



North Planning Committee

Date: WEDNESDAY, 21 JANUARY 2015

Time: 7.30 PM

- Venue: COUNCIL CHAMBER -CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8 1UW
- MeetingMembers of the Public andDetails:Press are welcome to attendthis meeting

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To Councillors on the Committee

Eddie Lavery (Chairman) John Morgan (Vice-Chairman) Peter Curling (Labour Lead) Jas Dhot Jem Duducu Duncan Flynn Raymond Graham Carol Melvin John Morse

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This Agenda is available online at: http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=116&Year=0

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

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

About the Committee's decision

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

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

When making their decision, the Committee <u>cannot</u> 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 Matters that have been notified in advance or urgent
- 4 To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

PART I - Members, Public and Press

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

Applications with a Petition

	Address	Ward	Description & Recommendation	Page
5	R/O 57-59a Exmouth Road, Fronting Shaldon Drive, Ruislip 16124/APP/2014/2943	Cavendish	Two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store. Recommendation : That had an appeal not been received the application would have been approved subject to conditions.	1 - 22 108 - 115
6	2 Linksway,	Northwood	Two storey, 5-bed, detached	23 - 38
	Northwood 36910/APP/2014/2869		dwelling with habitable roofspace involving demolition of existing dwelling.	116 - 121
			Recommendation : Refusal	

7	6 Linksway, Northwood 5380/APP/2014/2288	Northwood	Two storey, 6-bed, detached dwelling with habitable basement and roofspace involving demolition of the existing dwelling (Resubmission).	39 - 62 122 - 136
			Recommendation : Approval	

Applications without a Petition

	Address	Ward	Description & Recommendation	Page
8	8 & 9 New Years Green Farm, Newyears Green	Harefield	Single storey rear extensions to numbers 8 & 9 and a first floor side extension to number 8.	63 - 72
	Lane, Harefield 70392/APP/2014/3842		Recommendation : Approval	137 - 151
9	1 Eastbury Road, Nothwood 1095/APP/2014/3713	Northwood	Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurant) involving, installation	73 - 84
	1093/AFF/2014/3713		of new shopfront, outdoor seating to front and installation of extraction fan to rear associated works.	152 - 157
			Recommendation : Approval	
10	23 Woodford Crescent, Pinner 41976/APP/2014/3768	Northwood Hills	Single storey detached outbuilding to rear involving alterations to roof (Part	85 - 92
			Retrospective).	158 - 162
			Recommendation : Approved	
			Please note this report has been updated	

PART II - Members Only

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

11	Enforcement Report	93 - 100
12	Enforcement Report	101 - 106

PART I - Plans for North Planning Committee Pag

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Agenda Item 5

Report of the Head of Planning, Sport and Green Spaces

Address R/O 57-59A EXMOUTH ROAD FRONTING SHALDON DRIVE RUISLIP

Development: Two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store

- **LBH Ref Nos:** 16124/APP/2014/2943
- Drawing Nos: 13/3297/11 13/3297/12 Tree Constraints Plan Arboricultural Survey design and access statement with appendix Location Plan 13/3297/10 Rev A 13/3297/9 Rev B

Date Plans Received: 18/08/2014

Date(s) of Amendment(s): 18/08/2014

Date Application Valid: 20/08/2014

1. SUMMARY

The application seeks planning permission to erect a detached dwelling on land to the rear of Nos. 57, 59 and 59a Exmouth Road, with a frontage onto Shaldon Drive, with associated parking and amenity space.

The proposal has been assessed against current policies and guidance for new housing development in terms of the effect on the character of the surrounding area, the potential impacts on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as vehicle access, traffic/pedestrian safety and parking in Shaldon Drive. The amenities of the future occupants of the dwellings have also been considered.

In conclusion, the proposals would accord with the terms and objectives of all of the identified policies and the requirements of adopted standards or design criteria in respect of the design of the new dwelling and the standard of accommodation for future occupants including the relevant Lifetime Homes requirements. The impact on the amenities of neighbouring occupiers is also considered acceptable.

The Inspectors comments on the recent appeal scheme for a similar development in respect of highways and parking matters have been noted. In the absence of strong highways grounds for resisting a new dwelling in this location, given the minimal additional impact on the capacity for on-street parking in the locality that is likely to result, a highways reason for refusal is not therefore considered sustainable.

An appeal against non-determination of this application has now been lodged and therefore it is recommended that Members resolve that planning permission for the proposed development would have been granted if the Council were in a position to determine the application.

2. **RECOMMENDATION**

That the Planning Inspectorate be advised that had an appeal against nondetermination not been received the Local Planning Authority would have

approved the application subject to the following conditions.

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 13/3297/9 Rev B, 13/3297/10 Rev A, 13/3297/11 and 13/3297/12 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing No. 68 Shaldon Drive or Nos. 57, 59 and 59a Exmouth Road

REASON

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

5 HO6 Obscure Glazing

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

REASON

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

6 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
- 3. Schedule for Implementation
- 4. Other
- 4.a Existing and proposed functional services above and below ground
- 4.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

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

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

REASON

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

8 RES16 Code for Sustainable Homes

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

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

REASON

To ensure that the objectives of sustainable development identified in London Plan (July

2011) Policies 5.1 and 5.3.

9 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

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.

,	, .
H12	Tandem development of backland in residential areas
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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	New development and car parking standards.
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF	National Planning Policy Framework
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities

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 11 Building to Approved Drawing

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

5 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.

6 I21 Street Naming and Numbering

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

7 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 - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

8 I47 Damage to Verge - For Council Roads:

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).

9

You are advised that the application site is located in the area formerly occupied by a magazine accommodation for National Filling Factory No. 7. The Council are not aware of any specific contamination issues at the site and there may be large areas where contamination is unlikely.

Before any part of the development is occupied, it is recommended that site derived soils and imported soils shall be independently tested for chemical contamination to ensure that all soils used for gardens and/or landscaping purposes are clean and free of contamination.

3. CONSIDERATIONS

3.1 Site and Locality

The application site relates to a 0.02 hectare rectangular plot of land currently forming part of the extended rear garden of No. 57 Exmouth Road which occupies a road frontage of 10.0 metres in Shaldon Drive. To the north boundary is an unsurfaced private access lane

serving garages belonging to properties in Shaldon Drive, Exmouth Road and Barnstaple Road.

The site is enclosed by a close boarded fence on both sides and is heavily planted with several fruit trees, a single Holly and a feature Palm. It is adjoined on two sides by the rear gardens of four properties in Exmouth Road (Nos. 55, 57, 59 and 59a) situated to the west of the junction with Shaldon Drive.

The surrounding area is wholly residential and characterised by terraced rows of two storey dwellings with established suburban gardens typically on 30-35 metre plots. As such, the site is situated within a Developed Area as identified in the Policies of Hillingdon Local Plan and has a Public Transport Accessibility Level (or PTAL) of 1a.

3.2 Proposed Scheme

The proposal is for the erection of a two storey, 2-bedroom three person detached dwelling house providing approximately 102 square metres of gross internal floor area.

The proposed dwelling would be finished with a hipped roof on all sides, extended to a cat slide roof on the south side elevation. It would have a width of 8.1 metres and an overall depth of 9.8 metres at ground floor (6.6m at first floor) and be set approximately 6.0 metres back from the public footpath to align with the established building line in Shaldon Drive. The flank wall of the dwelling would be approximately 12.8 metres from the rear boundary of No. 59a Exmouth Road at ground floor (15.1m at the upper eaves level) and have an apex height of approximately 7.45 metres.

Internally, it would comprise of a kitchen/diner and lounge plus WC/wet room at ground floor, two bedrooms and a bathroom on the first floor. The principle habitable room windows would be in the front and rear elevations plus two small side openings to the lounge facing the garages access lane. There would be no windows at first floor in either of the side elevation facing properties in Exmouth Road or Shaldon Drive.

The dwelling would be finished externally in facing brick (ground floor), render (first floor), roof tiles and upvc window/door openings. The proposed development would be served by a new vehicle crossover (4.8 metres wide at the kerbside) from Shaldon Drive with an off road parking space of 4 metres width by 4.8m deep formed within the front garden.

Approximately 75 square metres of private amenity space would be provided to the rear of the dwelling which would also contain a cycle store (1.3 metres x 1.75m) for two bicycles.

3.3 Relevant Planning History

16124/APP/2013/3540 R/O 57-59a (Fronting Shaldon Drive) Exmouth Road Ruislip

Two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store

Decision: 19-03-2014 Refused Appeal: 24-07-2014 Dismissed

Comment on Relevant Planning History

A recent proposal for a similar two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store (under ref. 16124/APP/2013/3540) was refused in March 2014 for the following reasons:

1. The proposed development by virtue of the inappropriate development of gardens would erode the character, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies 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 (July 2011) and the National Planning Policy Framework;

2. The proposed development fails to demonstrate that sufficient off street parking provision which meets the Council's approved parking standards to service the existing and proposed dwellings will be provided and would result in the loss of space currently available for on-street parking. The development would therefore lead to additional on street parking, in an area where such parking is at a premium, to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), the Council's adopted car parking standards and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposal would fail to meet all of the Lifetime Homes standards, in particular with regard to parking, level access, the provision of at least one bathroom/en-suite laid out to standard or a entrance level WC for future use as a wet room. It is therefore contrary to Policy 3.8 of the London Plan (July 2011), the Supplementary Planning Document, the 'Hillingdon Design and Accessibility Statement - Accessible Hillingdon', Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy AM13 of the Local Plan: Part Two - Saved UDP Policies; and

4. The proposed development by reason of its design, bulk and location would result in an incompatible and obtrusive form of development which would have an unacceptable detrimental impact upon the streetscene and the area in general. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies 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 (July 2011) and the National Planning Policy Framework.

The subsequent appeal against that decision was dismissed in July 2014. The appeal was not dismissed on grounds of the principle of development at this location, but on matters of detail. The Inspector considered that there were three main issues, the effect on the character and appearance of the area, the safety of highways users and the provision of Lifetime Homes Standards for future occupants.

The terraced rows in Shaldon Drive with their hipped roofs and bay window fronts were noted but he considered that whilst the gardens to Exmouth Road properties provided a visual break and open feel, these were not a feature that contributed strongly to the local landscape. Furthermore, the proposed house was of a design that would be in character and would appear as a continuation of the line in Shaldon Drive.

With regard to highways matters, the loss of a garage space to No. 57 Exmouth Road and the provision of one off street parking space for the new dwelling in an area of low accessibility where two spaces were sought would be likely to result in additional on-street parking. Against that, the loss of the two parking spaces for two vehicles in front of the site in Shaldon Drive would improve the safety of other highways users and there was no evidence presented of a lack of on-street parking capacity at weekends and evenings. In summarising, he concluded that there would be more parking congestion as a result of the

development but considered that this did not represent reason alone to dismiss the appeal.

With regard to the Lifetime Homes Standards, the ground floor WC would not meet these and would need to be adapted with the internal layout of dwelling re-designed.

Under the heading Other Matters, the design of the new dwelling, with its lower ridge height than the adjoining houses in Shaldon Drive and Exmouth Road, and cat-slide roof would mean that it would not be overbearing or have any effect on the privacy, daylight/sunlight or outlook of Nos. 59/59a Exmouth Road. He did however raise a concern about the overlooking and loss of privacy towards the rear gardens of Nos. 51- 57 Exmouth Road, with oblique views from the west elevation bedroom.

The current proposal, essentially for the same style and position of dwelling, has therefore been revised by its internal layout and the width of vehicle access with the appeal decision in mind and these changes and the Inspectors conclusions are considered under the relevant sections elsewhere in this report.

