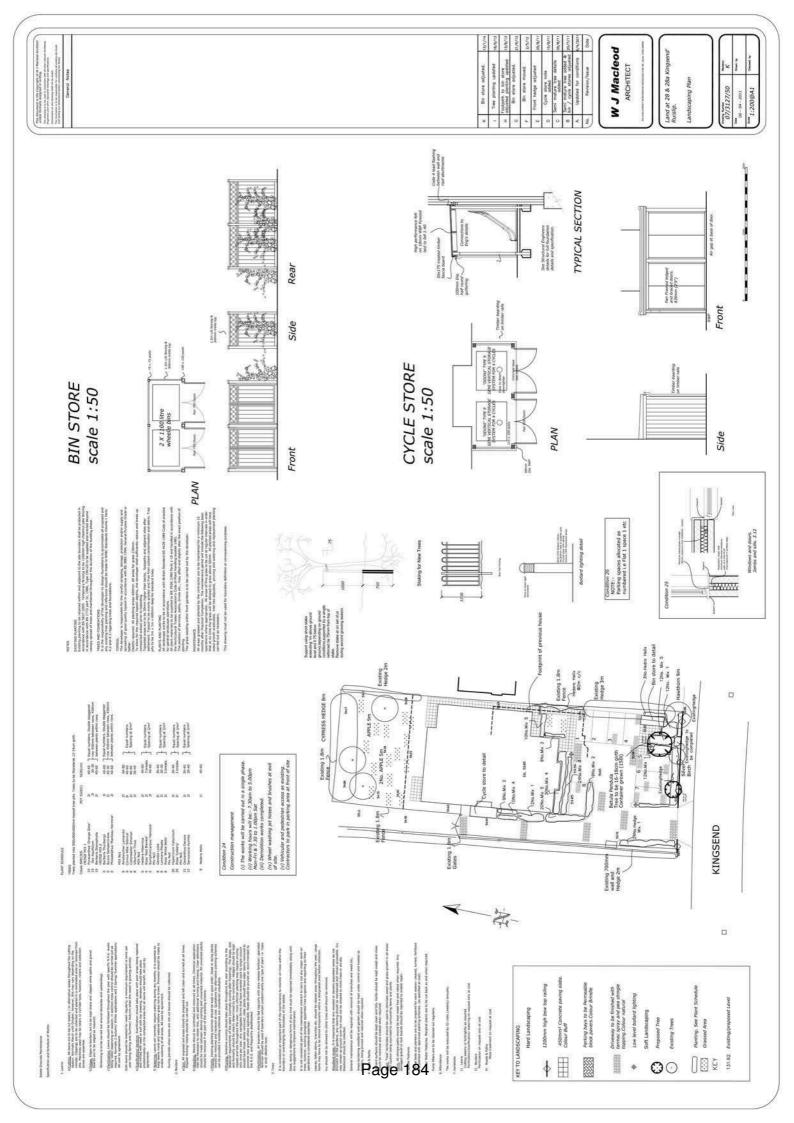
to allow for an additional flat at second floor level).

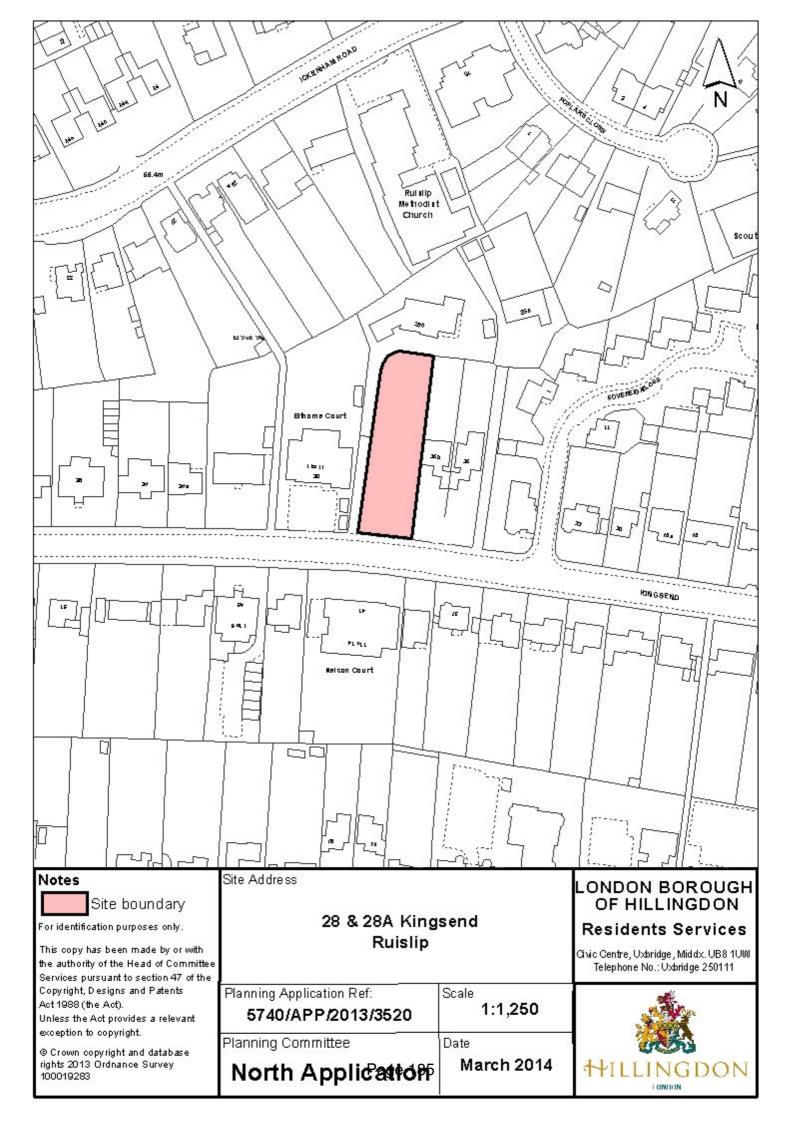
LBH Ref Nos: 5740/APP/2013/3520

Date Plans Received: 27/11/2013 Date(s) of Amendment(s): 28/04/2008

Date Application Valid: 29/11/2013 14/01/2014

07/06/2008 06/06/2008 09/06/2008 12/04/2011 11/05/2007 13/06/2008





Address LAND ADJACENT TO WIDEWATER LOCK (BARN FARM) MOORHALL

ROAD HAREFIELD

Development: Change of use of land to a residential caravan site for one Gypsy family,

involving the siting of one static and one touring caravan, with associated parking for two vehicles, water treatment plant, hardstanding and landscaping

works (Part retrospective application).

LBH Ref Nos: 69682/APP/2014/32

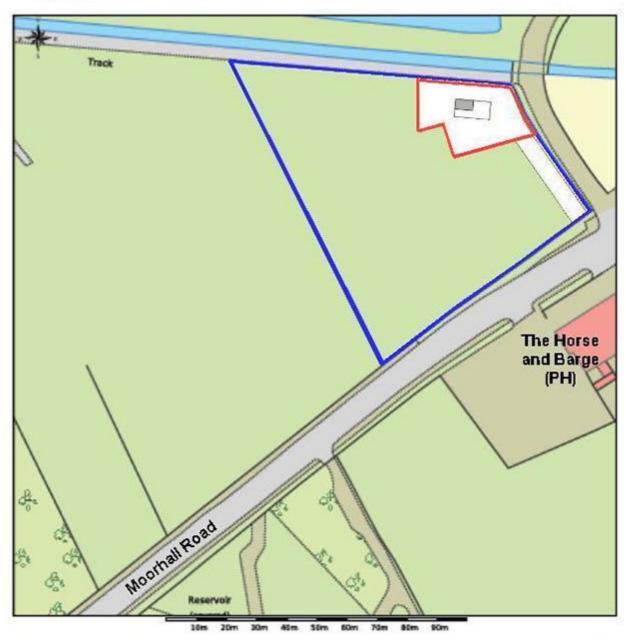
Date Plans Received: 06/01/2014 Date(s) of Amendment(s):