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.EM6	(2012) Flood Risk Management
Part 2 Policie	es:
H12	Tandem development of backland in residential areas
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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 New development and car parking standards.
- OE8 Development likely to result in increased flood risk due to additional surface water run-off requirement for attenuation measures
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- NPPF National Planning Policy Framework
- LPP 3.3 (2011) Increasing housing supply
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.9 (2011) Mixed and Balanced Communities

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

7 neighbouring and nearby occupiers were consulted (on 22.8.2014) and in addition a site notice was displayed from 28.8.2014. There have been four responses and an additional four representations received, including a petition (signed by 35 persons) with the following objections, issues and concerns raised (summarised):

Principle/impact on surrounding area:

- garden land grabbing;
- cramped development/precedent;
- already too many houses/overcrowded area;
- will spoil the outlook and open space already there;
- has been turned down at least twice and on appeal (issues are still the same).

Size, scale and design:

- out of character with terraced properties.

Amenities of neighbouring occupiers:

- will block light into kitchen (of No. 59 Exmouth Road);
- proximity/distance (to No. 59a Exmouth Road) is only 13 metres;
- loss of outlook, dominant and overbearing in bulk (viewed from Nos. 59 and 59a Exmouth Road);

- development would be visible from garden (of No. 66 Shaldon Drive), which adds to being surrounded by more buildings;

- loss of privacy.

Parking, access and traffic:

- net loss of three parking spaces/insufficient parking as it is (full parking esp. at weekends);

- probable that there will be two cars (space shown for only one car/second vehicle will be parked in the space back to the alley access);

- would restrict/worsen parking in area (already at saturation/difficult to find a parking space);

- parking spaces will be reduced including loss of a double garage and two on street spaces;

- dropped kerb prevents other residents from parking (residents have dropped kerbs installed to guarantee parking space outside their property);

- front garden is insufficient to accommodate the length of the vehicle (would project over the pavement - single file pedestrians only, a baby buggy would have to divert into road);

- trade vehicles parked overnight in front gardens cause similar obstruction to the passage of pedestrians;

- fence would be removed to enlarge off road parking area (as at 63 Shaldon Drive, opposite and elsewhere)/degrades the planned environment;

- Manor Homes Estate was developed with forethought to the increasing ownership of motor vehicles (most houses have access to off road parking either at the side of the property or in the rear garden);

- loss of rear access to No. 57 Exmouth Road;

- No. 59 Exmouth Road has access to a garage from Shaldon Drive (No. 59a appears to have none);

- if permitted would effect parking space in Shaldon Drive (leading to conflict of interest over parking space between the residents of 59, 59a and the proposed new property); and

- will encourage more residents to get front gardens concreted with dropped kerbs;

- parking on footways in Shaldon Drive was approved in 1998.

In support of these concerns, photographic evidence of on-street parking in the immediate locality, taken at different times of the day and week, including Saturday and Sunday evenings, has also been submitted.

Amenities of future occupants:

- proposed dwelling will have no garden and will be tiny.

Other issues:

- will contribute little to Borough's affordable housing need;

- too many front gardens are being paved over (bad for the environment and ambience);
- less drainage and possibly flooding risk eventually;

South Ruislip Residents Association - no comments.

Internal Consultees

Principal Access Officer - considers acceptable with the following comments:

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 floor drain shown within the entrance level WC should be relocated to the corner furthest from the door opening, on the opposite wall. A planning condition should be attached to any approval to secure the Lifetime Homes Standards plus additional condition re. level accesses.

Trees/Landscape Officer - no objection subject to conditions RES9 (parts 1,2,5 and 6) with the following comments:

The site is occupied by the gardens to the rear of Exmouth Road, which is accessible from Shaldon Drive. The area is residential and characterised by established suburban gardens. This particular garden is fairly typical of the area with no protected species and no trees or other significant landscape features which might constrain development.

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

- the application is supported by Merewood's Arboricultural Survey to BS5837:2012. The survey assesses the condition and value of 8No. individual specimens. The report concludes that these are all grade 'C' trees.

- while the vegetation collectively make a contribution to the visual amenity of the area, the condition, quality and useful life expectancy of these trees (individually) poses no constraint on development, provided that replacement planting is secured.

- the development necessitates the removal of several garden shrubs and small trees. However, no trees or other landscape features of merit will be affected by the proposal.

- the Design & Access Statement, Tree Survey, together with WJ Macleod drawing No. 13/3297/1 confirm that there is space and opportunity within the proposed site layout to secure replacement planting as part of a landscape scheme for the site.

- if the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

Environmental Protection Unit - comment as follows:

The above site is located in the area formerly occupied by a magazine accommodation for National Filling Factory No. 7. We are not aware of any specific contamination issues at the site and there may be large areas where contamination is unlikely. Recommends Informative(s) be added re. contamination and construction works.

Highways (Traffic/Transportation) Officer - no objection with the following comments:

There is a single garage at the rear of No 59a Exmouth Road, which is outside the red line but is shown as unused. The cross over to this garage is also shown as disused. The applicant is not the owner of this garage and confirmation has not been provided from the owner of the garage that it is disused. Until this is provided the removal of the crossover to facilitate additional on street parking cannot be considered.

The site has a PTAL of 1a, very low. The revised access and parking layout for the new dwelling provides two off street car parking spaces. However, no replacement off street parking is proposed for the existing dwellings. The development will therefore result in loss of garages at the rear of nos. 57 and 59 Exmouth Road. No. 57 Exmouth Road has off-street car parking at the front and therefore only 59 Exmouth Road will have no off-street car parking as a result of the development.

Having considered the appeal decision for the previously refused application, the Inspector appears to suggest that the appeal would unlikely to be dismissed if the highways reason for refusal given was the only issue with the scheme. Consequently, if the revised scheme is considered to be acceptable on all other planning grounds, a refusal on highways ground is unlikely to be upheld in case of an appeal.

Should the application be approved, a condition should be attached to cover pedestrian visibility splays of 2.4mx2.4m for the proposed vehicular access and height of the fence adjoining the access road should be restricted to 1m for a length of 2.4m from the back edge of the footway. A condition should also be attached to address the issue of the crossover associated with the existing garage at

the rear of 59a Exmouth Road.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 53 of the National Planning Policy Framework advises that 'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

The London Plan (July 2011) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure.

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

The London Plan comments (in Paragraph 3.34) that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern. This Plan therefore supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base..."

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that "new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable area".

Policy H12 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) refers to proposals for tandem development of backland in residential areas. However, this form of development consists of one house immediately behind another and sharing the same access therefore is not applicable to the current application proposal.

The construction of one dwelling on this site would effectively represent "garden grabbing". However, in the light of the recent appeal Inspector's comments made regarding the contribution that the open space provided by the back gardens makes to the local landscape and the impact of the proposed dwelling on the character of the area given its general design form and position in Shaldon Drive, the proposal can not be dismissed as inappropriate development of garden land. In the circumstances therefore, the principle of the development can be accepted in this instance but with any grant of planning permission to be determined on other aspects.

7.02 Density of the proposed development

The density of residential development on this site should be in accordance with Policy 3.4 of the London Plan (July 2011). Thus for dwellings of 4 habitable rooms in suburban locations, a density of 150-200 habitable rooms/hectare (or 35-55 units/ha.) is sought.

The proposed development, comprising of four habitable rooms (two bedrooms plus a kitchen/diner and lounge) on a site area of 0.02 hectare would thus result in a density of 200 habitable rooms/hectare (approx.) or 50 units per hectare, which would be at the top of the acceptable density range for a site in a suburban location with a PTAL score of 1a.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) requires developments to harmonise with the existing streetscene or other features in the area.

Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area in which it is situated.

The application site is wholly visible from Shaldon Drive the immediate surrounding area to which comprises of mostly two storey terraced rows. The proposed house would occupy a smaller plot in terms of front to back depth than those. Given its detached nature and the lower eaves/ridge height the proposed dwelling clearly differ from those in the immediate vicinity. Nonetheless, the Inspector at the recent appeal concluded that in terms of its design, including pitched and hipped roof and bay windows, and in particular its position aligned with the properties in Shaldon Drive with which it would appear as a continuation, the proposed dwelling would not be out of character with its built surroundings or the residential amenity of the area.

Policy BE22 of the Hillingdon Local Plan requires a gap between a two storey building and the side boundary line of at least one metre. Whilst the site backs on to the gardens of properties in Exmouth Road and adjoins a private access lane, this has nonetheless been achieved in the proposal.

Accordingly, the proposal is considered to comply with the objectives of Policies BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies in this regard.

7.08 Impact on neighbours

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that "planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity."

The Council's Supplementary Planning Document - the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) sets down a minimum of 15 metres separation distance between adjoining dwellings.

Policy BE20 of the Local Plan requires new buildings to provide for adequate daylight and sunlight to be able to penetrate into and between them and the amenities of the existing houses to be safeguarded.

The proposal would maintain a separation of 12.8 metres from the rear elevation of No. 59a

Exmouth Road at ground floor but achieve 15.1 metres at the upper eaves level. The cat slide roof section facing this and other properties in Exmouth Road would effectively reduce the physical bulk at the boundary and allow natural light to penetrate whilst sunlight from the south would be unaffected.

For these reasons therefore, it is considered that the proposal would be unlikely to reduce the residential amenities of the occupiers of Nos. 55 to 59a Exmouth Road and No. 68 Shaldon Drive by reason of bulk and proximity or loss of natural light/sunlight and as such complies with the objectives of both Policies BE20 and BE21.

Policy BE24 of the Local Plan requires the design of new buildings to protect the privacy of neighbouring dwellings. Paragraph 4.12 of the Hillingdon Design and Access Statement: Residential Layouts (or HDAS) requires a minimum of 21 metres between properties (taken at 45 degrees from the centre of the upper floor habitable room windows in the new dwellings) to ensure no loss of privacy would occur.

In this regard, there are no habitable room windows proposed to the upper floors of the new dwelling that would create overlooking to any of the existing dwellings or the nearest part of their gardens in either Exmouth Road or Shaldon Drive (as measured by a 45 degree taken either side of the centre of the rear windows) or to the rear in Barnstaple Road which are over 50 metres away. To this end, the provision of a buttress wall carried up from the ground floor on the rear elevation would effectively prevent overlooking of the dwellings in Exmouth Road from the rear bedroom whilst the bathroom window can be fitted with obscure glass.

The proposal therefore complies with the objective of Policy BE24 in this respect.

7.09 Living conditions for future occupiers

Policy 3.5 of the London Plan (July 2011) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. In order to achieve this, the new dwelling would be required to meet the minimum gross internal floor space standards set out under this policy, and in the GLA's Supplementary Planning Guidance - Housing (November 2012).

The proposed development would provide a two bedroom dwelling, with a gross internal floor area of 102 square metres (approximately). The front bedroom is capable of being occupied in the future as a double or twin room [12 sq.m. or more], and therefore a total of up to three persons could be accommodated in total.

The standard set down for a 2-bedroom, 3 person dwelling is 74 sq.m. therefore the floorspace provided would achieve the minimum gross internal floor area set down in the London Plan (July 2011). The proposal would thus provide an adequate layout standard of living accommodation for its occupants and complies with the London Plan and HDAS standards in this regard.

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states: "New residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and the surrounding buildings, and which is useable in terms of its shape and siting."

The Council's Supplementary Planning Document - the Hillingdon Design and Accessibility Statement - Residential Layout (July 2006) states that the garden space standards which

for a two bedroom dwelling is 40 square metres. The proposal provides 64 square metres of private garden space and therefore also complies with Local Plan Policy BE23 and HDAS in this regard.

The amenity space of the existing dwellings at Nos. 59 and 59a Exmouth Road, the rear boundaries of which would be adjoined, are 70/80 sq.m. respectively and would be unchanged. The dwelling at 57 Exmouth Road, which has been extended at the rear, would retain approximately 62.5 square metres of its current extended garden of over 230 sq.m. sufficient for a two bedroom property.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of two off-street parking spaces for each dwelling.

The application site has a low PTAL score of 1a, so the maximum two parking spaces standard is required to be adhered to in this instance. The spaces should each measure 2.4 metres x 4.8 metres and allow for turning/manoeuvring in order that vehicles leave the site in a forward gear.

The proposal indicates the provision of an area for off-street parking for the dwelling which exceeds the standard dimension for one vehicle and thus would potentially provide for up to two small/medium sized vehicles serviced by a proposed new single vehicle width crossover from the Shaldon Drive. In making the previous application for the same dwelling, the applicant commented that as the proposed house was two bedroom, a single albeit enlarged space in the front garden may be considered more appropriate for this area in addition to which a greater amount of land at the front could be devoted to soft landscaping.

Furthermore, this new vehicular access on to Shaldon Drive is preferable to using the side access (as proposed in the earlier withdrawn application) as the appropriate pedestrian visibility splays to the pavement would be within the applicant's control on both sides. A tandem parking arrangement for two vehicles had previously been ruled out for this depth of frontage whilst any other internal parking layout for two cars could result in running across the raised kerb.

Notwithstanding, the one generous parking space shown with potential capacity for two vehicles would be accessed by a single crossover that has been increased to a standard width at the Highways Officer's request and also retains an upstanding at the kerb line of at least 1.2 metres between this and the existing crossovers on either side in Shaldon Drive.

The position of the proposed crossover, 4.8 metres in width at the kerb, would thus remove one on-street space that is currently available for parking, although the visibility for vehicles leaving the rear service lane can be severely restricted. In these circumstances, forming a new crossover here may be considered as a benefit to local highway safety, a point that the Inspector noted when considering the recent appeal.

This apart, the Council's Highways Officer has identified a net loss of only one parking

space for one of the existing dwellings (No. 59 Exmouth Road). The existing garage and access for No. 59a Exmouth Road is not disused and this has now been indicated on the amended site plan. The former garage belonging to No. 57 Exmouth Road, which has not been used for vehicle parking by the current owner in 19 years, is to be removed but there is on-street parking instead of this directly in front of that property.

Taking into account the Inspectors conclusions, on balance the proposal is considered unlikely to have a detrimental impact on general highway safety, parking and traffic flow in the immediate vicinity of the application site.

In addition to the car parking requirements, any proposal should provide a covered, screened and secure cycle store with space for three bicycles within the site of the new dwellings. This provision has been made in the proposal with a cycle store for two bicycles in the rear garden.

Access for emergency and other vehicles to this site would be generally good with the new access keeping the site entrance clear and thus unlikely to give rise to any significant highway and pedestrian safety problems whilst in attendance.

7.11 Urban design, access and security

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. They should be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. They should also create safe and secure environments.

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) also sets out, in Chapter 4, the site specific and general design guidance for new residential development.

Thus elevations should be in harmony with the surroundings and complement and/or improve the area, contributing to the street scene and environment generally. Building lines should relate to the the street pattern whilst car parking should not result in a reduction in residential amenity as a result of noise, emissions and increased activity. Where parking is to the front, careful consideration must be given to boundary treatment, retention of trees and the use of walls, fences etc. Bicycle parking facilities should be safe and accessible.

As discussed elsewhere in this report, the bulk and scale, siting and design of the proposed dwelling has been considered in terms its effect on the amenity and character of the surrounding residential area, and it is considered to be acceptable in the context of the local built environment.

7.12 Disabled access

All housing development schemes must be constructed to a design that is in accordance with the Lifetime Homes Standards as outlined in the SPD, the Hillingdon Design and Accessibility Statement (HDAS) - Accessible Hillingdon' and Policy 3.8 of the London Plan 2011.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) also states that housing should be designed to include Lifetime Homes principles so that they can be readily adapated to meet the needs of those with disabilities and the elderly.

The basic objective of these policies is that any new dwelling should be accessible and capable of future occupation by disabled person(s). This may include where appropriate such design features as external access ramps, level entrance thresholds for wheelchairs, minimum door widths and bathroom dimensions including a practical WC/washbasin arrangement, a layout that enable one bathroom facility at entry level to be used in the future as a wet room (with shower gulley drainage) and an identified location for a future through the ceiling wheelchair lift.

The Council's Principal Access Officer has advised that the revised proposal now achieves all of the relevant Lifetime Homes standards, in particular with regard to level access, bathroom and entrance level WC for future use as a wet room. As such, the proposal would accord with Policy 3.8 and HDAS.

Policy AM13 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) seeks to ensure that proposals for development increase the ease and spontaneity of movement for elderly people, the frail and people with disabilities. With regard to Lifetime Homes standards, there is an enlarged parking bay of 4 metres in width provided (the standard is for 3.6m) and therefore this overall policy objective has been met by the proposal.

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 Policies Unitary Development Plan Policies (November 2012) requires new developments to retain and utilise landscape features of merit.

The development necessitates the removal of several garden shrubs and small trees specimens, all of which make only a limited contribution to the visual amenity of the area. No trees or other landscape features of merit will be affected by the proposal.

There is however space and opportunity within the proposed site layout to secure replacement planting as part of a landscape scheme for the whole site including the site frontage in Shaldon Drive, which can be sought by means of conditions on any approval granted.

The Council's Trees & Landscape Officer has confirmed that there is no objection on this basis. The proposal would thus achieve the specific landscape aims of Local Plan Policy BE38 in this regard and also to Local Plan: Part One Policy BE1 which seeks to protect the amenity of surrounding land and buildings, particularly residential properties.

7.15 Sustainable waste management

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement - Residential Layouts, in Chapter 4 states that adequate and appropriate space for waste and recycling facilities should be incorporated in to new developments, which integrates with the buildings they serve and minimises the impact on local amenity.

Waste disposal facilities should be located on private land with solid, well ventilated bin stores that are discreetly sited and screened but easily and safely accessible from the highway/collection point. The maximum distance for refuse to be carried by residents is 25 metres or 30m from the highway where these are to be collected. In accordance with HDAS therefore, the dwellings would be required to be provided with a screened storage

area for refuse awaiting collection.

The proposed site layout makes provision for a hardstanding for bins within the application site, the details of which can be made the subject of an appropriate condition, but are otherwise considered to be in a suitably discreet position which would not be highly visible beyond the site boundaries. The carrying distance from the highway of less than 10 metres would provide an acceptable arrangement for refuse collection.

7.16 Renewable energy / Sustainability

The proposed development would be required to be built to the Code for Sustainable Homes Level 4. A condition could be attached to any planning permission granted requiring the provision of a design stage certificate prior to the commencement of works to show that the designed dwellings would meet this standard.

7.17 Flooding or Drainage Issues

In accordance with Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the principles of sustainable drainage should also be used in any development of this site which should seek to manage storm water as close to its source as possible.

Policy OE8 of the Local Plan states that permission will not be granted for redevelopment of existing urban areas which would result in an increased flood risk due to additional surface water run-off, unless the proposed development includes appropriate measures.

A suitable condition is therefore necessary and could be attached to any planning permission granted requiring details of appropriate surface water management measures for the development of this site, which is to be fully enclosed on all boundaries except that part left open for the new vehicular access in Shaldon Drive.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

A number of concerns and issues have been raised in response to the consultation exercise, and many of these have been addressed under the relevant section headings of the report. The primary objections to the proposal relate to the principle of the development, its impact on the surrounding area, the additional parking and loss of amenities of the immediately adjoining neighbours.

The main objection to the proposal is the additional pressure that the development would give rise to on parking congestion in the area, which would only be made worse by the lack of space provided for the new occupants and loss of existing spaces (including the garage). This problem has been demonstrated by recent photographic evidence provided to show on-street parking in the vicinity at capacity outside of the normal weekday working hours as well as historically, by reference to the parking situation in the late 1990's.

The other issues raised in objection, including the effect on character of the area and specific impacts on neighbouring occupiers have been considered at the recent appeal at which the principle of the development, and its general form were accepted.

7.20 Planning Obligations

Both the London Mayor's and Borough Community Infrastructure Levy charges are applicable to the development, if approved.

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

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 proposal represents a form of development known as garden grabbing but has been accepted in principle at a recent appeal against refusal of the previous similar proposed development where the open space provided by the back gardens in Exmouth Road and the form of the new dwelling were considered.

For the same reason, the design, bulk and location of the proposed development is onsidered to represent a compatible form of development, in character with its built surroundings and without detrimental impact upon the street scene or amenities of the residential area in general.

The amenity space provision for future occupants of the development is also adequate and no significant landscape features would be removed, and the proposal would have an acceptable impact on the amenities of the adjoining residential occupiers.

The access arrangement is considered satisfactory and would not result in highways related problems at the site entrance. The minimal additional on-street parking need that

would be likely to result from existing spaces that would be displaced is considered acceptable in the context of the locality and does not provide sufficient reason alone to resist the new development.

In conclusion, the proposal would thus accord with the terms and objectives of the identified national, strategic and local policies, and the requirements and adopted standards in all respects.

It is recommended therefore that planning permission for the proposed development be granted.

11. Reference Documents

Hillingdon Local Plan (November 2012);
The London Plan (July 2011);
National Planning Policy Framework;
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006);
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (May 2013);
GLA's Supplementary Planning Guidance - Housing.

Contact Officer: Daniel Murkin

Telephone No: 01895 250230

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SUBSIA

Agenda Item 6

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/2014/2869

Drawing Nos: Arboricultural Report reference12/102/AMS Design & access statemen P101 P102 Rev D P201 Rev G P202

Date Plans Received:	12/08/2014	Date(s) of Amendment(s):	13/08/2014
Date Application Valid:	22/08/2014		

DEFERRED ON 9th December 2015 FOR SITE VISIT .

The application was considered at the North Planning Committee on the 9th December 2014, where it was deferred for a Members site visit.

The site visit took place on the 9th January 2015.

1. SUMMARY

The application seeks planning permission for the erection of a two storey, detached, 5bedroom, 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.

This scheme has been amended in response to the Inspectors appeal decision on the site, with the main alterations being a reduction in the height and alterations to the north west elevation proposed.

The amended scheme by reason of its unacceptable siting, size, scale, bulk, layout and proximity to No. 3 Copse Wood Way, would result in an incongruous, dominant and intrusive form of development that would be detrimental to the character, appearance and the visual amenities of the street scene, neighbouring residential occupiers and the wider Copse Wood Estate Area of Special Local Character.

It is considered that overall the scheme fails to comply 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 refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Refusal: Scale and Bulk

The proposed development by reason of its siting, size, scale, bulk, and layout would result in a incongruous and intrusive form of development that would be detrimental to the character, appearance and the visual amenities of the street scene and the wider Copsewood Estate Area of Special Local Character. It would therefore be contrary to 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Refusal: Impact to neighbours

The proposed development by reason of its size, bulk, design and proximity to 3 Copse Wood Way, would result in a overly dominant, visually intrusive and unneighbourly form of development, that would unacceptably erode the outlook from this property. Therefore the proposal would be contrary to Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1152Compulsory 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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
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
NPPF	National Planning Policy Framework

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 locAted 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 and 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, 5bedroom, 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 approximately 21 metres

wide at its widest point. The building would be orientated to have its main frontage facing Linksway with a maximum depth of 8.5 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 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.