Date Application Valid: 06/01/2014



LOCATION





Scale: 1:1250, paper size: A4

Mr S. Smith Moorhall Rd, Harefield, Uxbridge, Middlesex, UB9 6PD

BFSGC

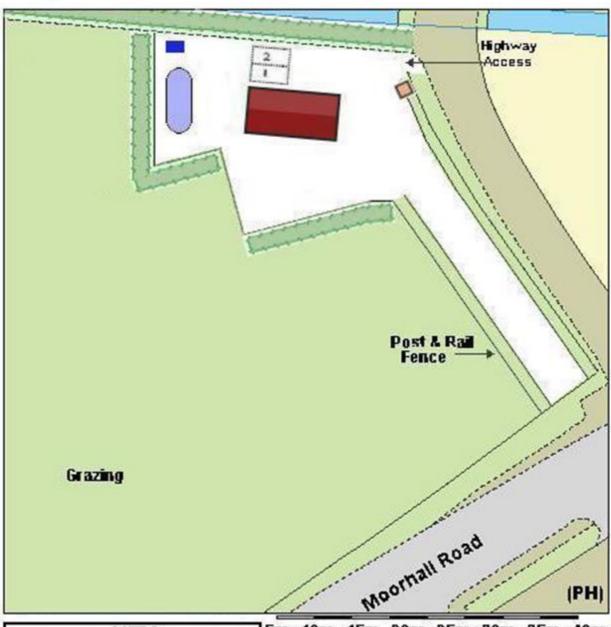
Saga Ct, Unit 3 Sibleys Rise, South Heath, HP16 9QQ, UK Email: GRT.Council@gmail.com

Tel: 07756 917937

Page 187









5m 10m 15m 20m 25m 30m 35m 40m

Scale: 1:500, paper size: A4

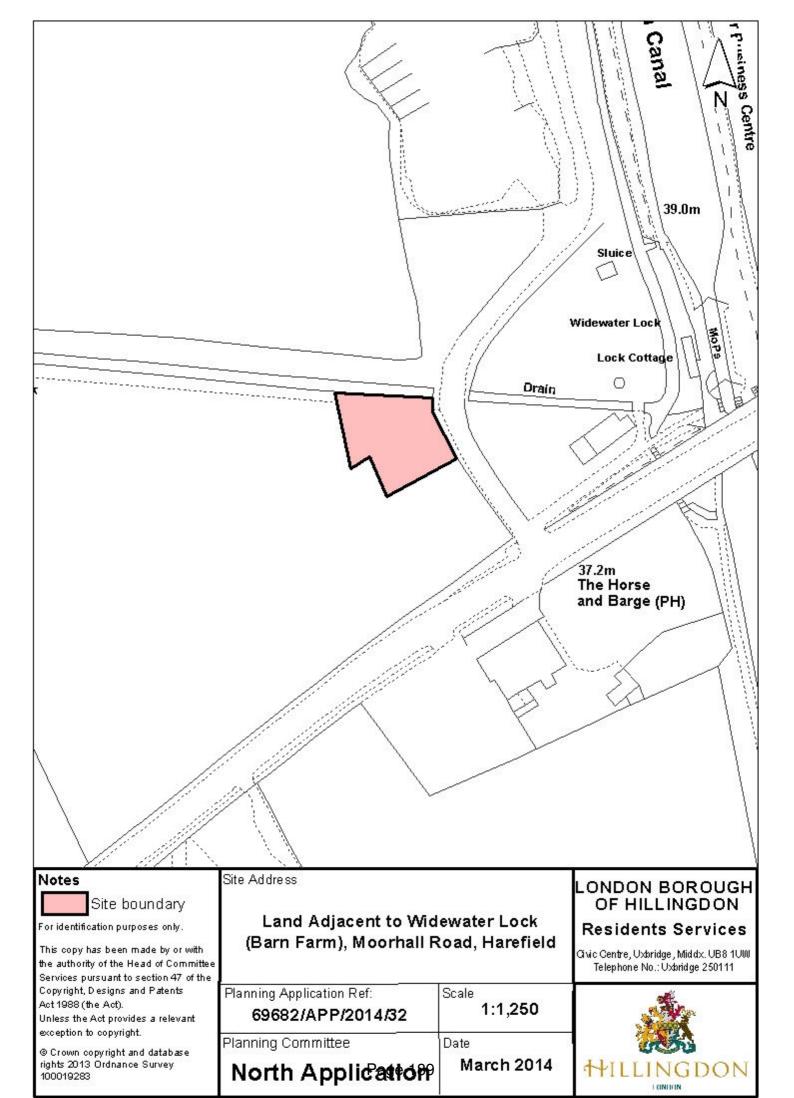


Drawing No. BLP-01 Date: Jan 2014



Saga Ct, Unit 3 Sbleys Rise, South Heath, HP16 9QQ, UK Page 188 att. 07156 917937





Report of the Head of Planning, Sport and Green Spaces

Address 37 MOOR PARK ROAD NORTHWOOD

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

associated parking and amenity space, installation of vehicular crossover to front, installation of fence to front involving demolition of existing dwelling

(Resubmission)

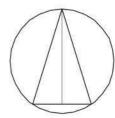
LBH Ref Nos: 4581/APP/2013/3765

Date Plans Received: 17/12/2013 Date(s) of Amendment(s): 17/12/2013

Date Application Valid: 17/12/2013









Rochester House, Eynsham Road, Farmoor, Oxford OX2 9NH Telephone: 01865 861281 37 Moor Park Road, Northwood