Further detail is provided of the planning history section 3.3 of the report, however, this scheme has sought to overcome the recent refusal that was upheld by the Planning Inspector. The main changes between this and the refused scheme (reference 36910/APP/2013/2338) are:

1. The overall height of the proposed building has reduced by 0.8 metres (9.9 metres to 9.1 metres now proposed)

2. The layout of the building still respects its corner location and the building lines within Linksway and Copse Wood Way, however the element extending towards Copse Wood Way is more acute in angle and has been reduced in length at first and ground floor level.

3. The internal layout has been re-arranged to ensure obscure glazing is solely proposed on the side facing the neighbouring property.

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/APP/2013/2338 2 Linksway Northwood

Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling.

Decision: 25-03-2014 Refused Appeal: 22-07-2014 Dismissed

36910/C/98/0598 2 Linksway Northwood

To fell sixteen Thuja trees in area A1 on TPO 391

Decision: 17-08-1998 Approved

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

There are a number of planning applications associated with this site, the most relevant of which are summarised below:

- 36910/APP/2013/2338 - application for the demolition of the existing house and garage and erection of a new 5 bed detached dwelling. This application was refused at planning committee on the 25th March 2013 for the following reason:

1. The proposed development by reason of its siting, design and positioning of habitable windows would result in a material and unacceptable loss of privacy to the residential property at no.3 Copse Wood Way and provide inadequate levels of privacy for the future occupiers of the development which would be detrimental to the residential amenity of its occupiers. The proposal would therefore be contrary to Policy BE24 of the Hillingdon Local Plan Part 2 - Saved Policies UDP (November 2012) and the adopted Residential Layouts SPD.

2. The proposed development by reason of its size, bulk, design and proximity to 3 Copse Wood Way, would result in a overly dominant, visually intrusive and unneighbourly form of development. Therefore the proposal would be contrary to Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed development by reason of its siting, size, scale, bulk, and layout would result in a incongruous and intrusive form of development that would be detrimental to the character, appearance and the visual amenities of the street scene and the wider Copsewood Estate Area of Special Local Character. It would therefore be contrary to 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

This applicant appealed this planning decision, however the scheme was dismissed on appeal on the 22nd July 2014. Within the appeal decision, the Inspector made the following comments:

1. The proposals mass would change the character of the site from one within which a house nestles amongst trees to one where built development would become the sites dominant feature.

2. The existing house fits comfortably in the site and any replacement dwelling should be appropriately scaled in order for it to be respectful of the character of the surrounding area.

3. The proposed house would be unduly dominant and would fail to be respectful of the area's character, resulting in unacceptable harm being caused to its appearance.

4. Whilst the scheme is not considered to cause an unacceptable loss of privacy for either the occupiers of No. 3 or occupiers of the proposed house, there is concern that the proposed dwelling would have an overbearing impact, and result in a loss of outlook in the south eastern of No. 3.

As a result, the Inspector considered that the proposal would have a harmful effect on the character and appearance of the area and the outlook for the occupiers of No. 3 Copse Wood Way and dismissed the appeal.

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:

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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
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
- NPPF National Planning Policy Framework

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

10 neighbours and Northwood Residents Association were notified and a site notice was erected. Three individual representations objecting to the scheme were received, which make the following comments:

1. Proposal is still too large for the site;

- 2. The scheme will decrease the amount of light for the neighbours;
- 3. The scheme will demolish a house that is still one of two gatehouses to the original estate;
- 4. The proposed is of a similar design to the refused scheme, covering the same footprint and will only a marginal change to the re-aligned northern section;

5. The height of the proposed scheme has decreased although it is still significantly higher than the existing;

6. The new house remains high, bulky and overly dominant in the surrounding street scene;

7. No improvement has been made to the layout and the spacious character of the existing property has still been lost;

8. The dwelling still overlaps the canopy of the high value Oak

9. Given the prominent location of the building, any scheme needs to harmonise with the neighbours and respect the setting.

10. Scheme will still remain unacceptably dominant and overbearing to the neighbours.

A statement in support was received from the applicant and a solicitors acting on their behalf which made the following comments:

- 1. The size and height has been reduced considerably to comply with the appeal decision;
- 2. The building is not located in a Conservation Area, nor is it a Listed Building;

3. The design of the scheme has changed dramatically through the three previous applications

4. The current building is cold, crumbling and dilapidated;

5. All the issues raised within the previous submissions, have been addressed;

6. The design uses traditional detailing and materials, and will have an acceptable appearance on the estate.

7. In relation to the screening, the proposal shows that these trees will be protected and will remain;

8. No loss of privacy will arise from the proposals.

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

Northwood Residents Association:

Northwood Residents' Association objects to this application on the following grounds: the proposed development by reason of its siting, design and bulk would be in breach of Policies BE5, BE13 and BE19; in addition it would adversely affect 3 Copse Wood Way and would be in breach of Policies BE20 and BE21. We note that the arboricultural report appears to relate to an earlier planning application.

CASE OFFICER COMMENTS: The arboricultural report was updated and has been reviewed by the Councils Arboricultural Officer. His comments are detailed in the section below.

PETITIONS

Two petitions have been received, one in support and one against the scheme.

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

- 1. The building shouldn't change beyond the existing as it is in a prominent position within the estate
- 2. The design hasn't altered from the previous scheme;
- 3. The ridge is 1.46m higher than the adjacent properties which would be overbearing;
- 4. The scheme will destroy the openness between properties;
- 5. The proposal will still cause harm to the amenities of residents.
- 6. The overlap with the Oak tree still exists.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

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 have been surveyed, and it appears that it is possible to implement this scheme without damaging the trees. However, as suggested in the tree survey/report, a detailed tree protection plan is required, and it is also necessary to provide details of underground services.

Recommendations: In order to show that this scheme makes adequate provision for the protection and long-term retention of valuable tree/s, the following detail is required (in accordance with BS 5837:2012):

1. A tree constraints plan to show how the proposal fits within the context of the trees on and off site;

2. Existing and proposed levels (any proposed changes in levels must be clearly defined and shown

in colour on the plans) ALL existing and proposed drainage must be shown;

3. A tree protection plan to show how the trees (to be retained) will be protected during development 4. An arboricultural method statement to show any incursion into tree root protection areas (RPA's) will be addressed.

5. Details of how the tree protection measures will be assessed before demolition/construction starts and how the tree protection (and any procedures described within approved arboricultural method statements) will be supervised during construction.

CASE OFFICER COMMENT: The applicant has provided the additional information requested by the

Tree Officer and this has been reviewed. The details do not make any mention of monitoring/supervision of the proposed tree protection (as was requested). The Tree Officer considers that this matter can be dealt with by a suitably worded condition, such as:

No part of the development shall commence until full details for the arboricultural supervision of tree protection measures as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

HIGHWAYS OFFICER:

The development proposals are for the demolition of the existing dwelling and reconstruction, to provide a two storey, 5 bedroom detached dwelling within 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 application is for the demolition of the existing three-bedroom house and the erection of a 5 bedroom detached dwelling with integral garage.

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.

Although the Design & Access Statement refers to compliance with the Lifetime Homes Standards, the submitted plans show a stepped entrance colonnade. The entrance level WC has likewise not been sized and designed to meet the said standards.

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. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance and rear entrance should be incorporated to prevent rain and surface water ingress. In addition to 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.

2. 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.

3.To allow the entrance level WC and a minimum of one first floor bathroom to be used as a wet room in future, plans should indicate floor gulley drainage.

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

ADDITIONAL CONDITION

Level access shall be provided to and into the 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.

CASE OFFICER COMMENTS: Had the scheme been found acceptable in all other regards, these details would have been sought via a suitably worded condition.

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, given the unacceptable design, siting, scale and massing of the scheme, the proposal would have an unacceptable 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 Linksway, whilst turning the corner into Copse Wood Way. No. 2 has a relatively small footprint with the result that the property sites comfortably within its prominent corner location and remains largely inconspicuous in appearance. The surrounding area, is characterised and defined by large detached dwellings set within spacious plots, a characteristic that the Inspector recognised as something that should be maintained with any proposed redevelopment.

Within the previous application, there were concerns with regards to the overall massing of the proposed dwelling as a result of its height and width. The main differences between this current application and the previous refused scheme are that:

1. The overall height of the proposed building has reduced by 0.8 metres (9.9 metres to 9.1 metres now proposed)

2. The layout of the building still respects its corner location and the building lines within Linksway and Copse Wood Way, however the element extending towards Copse Wood Way is more acute in angle and has been reduced at first and ground floor level.

3. Internal layout has been re-arranged to ensure obscure glazing is proposed on the side facing the neighbouring property.

In respect of the height and width of the building, it is noted that the applicants have sought to reduce this and bring the first floor element on the side elevation facing Copse Wood Way in line with the footprint of the existing dwelling. Whilst the reductions are acknowledged, it is not considered that these are sufficient or go far enough to overcome the concerns and comments made by the Planning Inspector in his decision. The scheme still proposes a building of a much greater height, width and mass than the immediately adjacent properties and the existing building, with the open area and single storey detached garage building in the southern half of the plot being replaced by a building of a full two storeys in height.

The Inspector stated within the appeal decision that as the existing house fits comfortably within this site, that "...any replacement dwelling should be appropriately scaled in order for it to be respectful of the character of the surrounding area". This scheme fails to achieve such and considerably changes the character of the site from one where the building sits comfortably within the trees and site, to where built development is still the dominant feature. The development would be highly visible, particulary from Linksway where the bases of the trees crowns are between 2-3 metres above the sites ground level and this would only serve to accentuate its unacceptable massing and scale.

Further, given the scale and massing of the building proposed, the building fails to adequately address the concerns raised in respect of maintaining the open and spacious character of the plots. In an attempt to move the building away from the Oak to the north west of the site, the width of the elevation facing Linksway has increased which is emphasised by the detailing and large expanses of brickwork between the windows, particularly on the rear elevation. This only serves to emphasise the unacceptable and excessive width of the building proposed. As a result, the scheme fails to be respectful of the areas local and identified special character and would present an uncharacteristic form of development contrary to policy BE5.

Given the prominant corner location of the site and the overall excessive height, scale and massing of the proposed building, the scheme is considered to form an unacceptable

overdevelopment of this site and would have a detrimental impact on the Character and Appearance of the Copse Wood Estate Area of Special Local Character, contrary to 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 separation distances between the existing and adjoining properties. The property would be located approximately 13m 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 Linkwsay, ensuring that no significant harm would occur to the residential amenity of this neighbouring occupier.

No.3 Copse Wood Way has windows in the side elevation which face towards the rear elevation of the proposed dwelling. These windows are obscure glazed and of a secondary nature including a narrow bedroom window and staircase. The issues of loss of privacy to this occupant were considered by the Inspector within the previous application and it was concluded that due to the siting of the replacement house; the presence of non-habitable rooms with obscure glazed windows at first floor level within the south western corner of the replacement dwelling; the orientation of the windows in the proposed house relative to those at No. 3; and the screening along the boundary between Nos. 2 and 3, there would be no unacceptable loss of privacy for either the occupants of No. 2 or No. 3.

In terms of the alterations to the scheme, the siting and layout of the building is largely similar to that considered by the Inspector, albeit an improvement with all the rear facing windows now obscurely glazed. Given such, this proposal is not considered to result in an unacceptable loss of privacy to either the future occupants of No.2 Linksway or No.3 Copse Wood Way.

The Inspector considered that the refused scheme by reason of its greater mass than the existing dwelling, would reduce the outlook from the south eastern corner of No. 3's rear garden to an unacceptable degree. This scheme still proposes to infill the area to the south of the existing house with a full two storey building. Whilst the height has been reduced, the overall width and massing of the building is not dissimilar to that considered by the Inspector and given such, the scheme is still considered to have an overbearing presence to the occupiers of No.3 and result in harm being caused to their outlook, which at present remains uneroded.

Therefore, whilst the scheme is not considered to cause an unacceptable loss of privacy to the surrounding occupants, it would still result in an unacceptable loss of outlook for the occupants of No.3 and would thereby be contrary to policy BE21 of the UDP.

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 and 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

No changes are proposed to the parking provision on the site. Two spaces are proposed on the site, which is the same as the existing, and 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

Urban design (see section 7.07)

Had the scheme been found acceptable in all other respects, a condition would have been recommended 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. Had the scheme been found acceptable in all other respects, a condition would have been recommended to any approval to ensure the proposed development would be design in line with the principles of Secure By Design.

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.

Concerns were raised in the appeal decision in relation to the impact of the proposal on the Oak tree in the north west corner. It is noted in this scheme that the first floor element has

been reduced and does not appear to fall beneath the canopy, however the single storey element still does. This relationship has been reviewed by the Councils Arboricultural Officer who considers that it is possible to implement this scheme without damaging the trees. A detailed tree survey report and tree protection plan were submitted and had the scheme been found acceptable in all other respects, the scheme would not have been considered to result in the loss or unacceptable harm to the protected trees at the site.

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, had the scheme been found acceptable, 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, had the scheme been found acceptable, a SUDS condition would have been 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 have either been considered within through out the main body of this report, reflected in the reasons for refusal or are not material planning considerations.

7.20 Planning Obligations

Not relevant to the consideration of this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no other relevant issues for consideration with this application.

8. Observations of the Borough Solicitor

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

informed decision in respect of an application.

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

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

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

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

9. Observations of the Director of Finance

None received.

10. CONCLUSION

The amended scheme by reason of its unacceptable siting, size, scale, bulk, layout and proximity to No. 3 Copse Wood Way, would result in an incongruous, dominant and intrusive form of development that would be detrimental to the character, appearance and the visual amenities of the street scene, neighbouring residential occupiers and the wider Copse Wood Estate Area of Special Local Character.

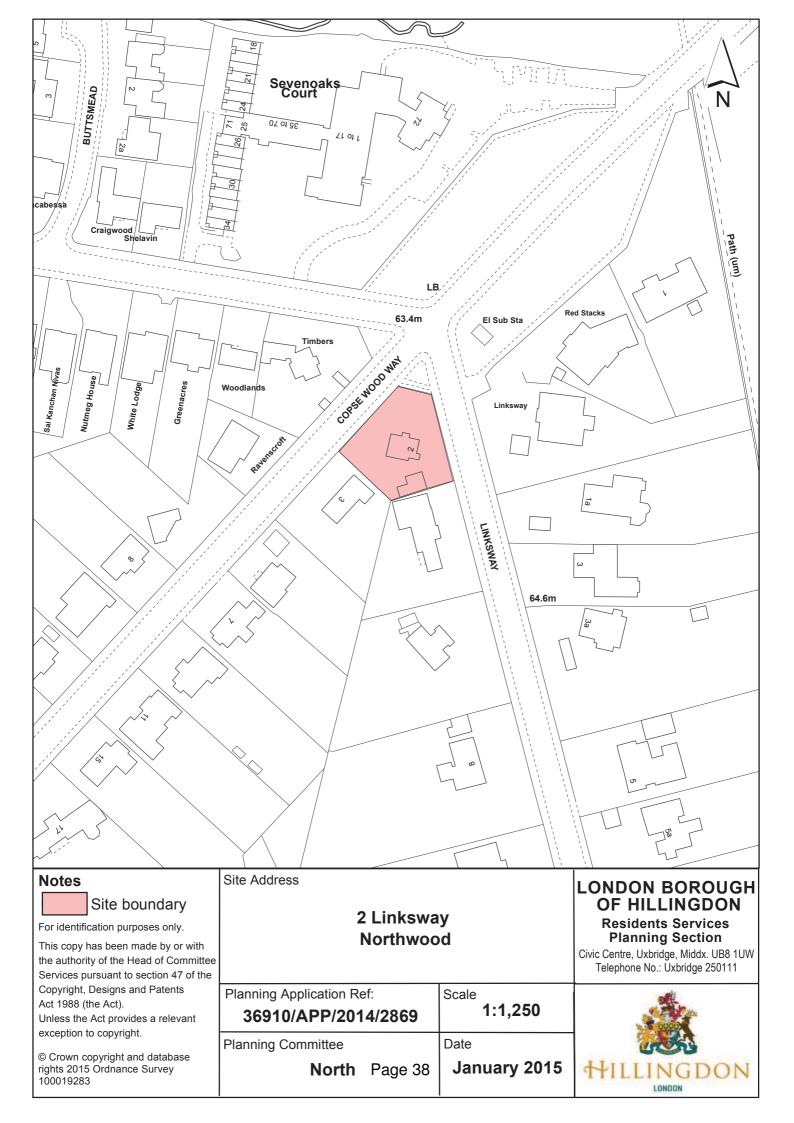
It is considered that overall the scheme fails to comply with the Policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), HDAS Residential Layouts and the London Plan (2011). The application is therefore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

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: Charlotte Bath

Telephone No: 01895 250230



Agenda Item 7

Report of the Head of Planning, Sport and Green Spaces

Address 6 LINKSWAY NORTHWOOD

Development: Two storey, 6-bed, detached dwelling with habitable basement and roofspace involving demolition of the existing dwelling (Resubmission)

LBH Ref Nos: 5380/APP/2014/2288

Drawing Nos: 1174-P2-1 1174-P2-3 1174-P2-4 1174-P2-5 1174-P2-6 1174-P2-7 Tree Protection Plan Rev D 1174-P2-8 1174-P2 TREE IMPACT SHADOW STUDY (MARCH) 1174-P2-SHADOW STUDY (SEPT). **APPENDIX A - PHOTOGRAPHS** 1174-P2 TREE IMPACT SHADOW STUDY (JUNE). ECOLOGY ASSESSMENT: ASW/SK/013/17/2013 CEADA - CfSH CODE LEVEL 4 PRE-ASSESSMENT REPORT 5243/01 **DESIGN AND ACCESS STATEMENT 27-6-2014** ARBORICULTURAL REPORT GHA/DS/17760:14a 1174/P2/2A Soil Engineering report 142088 Chelmer Site Investigations for No. 9a 1174-P2-9 Proposed Front elevation showing railings Proposed sectional elevation

Date Plans Received:	30/06/2014	Date(s) of Amendment(s):	05/08/2014
Date Application Valid:	08/07/2014		22/12/2014

1. SUMMARY

This application seeks consent for the erection of a 6-bed, detached dwelling with habitable roofspace and basement. The scheme is a resubmission of a withdrawn scheme 5380/APP/2013/2046. This applciation was withdrawn following concerns raised from officers with regards to the design, bulk, scale and style of the house proposed, its impact on the trees within and adjacent to the site, and the substandard quality of accomodation created from its siting within the plot and proposed internal layout. The scheme has been reduced considerably in its bulk and scale and the design altered in an attempt to overcome the previous concerns.

The proposed scheme by reason of its acceptable design, scale, siting, form and proportions is not considered to have a detrimental impact on the character and appearance of the surrounding Area of Special Local Character and would not have an adverse impact on the amenities of adjacent occupiers, protected trees, groundwater and general highway conditions. As such, the scheme is considered to comply with policies

BE5, BE6, BE13, BE15, BE19, BE22, BE23, BE38, BE39 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and HDAS: Residential Layouts.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 Time Limit

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

REASON

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

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1174-P2-9; 1174-P2-5;1174-P2-6; 1174-P2-7; 1174-P2-8; 5243/01; 1174-P2-4; 1174-P2-3; 1174-P2-1; 1174-P2-2; Tree Protection Plan Rev D

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:

Code for Sustainable Homes Certificate to Level 4 [CEADA CfSH Level 4 Pre-assessment]

Soil Engineering Report [142088]

Design and Access Statement

Ecological Assessment [ASW/SK/013/17/2013]

Arboricultural Report [GHA/DS/17760:14a]

Tree Impact Shadow Plans March, June, September [1174-P2]

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

4 RES7 Materials (Submission)

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

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

REASON

To ensure that the development presents a satisfactory appearance in accordance with

Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 RES19 Ecology

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

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EC5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 7.19.

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 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: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

- 2. Details of Hard Landscaping
- 2.a Means of enclosure/boundary treatments including position, design and materials
- 2.b Hard Surfacing Materials
- 2.c External Lighting

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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

9 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 HO5 **No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 4 and 8 Linksway.

REASON

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

11 HO6 Obscure Glazing

The first floor window facing 8 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).

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouse 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).

13 RES16 **Code for Sustainable Homes**

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

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been

attained prior to occupancy of each dwelling.

REASON

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

14 RES18 **Lifetime Homes/Wheelchair Units**

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

REASON

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

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 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).

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.

BE13 BE15 BE19	New development must harmonise with the existing street scene. Alterations and extensions to existing buildings New development must improve or complement the character of the
BE20	area. Daylight and sunlight considerations.
BE21 BE22	Siting, bulk and proximity of new buildings/extensions. Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates
AM14	areas of special local character New development and car parking standards.
HDAS-LAY	
LPP 3.18	(2011) Education Facilities
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 5.7	(2011) Renewable energy
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
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

5 l2 Encroachment

requires the written consent of the Local Planning Authority.

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

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

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

7 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).

8 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.

9 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.

10 I47 Damage to Verge - For Council Roads:

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).

11

To discharge the condition as recomended within the report there should be further investigation to determine the level of groundwater in the area. The Council would expect to see as a minimum an additional borehole undertaken at a time when groundwater levels are considered highest (as groundwater levels can often be very seasonal) and to a much greater depth to find the level of groundwater and determine the feasibility of a deep borehole soakaway.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 37 metres wide plot with a two-storey detached house, located on the western side of Linksway and two dwellings south of the junction with Copse Wood Way. This is an attractive house, set at an angle away from the highway behind a dense screen of trees. The property is finished in brickwork at ground floor level and white render at first floor. The ground floor has a front projection finished in brick with a flat roof and houses the main entrance which comprises a large timber door. The property is screened on all four sides by dense mature trees and shrubs.

The dwelling is set within a 2,000 square metre plot and has a sizeable garden to the rear of the existing dwelling, which provides the private amenity space for the occupiers of the dwelling.

Directly north of the site is No.4 Linksway and south of the site is No.8 Linksway. The rear of the site backs on to Nos. 5 and 7 Copsewood Way.

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 large 6-bed, detached

dwelling with habitable roofspace and basement. The scheme would include the installation of a vehicular crossover, railings to front.

The building would measure 10.12m high and 28.3m wide and 17m deepThe property would be located 4.1m away from the southern boundary of the site and 4.9m away from the northern boundary. The property would also be set back 14.25m from the front boundary line of the site at its nearest point. The basement proposed would be excavated to a depth of 3.58 metres and is located beneath the footprint of the main proposed house.