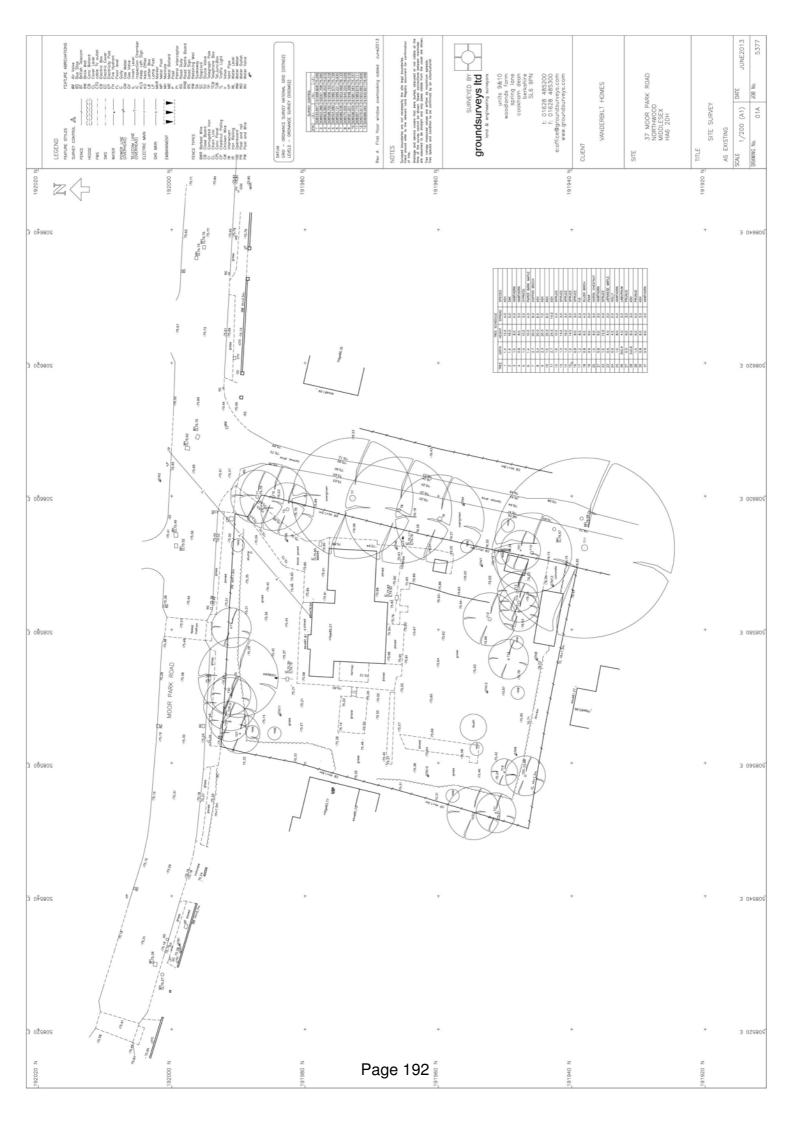
Sept 13

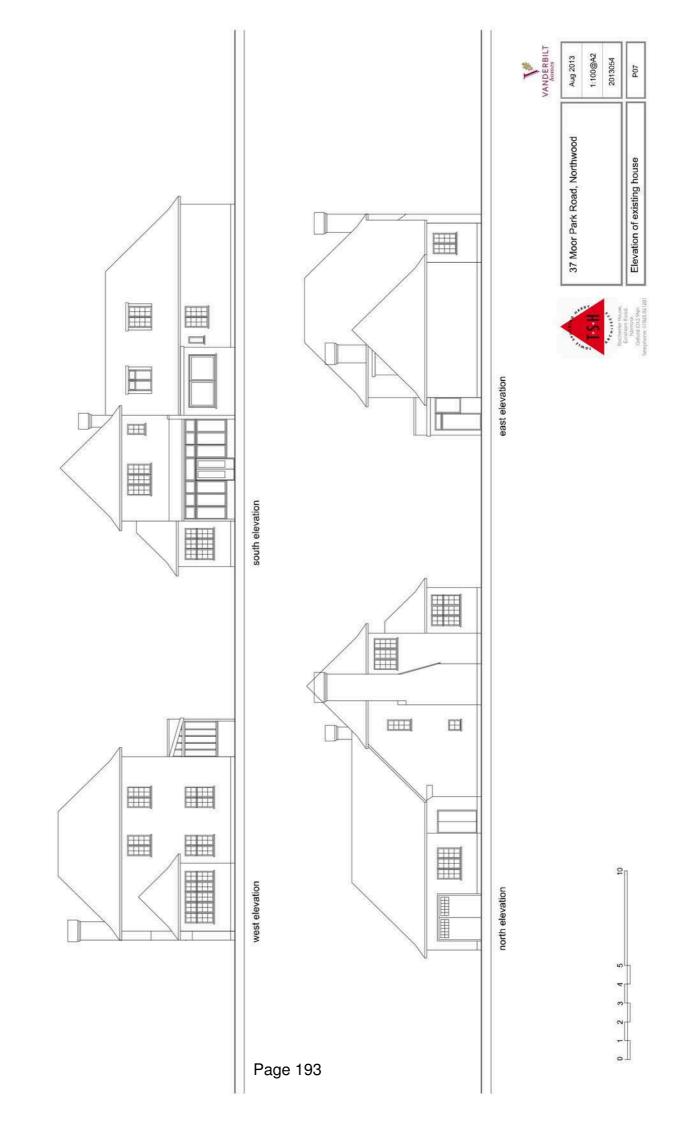
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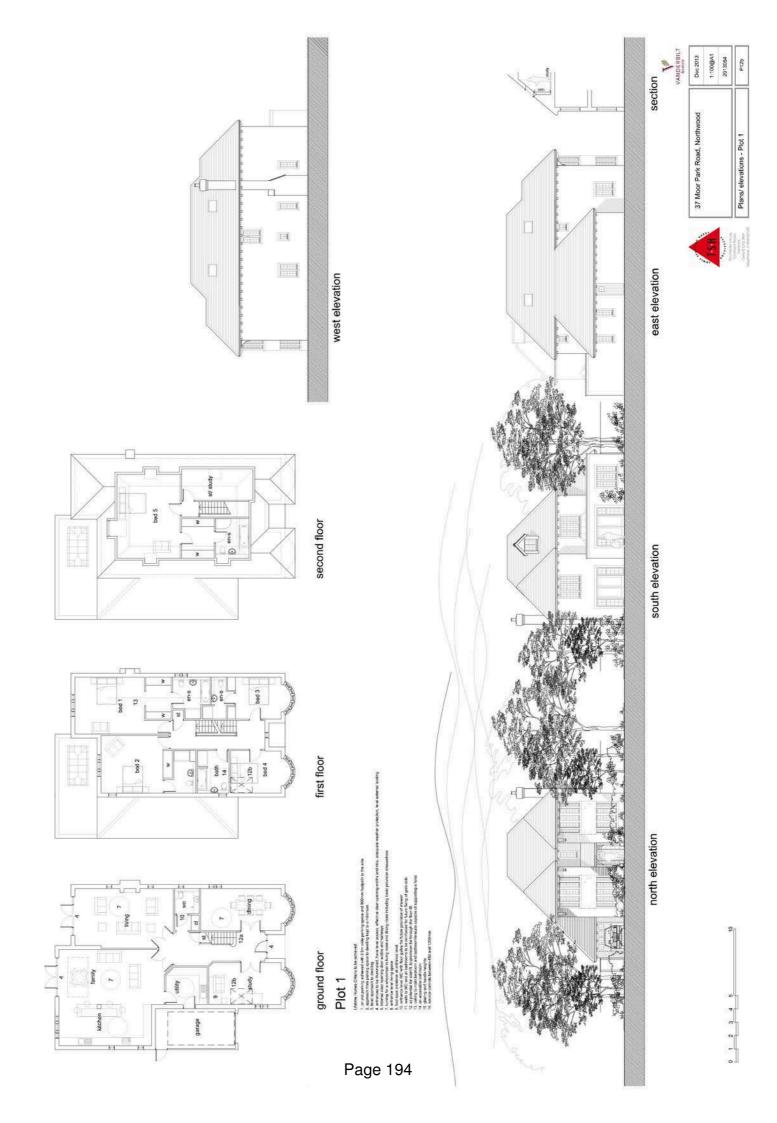
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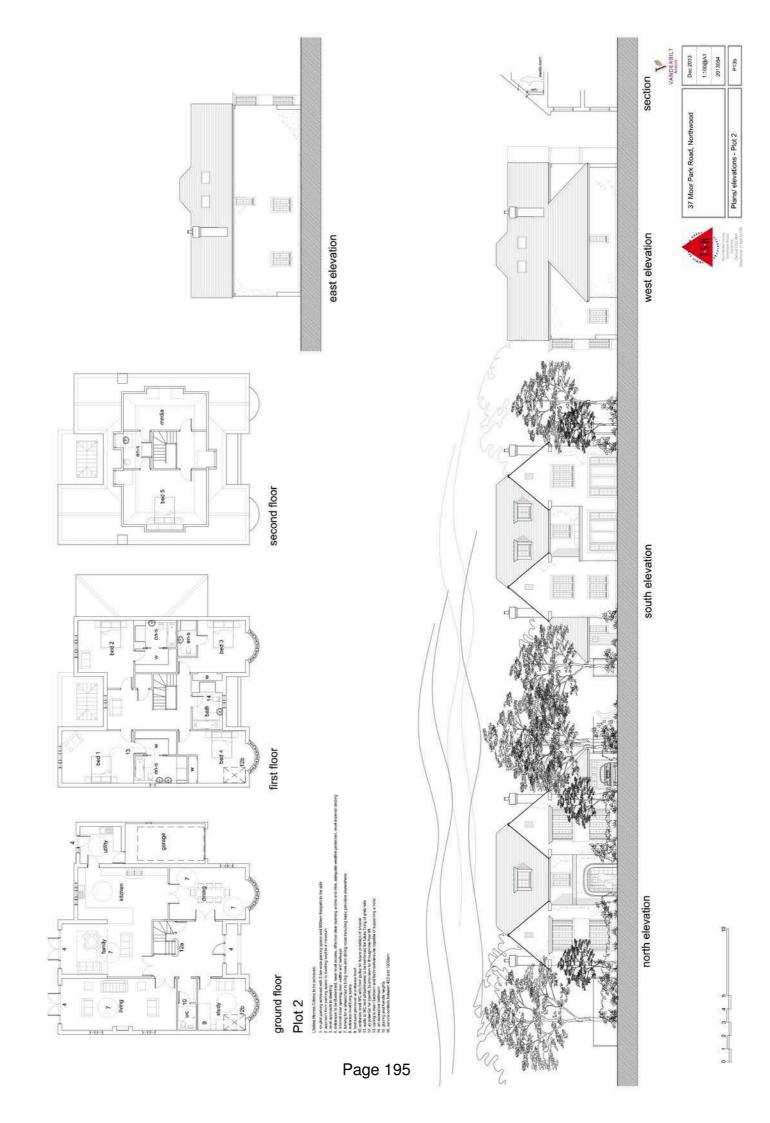
Site location plan Page 191