The proposed dwelling would have a hipped roof design with a two storey gable in the principal elevation of the dwelling. The house has been designed to have a subordinate side addition to the main house to simulate an extension to the main building. This element is set back approximatley 3.2 metres from the main front elevation and sits 600mm lower than the main ridge. An integral garage is incorporated within this two storey addition.

At the rear, the dwelling would incorporate two staggered rear wings with hipped roofs, which would be separated by a first floor balcony.

Wrought iron railings are proposed measuring 1.8m high along the front elevation of the building.

3.3 Relevant Planning History

5380/APP/2013/2046 6 Linksway Northwood

Two storey, 6-bed, detached dwelling with habitable roofspace, installation of vehicular crossove to front and fence and gate to front involving demolition of existing dwelling

Decision: 28-10-2013 Withdrawn

Comment on Relevant Planning History

There has been one previous application on this site (5380/APP/2013/2046) which was withdrawn by the applicants.

Planning permission was sought on the 19 July 2013, application reference 5380/APP/2013/2046 for the erection of a two storey, 6-bed, detached dwelling with habitable roofspace, installation of vehicular crossover to front and fence and gate to front involving demolition of existing dwelling. The scheme was recommended for refusal and was due to be determined at Planning Committee, however the scheme was subsequently withdrawn. The draft refusal reasons were as follows:

1. The proposed house, by reason of its size, scale, bulk, siting, design and appearance would result in an overdevelopment of the site that would fail to satisfactorily integrate into the streetscene and the Copsewood Estate Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE6, BE13 and BE19 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed development by reason of its design in respect of its architectural style, detailing would result in an incongruous and intrusive form of development that would be detrimental to the character, appearance and the visual amenities of the street scene and the wider Copsewood Estate Area of Special Local Character. It would therefore be contrary to 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed metal gates and railings, would by reason of their height and location on the front boundary would result in an overbearing and visually intrusive form of development, and as a result have an adverse effect on the character and appearance of the street scene and the wider Copsewood Estate Area of Special Local Character. Therefore the proposal would be contrary to policies BE5, BE13 and BE19 of the of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4.It has not been sufficiently demonstrated that the development could be undertaken with adequate provision for the protection and long-term retention of the trees (including protected trees) within the vicinity of the site, all of which contribute to the streetscene and the character of the Copsewood Estate Area of Special Local Character. The proposal would therefore be contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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 proposal would provide habitable rooms with inadequate natural lighting, by virtue of the relationship between the new house and proximity to protected trees thus providing an unsatisfactory living environment for future occupiers. The proposal would therefore give rise to a substandard form of living accommodation for future occupiers contrary to Policies BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and the Council's Design Guide 'Residential Layouts'.

This current submission has altered from the withdrawn scheme and the main changes between this and the withdrawn scheme are:

- a) Parapet wall at eaves level has been removed
- b) Metal gates have been removed;

c) The twin span roof previously proposed has been removed and the two equal side additions have been replaced with one offset side addition;

d) The depth of the building has been reduced by approximately 1.5 metres;

e) The width of the main structure has been reduced by approximately 1.4 metres;

f) The large central feature window has been omitted and replaced by two smaller windows;

g) The front porch has been altered and scaled down to remove some of the stone columns and replace these with brickwork;

h) The stone quoin detail has been removed from the elevations.

i) Overall height of the building has been reduced by approximately 0.5 metres.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13		New development must harmonise with the existing street scene.		
BE15		Alterations and extensions to existing buildings		
BE19		New development must improve or complement the character of the area.		
BE20		Daylight and sunlight considerations.		
BE21		Siting, bulk and proximity of new buildings/extensions.		
BE22		Residential extensions/buildings of two or more storeys.		
BE23		Requires the provision of adequate amenity space.		
BE38		Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.		
BE39		Protection of trees and woodland - tree preservation orders		
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.		
HDAS	-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006		
LPP 3	.18	(2011) Education Facilities		
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 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

6 neighbouring residents and Northwood Residents Association have been notified of the application. A site notice was erected at the site.

Two letters were received in response, 1 objecting and 1 in support.

The objection letter raised the following cocerns:

1. The scheme fails to harmonise with the styles in the predominant area or existing street scene;

2. The scheme fails to complement/improve the amenity or character of the area;

3. The bulk of the porposal would result in a significant loss of residential amenity;

No hydrological or geotechnical survey has been submitted so it is difficult to determine if the basement will have an unacceptable impact on drainage or flood risk

The support letter submitted comments that the scheme presents a beautiful design that complements the road.

A petition in objection with 60 signatories was received. The petition objected to the scheme on the following grounds:

1. The orientation of the house on the plot means that it looks directly onto 3, 5 and 7 Copse Wood Way;

2. The scheme would be obtrusive in the street and worse than the previous because of its basement and size;

3. The proposal would destroy the wooded aspect of the front;

4. The scheme would be twice as large as 4 and 8 Linksway and six times bigger than the existing;

5. The scale, width, proportions and architectura style would be detrimental to the visual amenities of the street scene and Copse Wood Area of Special Local Character;

6. The roofline would fill the large open skyline between 4 and 8 and would be higher than No. 4;

7. The design of the front would be out of keeping;

8. Object to the construction of crown roof, which occupies much of the width of the building;

9. The scheme contrasts to houses either side and opposite that have variable roof pitches;

10. The balconies will result in a loss of privacy;

11. The TPO has been ignored and the removal of the mentioned trees should not be permitted as they are important to the character of the area;

12. No details have been provided fo rainwater disposal;

13. No geotechnical survey has been submitted for the basement;

14. Proposed development could have a detrimental impact on the services in the road, the house opposite is suffering from sewage problems as a result of a development in the Linksway.

OFFICER COMMENTS: The concerns and comments raised will be considered within the main body of the report.

Internal Consultees

HIGHWAYS

No change to the level of on site parking or to the existing crossovers, therefore no objection raised on highways grounds.

TREES

TREE & LANDSCAPE PLANNING OBSERVATIONS - RE. 6 LINKSWAY, NORTHWOOD (Ref: 5380/APP/2014/2288) Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 391 and also within the Copse Wood Estate Area of Special Local Character (which is characterised by mature woodland type trees). Significant trees/other vegetation of merit in terms of Saved Policy BE38 (on-site): The existing site is made up from of a belt of mature, protected trees completely surrounding a modest sized house and large garden. As is stands, the house is hidden from view by the various trees at the front of the site (mainly Silver Birch, Hornbeam and Cedar). The important trees have been identified on the supporting tree survey and are shown to be retained. In general, a good level of tree protection has been provided. Significant trees/other vegetation of merit in terms of the neighbouring property (at 8 Linksway), however it is far enough away to not be affected. The footprint of the proposed dwelling is smaller than the previous and so my concerns about shading and size of amenity space have been addressed. Recommendations: None.

Conclusion (in terms of Saved Policy BE38): Acceptable subject to conditions RES8, RES9 (1 & 2) and RES10.

ACCESS

The design demonstrates accordance with the Lifetime Homes Standards.

FLOOD WATER MANAGEMENT OFFICER

A Soil Engineering report has been submitted by Palladium Consulting Engineers dated July 2014 Report Ref 142088.

This included a site investigation a four boreholes to a depth of 3.5m and no groundwater was found in any of the boreholes. As the basement excavation will not exceed 3m the report considers that the proposal will not have a detrimental effect on groundwater in the area. In additiona as the basement is a small proportion of the overall site area it is considered that there would be sufficient space for water for water to move across the site. Therefore there are no objections to the proposed development.

However the drainage arrangements for the appropriate disposal of surface water are not fully detailed and therefore a condition is appropriate to secure the proper control of surface water on site to National Standards.

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

i.provide information on all Suds features including the method employed to delay and control the water discharged from the site and:

a.calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.

b.any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

c.measures taken to prevent pollution of the receiving groundwater and/or surface waters;

d.how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

ii.provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.

iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

iii. incorporate water saving measures and equipment.

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 that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable

Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

For information to the applicant to discharge the condition as recomended within the report there should be further investigation to determine the level of groundwater in the area. I would expect to see as a minimum an additional borehole undertaken at a time when groundwater levels are considered highest (as groundwater levels can often be very seasonal) and to a much greater depth to find the level of groundwater and determine the feasibility of a deep borehole soakaway.

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

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites. The density scores for this proposal are 5 units per hectare and 70 habitable rooms per hectare. Whilst these scores are below the density ranges of Policy 3.4 of the Hillingdon Local Plan (November 2012), this is to be expected of a plot of this size, where large gardens are the key characteristic of the area. 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

As detailed elsewhere in this report (Section 7.07) it is not considered that the proposal would adversely 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 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.

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.

Policies BE6 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) apply specifically to development within the ASLC at Copsewood etstate. These policies seek to ensure that two-storey developments in the Copsewood Estate are set-in 1.5 metres from the side boundary. Further, there is a requirement for these to be constructed on building plots of a similar average width as surrounding residential development, be constructed on a similar building line (formed by the front main walls of existing houses), be of a similar scale, form and proportion as adjacent houses, and reflect the materials, design features and architectural style predominant in the area.

In terms of the layout and siting of the building proposed, the predominant character within this part of Linksway, is for the dwellings to be set a substantial distance from the front boundary, to ensure a meaningful frontage is maintained. The proposed building has been sited over 14 metres from the front boundary to the site, which aligns with other properties within the road. Further, the existing house was orientated at an angle within the site, which did appear incongruous and out of keeping with the general pattern of development within this part of the road, where houses are predominantly sited parallel to the road. The siting of the building parallel to the road, is therefore considered acceptable in the context of the site, and in keeping with the general pattern of development within the surrounding area.

Within the surrounding area, there are a wide variety of house designs within the Copsewood Estate, which as Policy BE6 states, is characterised by large, individually designed houses. It is noted that a number of properties have been built relatively recently and these now form part of the character of the area. This is an important consideration when assessing the detailed design of the replacement dwelling and it is important for officers to give weight to the design and appearance of other redeveloped houses along Linksway. This point was highlighted by the Inspector in the consideration of the scheme at 36 Linksway (44603/APP/2013/960).

Within the previous scheme, concerns were raised in relation to the overall size, scale and massing of the proposed building. This scheme has been revised accordingly to reduce the width, height and overall massing of the proposed dwelling. This has been achieved through the addition of a subordinate side addition on the southern elevation, which is set back from the main front elevation of the proposed building. Given the width of the plot, significant set-ins proposed from the side boundaries (4.1 metres from south and 4.9 metres from north), and design of the building, incorporating a subordinate element, set back from the front elevation, the proposed design is not considered to dominate the plot or its setting to an unacceptable degree. As has been mentioned previously, in the Linksway, there are a number of examples of similarly re-developed dwellinghouses that occupy similar plot widths, and propose/have constructed dwellings of a similar size, scale and design (Nos 9A, 11, 36, 38, 40, 44 Linksway). The scheme would therefore not appear out of character with the design, scale and detailing of development approved and constructed in the road.

In terms of the design of the proposed building, it is considered that the proposed dwelling would complement the general standard of new design evident in Linksway. The incorporation of hipped roofs on the side elevations, in conjunction with the reduced roof level to the south, are considered to succeed in mitigating the effects of otherwise excessive bulk at the side boundaries. Concerns were raised by residents to the presence of a large crown roof on the building, however, the scheme does not include a crown roof, and the roof design is considered acceptable.

Wrought iron railings are proposed along the front elevation of the building that are

proposed at 1.8m in height. Although the height of the proposed railings exceeds the maximum stated in the HDAS guidance their size, scale and design are considered more suitable and harmonise better with the appearance of the surrounding street scene. Furthermore, a large amount of shrubbery is proposed to be planted in the area immediately behind the proposed railings thus reducing their visual impact and creating a green and attractive frontage, which is an important characteristic of the properties located in the Copsewood Estate Area of Special Local Character.

It is also important to note that a number of properties along Linksway have existing gates and fencing similar to those being proposed at part of this application erected along their front boundary lines, most notably No.29a and 11 Linksway. Further, an appeal was allowed for the development at No.11 where the Inspector acknowledged that the road presented a variety of front boundary treatments, which include fences, railings, piers and walls,s ome of low brick or stone and others, more substantial. The Inspector concluded in this appeal that the proposed railings would be relatively light and open in appearance, and to therefore not appear out of keeping or unduly obtrusive. The railings proposed to No. 6 extend along the front entrance, with gaps for the two accesses into the site. The overall design and detailing of the railings is considered acceptable and subject to suitably worded conditions to secure appropriate landscaping behind the railings, this part of the proposal is not considered to have a detrimental impact on the verdant character and appearance of the area.

Overall, the scheme is considered acceptable and to comply with policies BE5, BE6, BE13, BE15, BE19, and BE22 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and BE1 of Hillingdon Local Plan: Part One Strategic Policies (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 be sited aproximately 12m away from the side flank wall of No. 8 to the south, and the nearest part of the proposal would project approximately 0.9m beyond No.8's main rear building line. The front building line of the proposed development would be sited behind the rear building line of No. 4 to the north, however this is not disimilar to the existing arrangement. Furthermore, the proposed development would be fully screened by the trees and mature shrubs on the northern and southern boundaries which would prevent any visual intrusion and loss of daylight or sunlight.

A single first floor window is proposed on the side elevation, which would be a secondary window serving a dressing area. The proposed balcony would be inset within a recess and would be sited between 25m away from the adjoining occupiers to the north and south, preventing any overlooking and loss of privacy. The adjoining occupiers on Copsewood Way to the west would be sited over 40m away from the rear wall of the proposed development.

Overall, it is considered that the proposed development would not constitute an un-

neighbourly development and would accord with Policies BE19, BE21, BE24 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

HDAS Paragraph 4.7 states that consideration will be given to the ability of residential developments to provide high standards of interior qualities to guarantee satisfactory indoor living spaces and amenities.

DAYLIGHT AND OUTLOOK

The withdrawn scheme included several concerns with regards to the amount of daylight adn sunlight that would be able to get into the proposed dwelling, and it was concluded in this application that the surrounding trees would give rise to a sub-standard levels of natural daylight to the windows on the rear elevation.

The scheme has been revised to alter the siting of the new house on the site, orientating this to he south more to enable the rear habitable rooms to gain more sunlight. Further the application has been accompanied shading diagrams which demonstrate the impact of the trees within the garden on shading to the proposed house. These demonstrate that the revisions to the scheme reduce the impact of shading on the new house, and show that the only part of the house likely to experience shading, would be left hand side of the site. The garage is proposed at ground floor level and a rear dressing room window at first floor level. Given that these are not main habitable room windows, the impact of shadowing from the trees on the proposed building is considered acceptable.

Overall, the quality of the internal residential accomodation proposed is considered acceptable and the scheme is considered to comply with Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)and HDAS Residential Layouts.

INTERNAL FLOOR AREA

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 houses of the size proposed should have a minimum size of 107 square metres. The proposed development meets the minimum standards providing 871 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 complies with these standards with bedrooms being between 18-83 square metres of floor area in accordance with Policy 3.5 of the London Plan (July 2011).

OUTDOOR AMENITY SPACE

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 880 square metres. 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).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Two parking spaces would be provided within the garage 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 double garage would be of sufficient size to store two cars and two bicycles,

in accordance with the adopted parking standards. The Highways Officer has also reviewed the accesses to the site, and given that these are both exisitng, no objection is raised to utilising both of these.

7.11 Urban design, access and security

Please refer to section 7.09

7.12 Disabled access

The proposed development is for a significant dwelling. Given the room sizes, the Lifetime Homes Standards could easily be accomodated and secured by way of condition.

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) requires the retention of landscape features of merit and new landscaping and planting where possible.

This site is covered by TPO 391 and also within the Copse Wood Estate Area of Special Local Character (which is characterised by mature woodland type trees).

The existing site is made up from of a belt of mature, protected trees completely surrounding a modest sized house and large garden. As is stands, the house is hidden from view by the various trees at the front of the site (mainly Silver Birch, Hornbeam and Cedar). The important trees have been identified on the supporting tree survey and are shown to be retained and the Councils Arboricultural Officer considers that a good level of tree protection has been provided.

There is a mature, protected Oak in the rear garden of the neighbouring property (at 8 Linksway), however it is far enough away to not be affected. The footprint of the proposed dwelling is smaller than the previous and so previous concersn about shading and size of amenity space have been addressed.

Overall, the scheme is not considered to have a detrimental impact on the trees within and adjacent to the site and is compliant with policy BE38 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that on site ecology features to be retained and enhanced where possible. Policy 7.19 of the London Plan requires biodiversity and natural heritage to be conserved and enhanced for the benefit of current and future Londoners within new developments. The applicant has undertaken an ecological survey, which concludes that there is little evidence of bat activity on the site or roosts, however there site has potential for breeding birds and bats. A condition is advised to ensure that opportunities to encourage ecology within the site is provided i.e bat boxes.

7.15 Sustainable waste management

Not applicable to the consideration of this application.

7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan requires the highest standards of sustainable design and construction in all developments to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. The applicant has proposed to meet Code for Sustainable Homes level 4. A condition is recommended to ensure that the building achieves Code Level 4.

7.17 Flooding or Drainage Issues

A Soil Engineering report has been submitted by Palladium Consulting Engineers dated July 2014 Report Ref 142088.

This included a site investigation a four boreholes to a depth of 3.5m and no groundwater was found in any of the boreholes. As the basement excavation will not exceed 3m the report considers that the proposal will not have a detrimental effect on groundwater in the area. In addition as the basement is a small proportion of the overall site area it is considered that there would be sufficient space for water for water to move across the site. Therefore there are no objections to the proposed development.

Whilst no concerns are raised in relation to the addition of a basement at the site, the drainage arrangements for the appropriate disposal of surface water are not fully detailed. Therefore a condition is recommended to secure the proper control of surface water on site to National Standards.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

These have been considered within the main body of the report.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

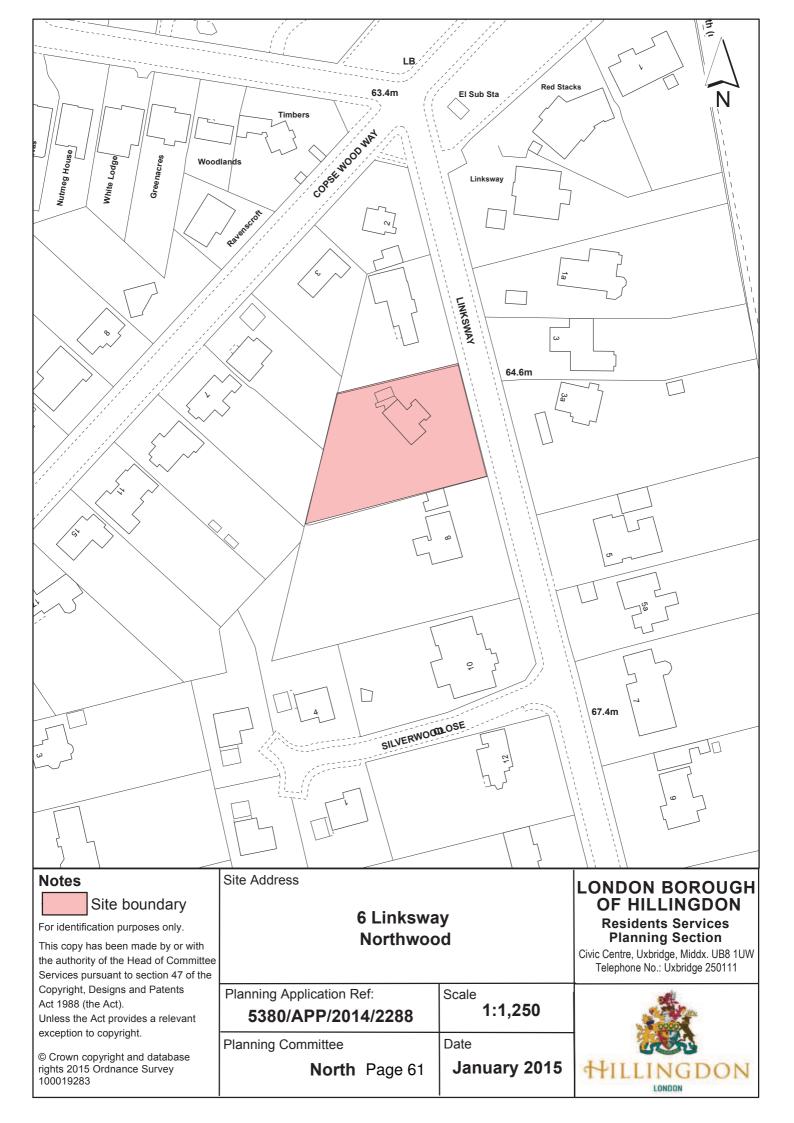
Not applicable to this application.

10. CONCLUSION

The scheme by reason of its acceptable design, scale, siting, form and proportions is not considered to have a detrimental impact on the character and appearance of the surrounding Area of Special Local Character and would not have an adverse impact on the amenities of adjacent occupiers, protected trees, groundwater and general highway conditions. As such, the scheme is considered to comply with policies BE5, BE6, BE13, BE15, BE19, BE22, BE23, BE38, BE39 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and HDAS: Residential Layouts.

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



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Agenda Item 8

Report of the Head of Planning, Sport and Green Spaces

Address 8 & 9 NEW YEARS GREEN FARM NEWYEARS GREEN LANE HAREFIELD

- **Development:** Single storey rear extensions to numbers 8 & 9 and a first floor side extension to number 8
- **LBH Ref Nos:** 70392/APP/2014/3842

Drawing Nos: NYF/02A NYF/03A NYF/04A NYF/05A Plans title page NYF/06A NYF/07A NYF/01A NYF/01A NYF/08A NYF/09A NYF/10A NYF/10A NYF/12 NYF/13

Date Plans Received:	28/10/2014	Date(s) of Amendment(s):	28/10/0014
Date Application Valid:	03/11/2014		28/11/0014

1. SUMMARY

The application relates to a pair of two storey semi-detached properties located on the southern side of New Years Green Lane, Harefield.

Planning permission is sought for the erection of a first floor side extension and single storey rear extension to No.8 and a single storey rear extension to No.9 New Years Green Farm.

The proposed developments are considered to have an acceptable impact to the appearance of the existing dwellings, the surrounding green belt and the residential amenity of any neighbouring dwellings.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 **Time Limit**

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

REASON

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

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete

accordance with the details shown on the submitted plans, numbers NYF/04A, NYF/06A, NYF/08A, NYF/11A, NYF/02A

REASON

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

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

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

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 1, 3 and 2 The Shrubs.

REASON

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

5 HO7 No roof gardens

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

REASON

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

INFORMATIVES

1 I47 Damage to Verge - For Council Roads:

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 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 application relates to a pair of two storey semi-detached properties located on the southern side of New Years Green Lane, Harefield. The external pebble dashed walls of the properties are covered by a brown tiled roof with projecting gable end features to the front. The property at No.9 has an existing two story side extension while the property No.8 has an existing single storey side extension, both properties have part single storey extensions to the rear.