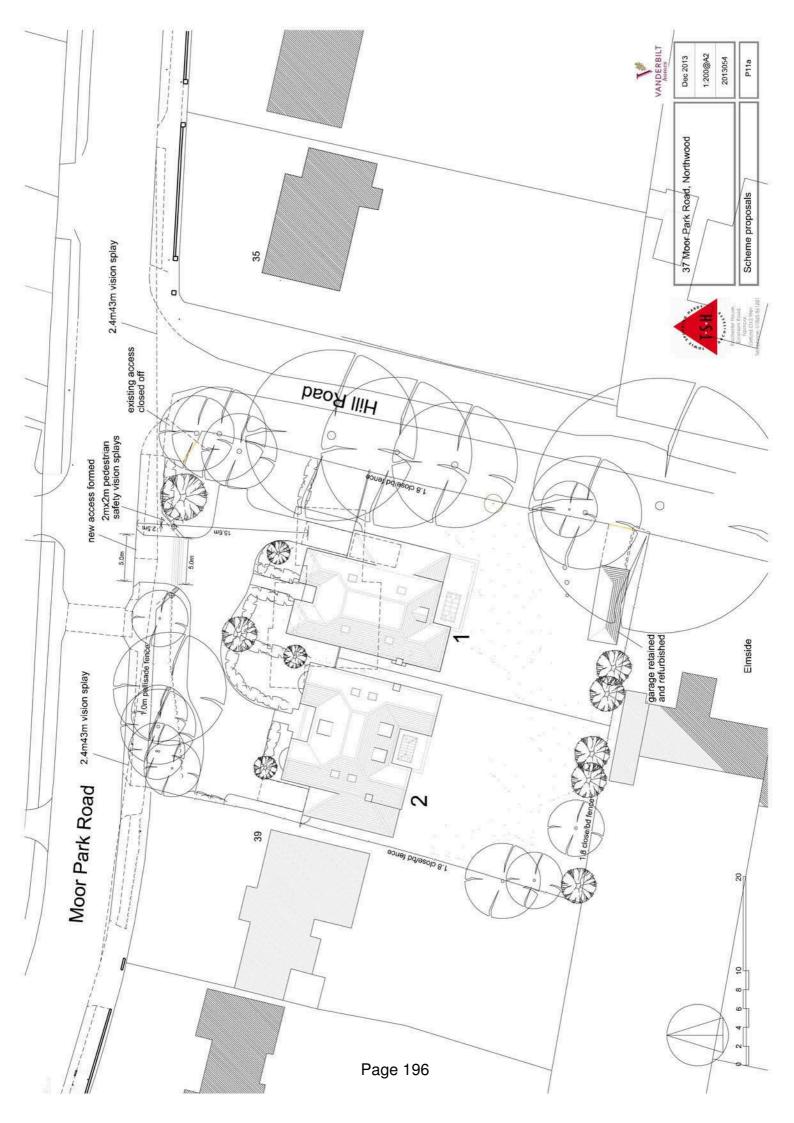
P06



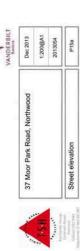


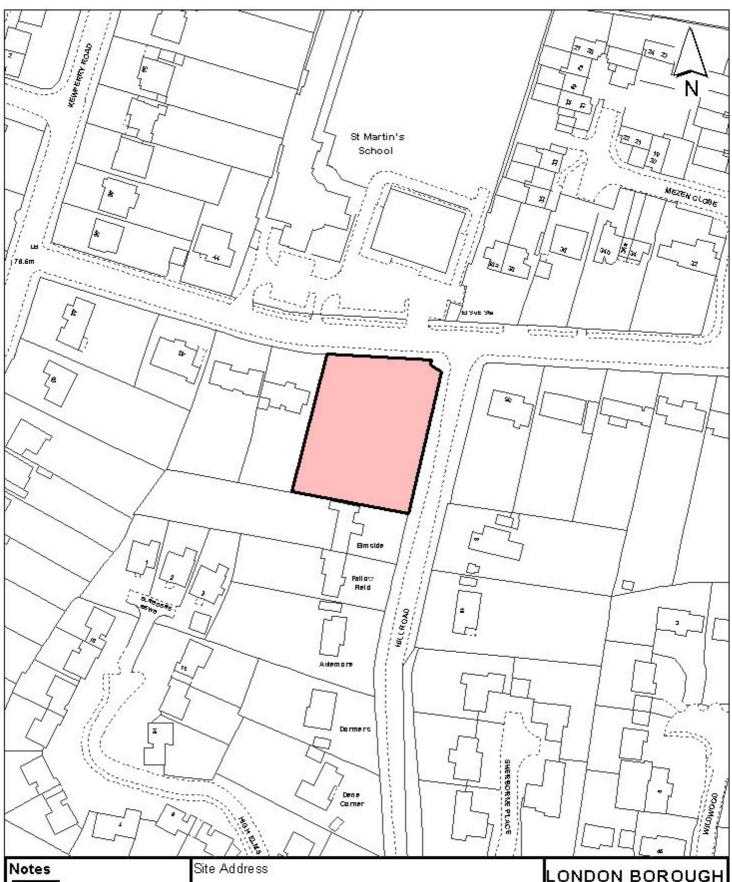


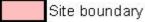












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37 Moor Park Road Northwood

Planning Application Ref: 4581/APP/2013/3765 Scale

1:1,250

Planning Committee

North Application

Date

March 2014

LONDON BOROUGH OF HILLINGDON

Residents Services

Qvic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111



Report of the Head of Planning, Sport and Green Spaces

Address LAND REAR OF 81-93 HILLIARD ROAD NORTHWOOD

Development: 2 x two storey, 3- bed detached dwellings with associated parking and

amenity space, involving demolition of existing material shed, office building

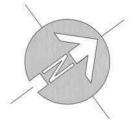
and material storage shelter.

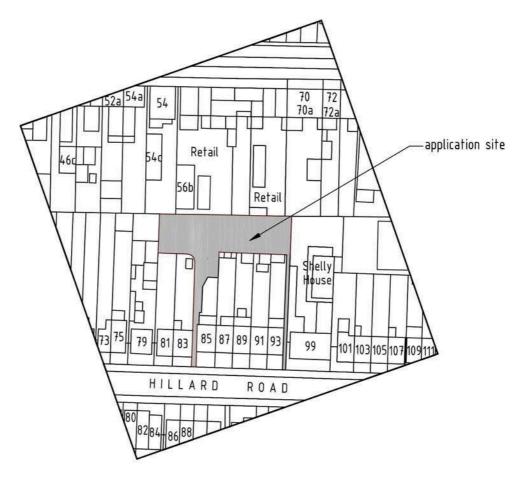
LBH Ref Nos: 64786/APP/2013/1434

Date Plans Received: 31/05/2013 Date(s) of Amendment(s): 31/05/2013

Date Application Valid: 06/06/2013

<u>LAND REAR OF 81-93 HILLIARD ROAD,</u> <u>NORTHWOOD, MIDDLESEX, HA61SL</u> <u>12/03/2013</u>

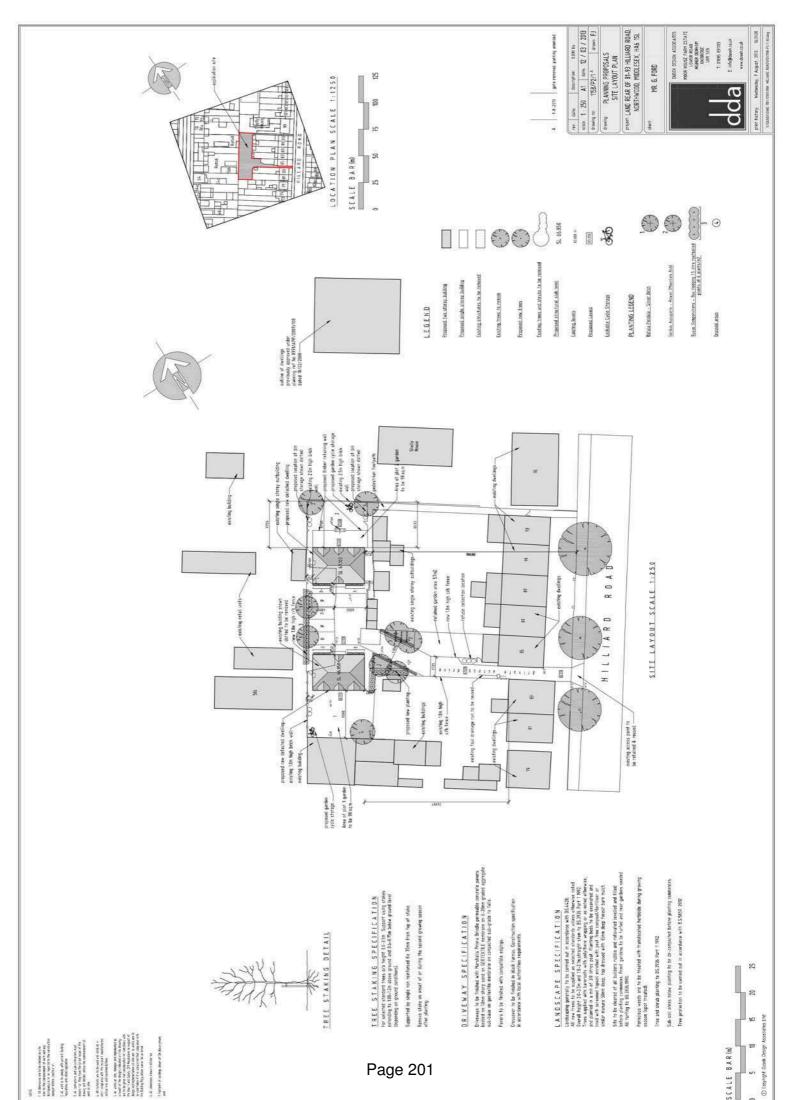




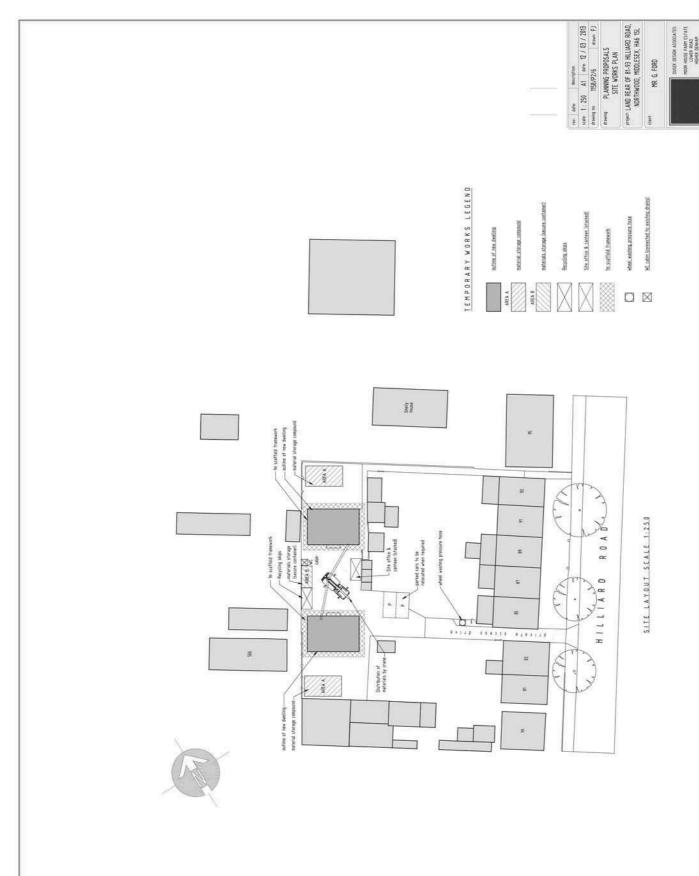
LOCATION PLAN SCALE 1:1250 A4



Page 200
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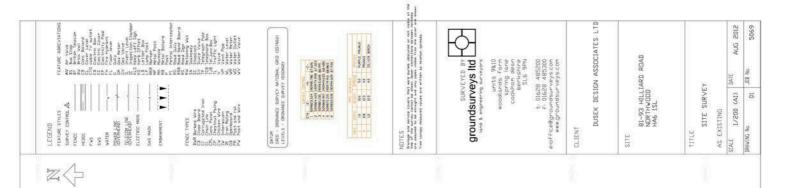
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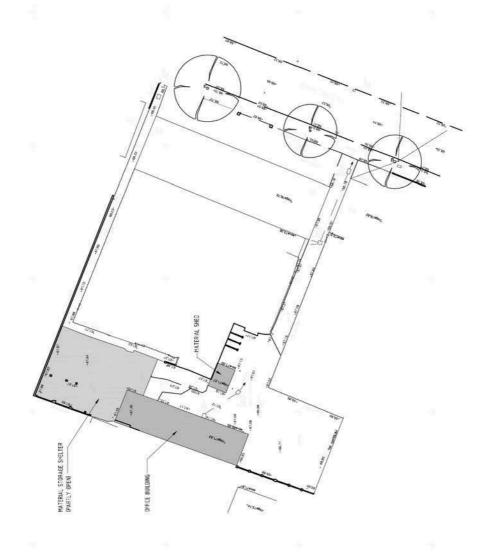


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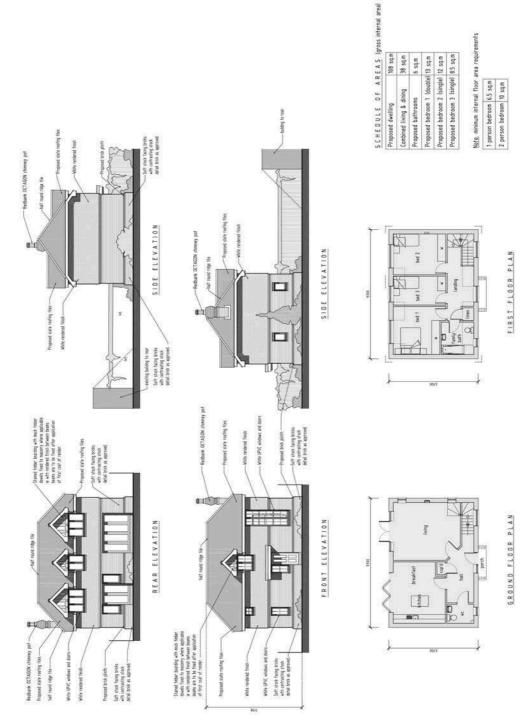


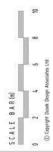




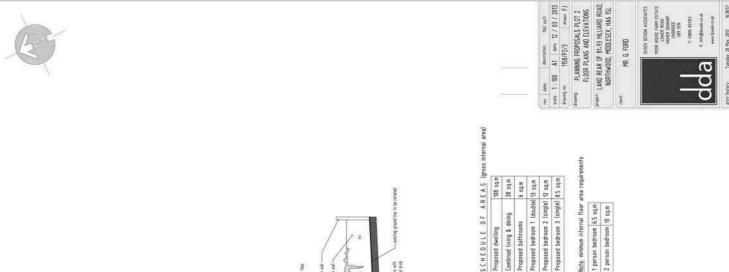


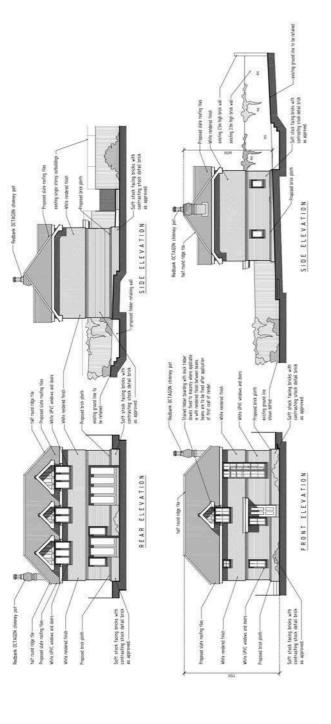














Proposed bedroom 1 (dauble) 13 sq.m Proposed bedroom 2 (single) 12 sq.m Proposed bedroom 3 (single) 8.5 sq.m

108 sq.m 38 sq.m mbs 9

Proposed dwelling Combined living & dining Proposed bathrooms



Note, minimum internal floor area requirements

1 person bedroom 6.5 sq.m 2 person bedroom 10 sq.m



(C) Copyright Dosek Design Assac SCALE BAR(m)

PROVIDED WITHIN NEW HOMES FACILITIES HOME LIFETIME

- Car Parking provided with adequate space for use by wheelchairs 0
- Car parking space between car park and access to be level and easy access from parking

0 0

- Approach to all Entrances
- Entrance area to have level access **(**

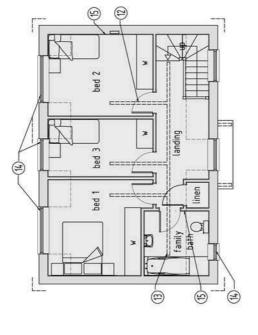
- Door width suitable for wheelchair access in accordance with requirements of part M Building Regulations 9
- Spaces internally suitable for turning of wheelchair- 1500mm diameter 9
- Circulation space-sitting & dining areas 0
 - 0

Entrance level living space

- Wheelchair accessible ground floor wc with shower 6
- WC walls suitable for fixing of support rails (2)
- Stair suitable for fixing of future stairlift **=**
- An accessible bathroom, providing ease of access (2)
- Window cills 800mm min above Finished Floor level (=)
- Electrical switches and sockets fixed between 450mm and 1200mm above Finished floor level
- (3)

- - Provision for ceiling track hoist

(2)



living

breakfast

Page 206

p,dno

PLAN FLOOR FIRST

PLAN GROUND FLOOR

12 / 03 / 2013

date:

A3

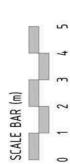
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drawing: PLANNING PROPOSALS PLOTS 1 & 2

LIFETIME HOMES



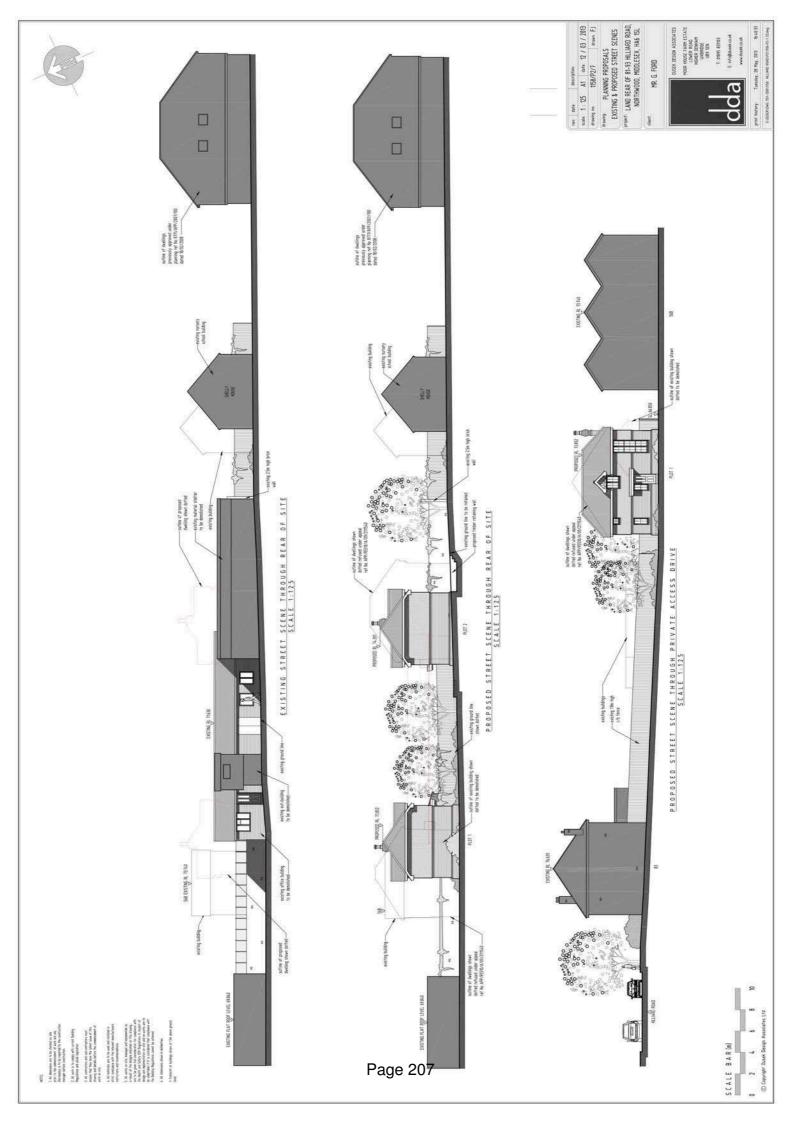




DUSEK DESIGN ASSOCIATES E: info@dusek.co.uk T: 01895 831103 www.dusek.co.uk

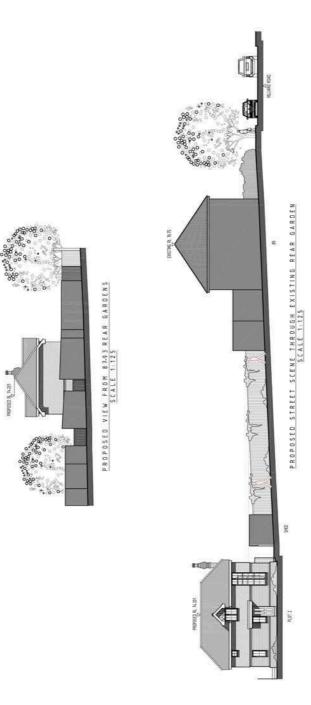
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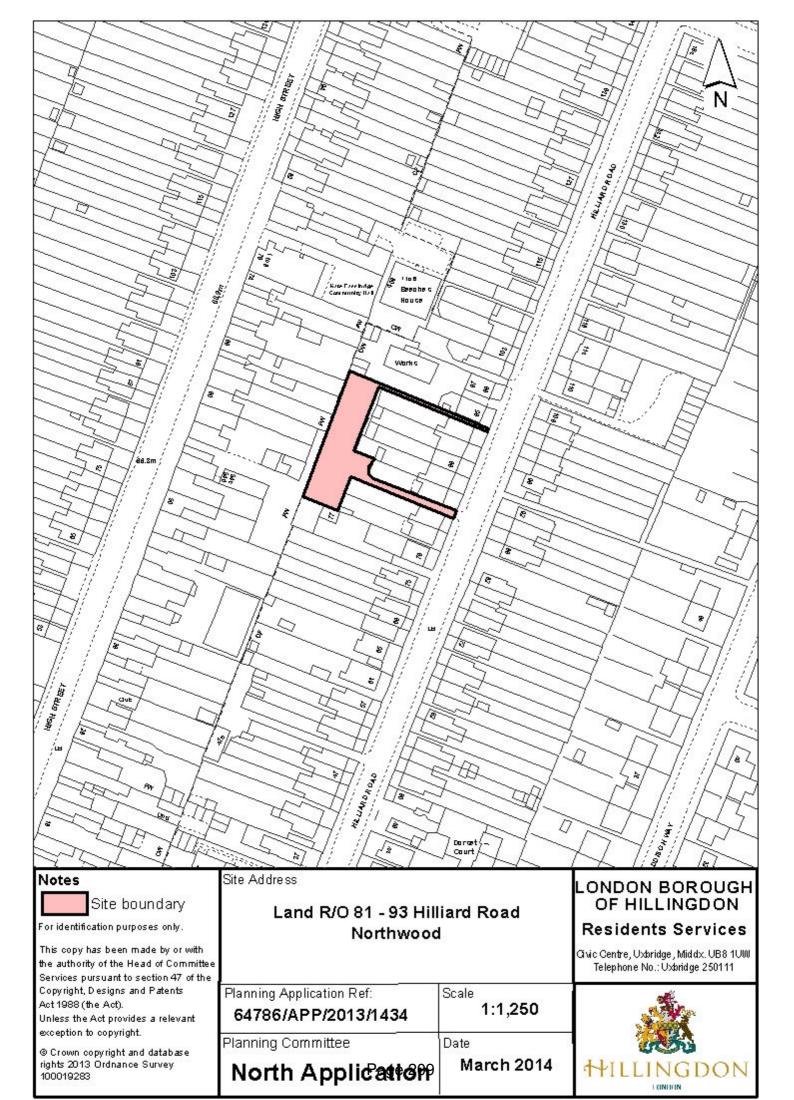








SCALE BARINI



Report of the Head of Planning, Sport and Green Spaces

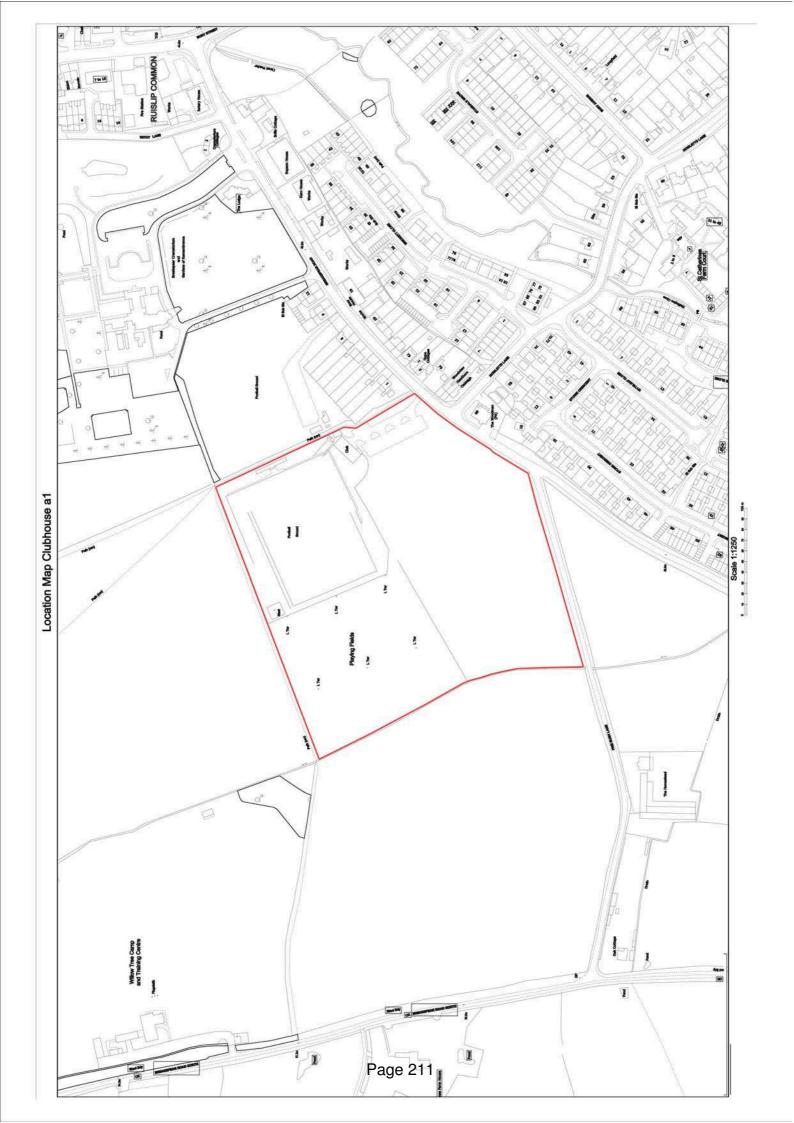
Address MIDDLESEX STADIUM BREAKSPEAR ROAD RUISLIP

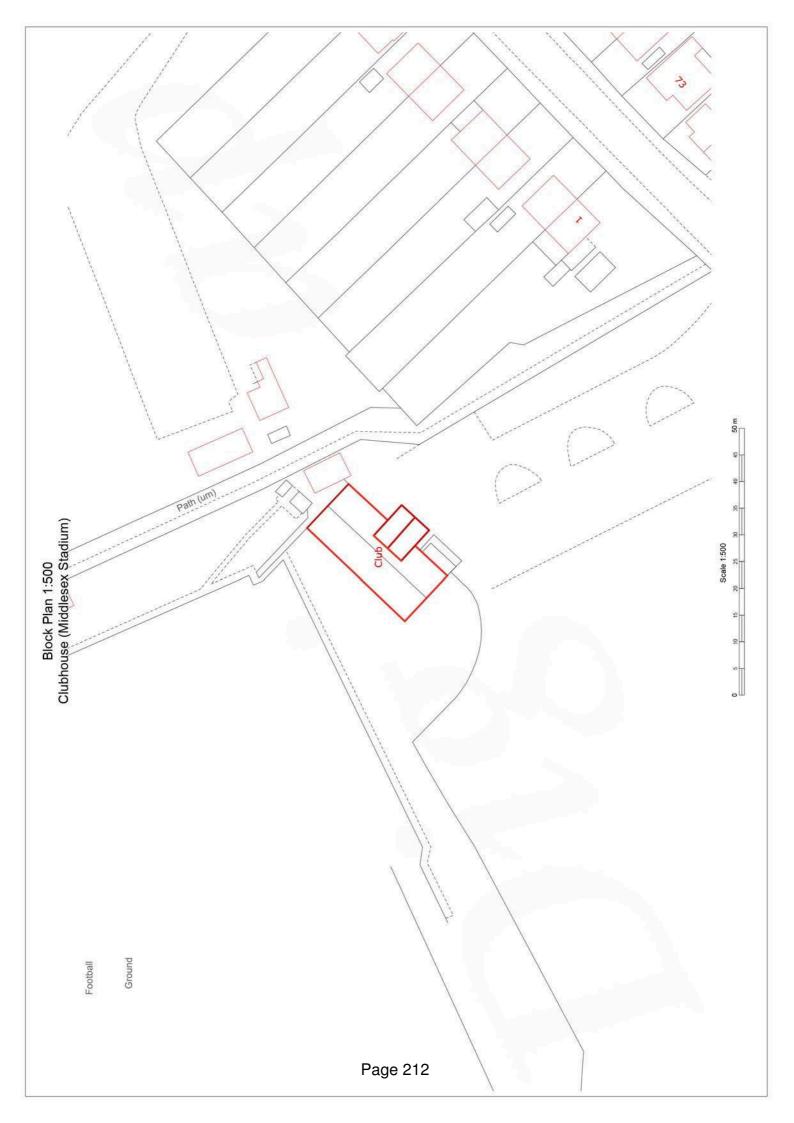
Development: Single storey front extension

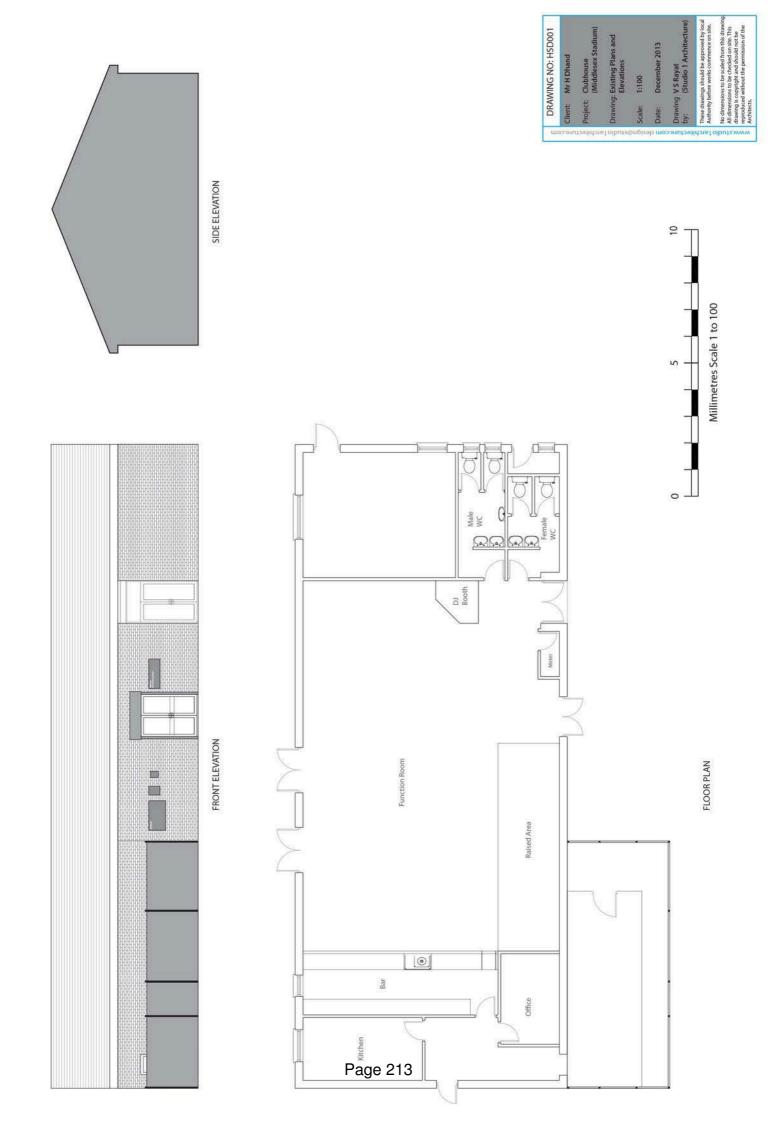
LBH Ref Nos: 18443/APP/2013/3732

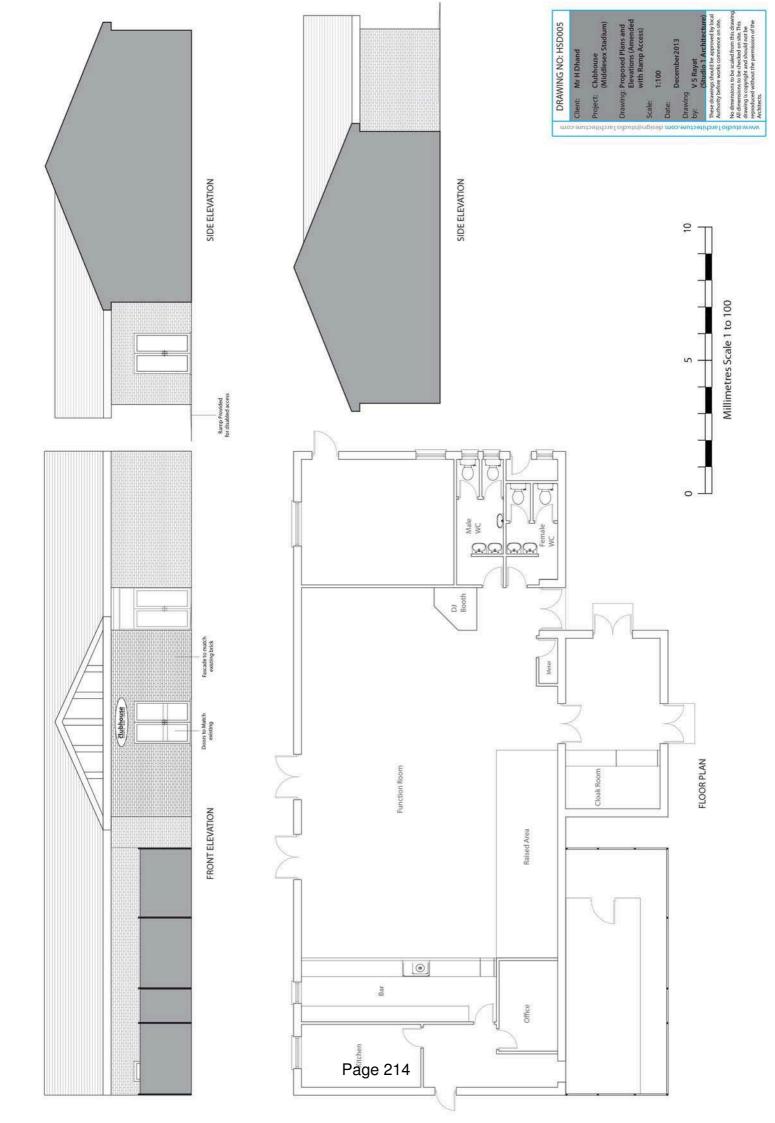
Date Plans Received: 16/12/2013 Date(s) of Amendment(s): 26/02/2014

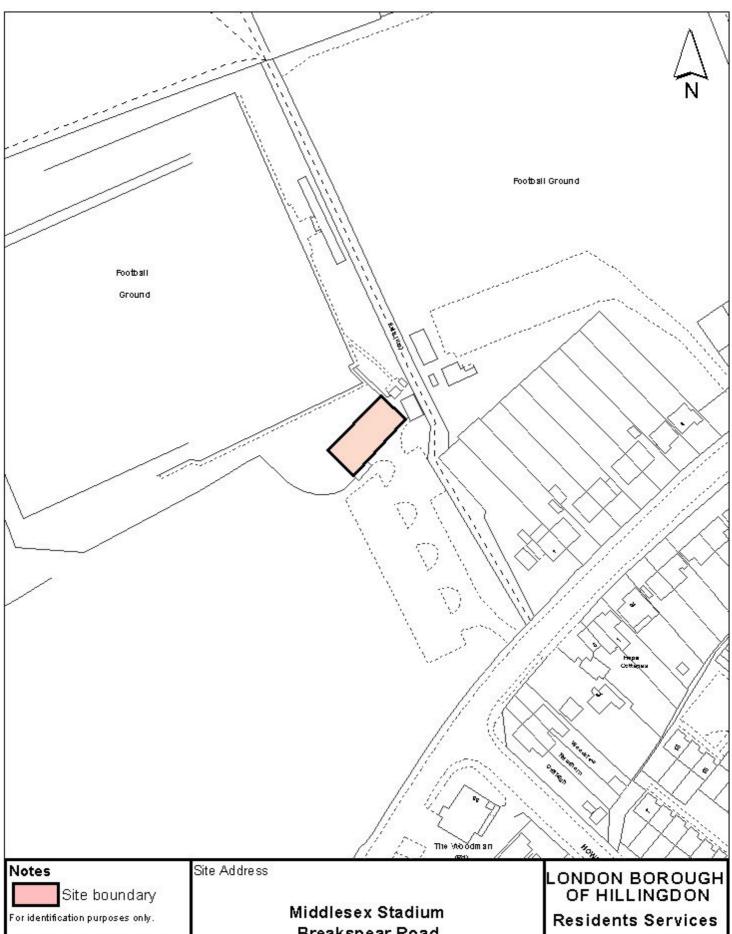
Date Application Valid: 07/01/2014











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Breakspear Road

Planning Application Ref: 18443/APP/2013/3732 Scale

1:1,250

March 2014

Planning Committee

North Applicated for

Date



Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

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