To the east of the site is a small caravan site with a number of static homes located on it and beyond that is a waste transfer station. The surrounding area is predominantly rural in character comprising a number of large open fields and farmland.

The site is located within a developed area and the Green Belt as identified in the Policies of the Hillingdon Local Plan (November 2012).

3.2 **Proposed Scheme**

The application seeks permission for the erection of first floor side extension and single storey rear extension to No.8 and a single storey rear extension to No.9 New Years Green Farm.

The proposed rear extensions would have a depth of 3m and a flat roof height of 2.7m while the first floor side extension would have a width of 4.6m and would be set down from the ridge of the main roof by 0.5 metres.

3.3 Relevant Planning History

Comment on Relevant Planning History

None relevant to this 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:

- 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.
- AM14 New development and car parking standards.
- OL4 Green Belt replacement or extension of buildings

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

A total of 3 neighbouring properties were consulted on the application on 4th November 2014. By the close of the consultation period on 25th November 2014, one objection had been received from the Harefield Tenants and Residents Association:

- As this is in the green belt we feel any further developments to this site is unwarrented.

OFFICER COMMENT: The issues raised above will be discussed in the main body of the report.

Internal Consultees

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy OL4 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012) states:

The Local Planning Authority will only permit the replacement or extension of buildings within the Green Belt if:

(i) The development would not result in any disproportionate change in the bulk and character of the original building;

(ii) The development would not significantly increase the built up appearance of the site;

(iii) Having regard to the character of the surrounding area the development would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

The proposed single storey infill extensions to the rear of the these semi-detached properties would not increase the floorspace of the original dwellings by more 50% and are considered to form subordinate additions that would have an acceptable impact to the appearance of the existing dwellings and the surrounding Green Belt land. Furthermore, the proposed first floor side extension to No.8 would match the size, scale and design of the existing side extension at No.9 and would help re-balance the symmetry of the two properties. Therefore, no objection is raised in principle to the proposal.

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

The application site is not within a Conservation Area or Area of Special Local Character and the application site is not a listed building.

7.04 Airport safeguarding

Not applicable to the current application.

7.05 Impact on the green belt

The proposed developments are extensions to an existing dwelling and are of a size and bulk that would be considered to represent subordinate additions to the original properties. Therefore, the proposals are considered not to have a significant impact the appearance of the surrounding Green Belt in accordance with Policy OL4 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012).

7.07 Impact on the character & appearance of the area

The proposed single storey rear infill extensions to both properties would form minor additions and would not have a significant impact to the appearance of the existing dwellings or the visual amenity of the surrounding area. Furthermore, the proposed first floor side extension to No.8 would be set down from the ridge of the main roof by 0.5, to ensure a suboridante appearance and the additional floor space created would not exceed 50% of the original dwelling. The size and design of the side extension would match that of the existing two storey side extension at No.9 and would balance the appearance of the two properties as a result.

Therefore, the proposed development is considered to have an acceptable impact to the character of the existing dwellings, the visual amenity of the surrounding area and the appearance of the wider area in general in accordance with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The distance between the side elevation of the proposed first floor side extension at No.8 New Years Green Farm and the neighbouring static homes at 1, 2 and 3 The Shrubs is considered sufficient enough to ensure no undue loss of residential amenity would occur as a result of the development. Furthermore, the proposals would not result in the loss of light, outlook or privacy to any other properties given the location of the site, on an open and sparsely populated plot of land.

Therefore, the proposed development is in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP 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 development would not impact the parking provision to the front of the site and the proposal is considered not to have a significant impact to traffic or pedestrian safety in the area.

7.11 Urban design, access and security

As discussed in 7.07 of this report.

7.12 Disabled access

Not applicable to the current application.

7.13 Provision of affordable & special needs housing

Not applicable to the current application.

7.14 Trees, Landscaping and Ecology

The proposed development would have no impact to the existing trees and landscaping at the site.

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.

7.18 Noise or Air Quality Issues

Not applicable to the current application.

7.19 Comments on Public Consultations

No further comments with regards to public consultation.

7.20 Planning Obligations

None required.

7.21 Expediency of enforcement action

Not applicable to the current application.

7.22 Other Issues

No other issues for discussion.

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

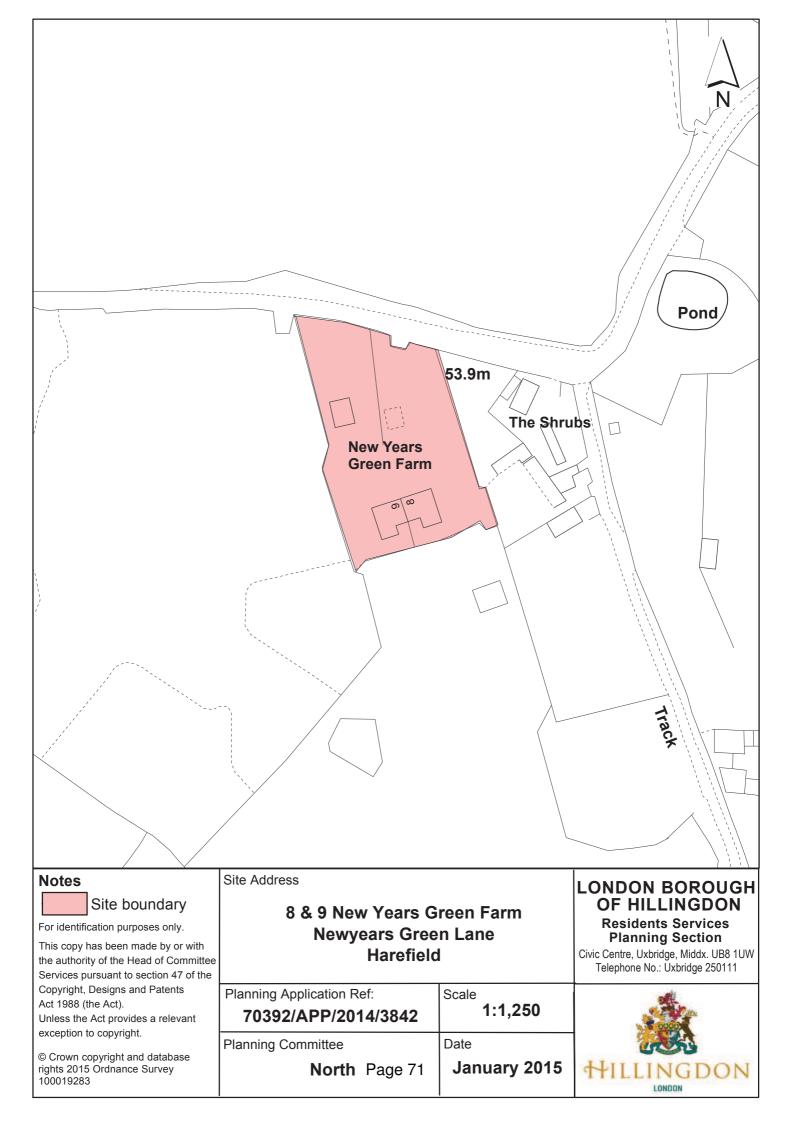
None received.

10. CONCLUSION

The proposal is considered not to have any significant impact to the visual amenity of the surrounding Green Belt or the residential amenity of any neighbouring properties. Therefore, the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan (November 2012); The London Plan (July 2011); National Planning Policy Framework.



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Report of the Head of Planning, Sport and Green Spaces

Address 1 EASTBURY ROAD NORTHWOOD

Development: Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurant) involving, installation of new shopfront, outdoor seating to front and installation of extraction fan to rear associated works

LBH Ref Nos: 1095/APP/2014/3713

Drawing Nos: 2617.02.06 Received 10/11/2014 2617.01.06 2617.03.03 Fan Specification Fan Specification (2) Odour Specification Odour Risk Assessment Planning, Design and Access Statement Silencer Specification 2617.04.03 Received 10/11/2014

Date Plans Received:	17/10/2014	Date(s) of Amendment(s):	17/10/2014
Date Application Valid:	22/10/2014		22/10/2014

1. SUMMARY

The application seeks planning permission for the change of use from Use Class A1 (Shops) to Use Class A3 (Restaurant) involving the installation of extraction/ventilation ducts to the rear elevations.

It is considered the proposal for the use of 1 Eastbury Road would be acceptable in principle, as it would bring the vacant unit back into use within the primary shopping frontage area.

In addition, it is considered that the Restaurant use proposed provides for a use compatible with the main retail functions within the Town Centre and will add to its vitality. In this respect, the development is considered to contribute to the vibrancy of the Town Centre and will enhance the viability of the secondary shopping area as a whole.

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

Notwithstanding the details shown for the extraction unit the development hereby permitted shall not be carried out except in complete accordance with the details shown

on the submitted plans

2617.02.06 Received 10/11/2014 2617.01.06 2617.03.03 2617.04.03 Received 10/11/2014

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 NONSC Non Standard Condition

The proposed development hereby approved shall not be commenced until further details of the extract ventilation system and odour control equipment including details of colour, materials, any noise levels, vibration levels, and external ducting, have been submitted to and approved by the local planning authority and the equipment so approved has been installed. The approved extract ventilation system equipment and odour control equipment shall be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The external ducting shall be removed as soon as possible when no longer required.

REASON: To protect the amenities of the surrounding occupiers and to ensure that the proposal complies with Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

No development shall take place until a scheme for the storage and collection of refuse and waste has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

i) Plans and elevations to show the location of refuse storage area to the rear of the building;

ii) Details of the collection of refuse and waste from the site.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 COM22 Operating Hours

The premises shall not be used except between:-[0800 and 2359], Mondays - Thursday [0800 to 0100] the following day] Fridays and Saturdays [1000 to 2300] Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

4

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 is situations where reasonable adjustments 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.

5

You are advised that a license would be required for the siting of tables and chairs on the public highway. Further details of the application process and requirements can be found at http://www.hillingdon.gov.uk/article/19040/Tables-and-chairs-licence

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on a prominent corner plot on the northern side of the traffic light controlled junction of Eastbury Road and Green Lane. To the west are the railway lines and to the south Northwood Station. To the north is a car park separating the building from the doctor's surgery to the rear. To east are two rows of shops offering a mix of facilities, with offices and residential above.

The site was formerly a blockbuster video hire shop with offices above.

The application site lies within Northwood Town Centre, Green Lane, Conservation Area, within the Northwood Town Centre and the Green Lane Secondary Shopping Area. It is also within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

The proposal is for the Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurant) involving, installation of new shopfront, outdoor seating to front and installation of extraction fan to rear associated works.

3.3 Relevant Planning History

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.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
- BE19 New development must improve or complement the character of the area.

BE26	Town centres -	design, layout an	d landscaping of new	buildings
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- BE28 Shop fronts design and materials
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance mitigation measures
- S6 Change of use of shops safeguarding the amenities of shopping areas
- S12 Service uses in Secondary Shopping Areas
- DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 26th November 2014
- **5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

11 surrounding occupiers/commercial premises were consulted.

One letter of support has been recieved making the following comments: I welcome this restaurant as there is a need for good quality restaurants in the area.

1 other response was received from an adjoining neighbour who raises the following concerns:

- Kitchen extract may increase noise and smell.

(Officer comment: This issue is addressed by way of condition).

- Concerns regarding the location of refuse bins and management of refuse collection process

- need to ensure our car parking spaces will not be taken

- Control of deliveries to reduce the risk of obstruction to our car park and potential impact on traffic flow

(Officer note: The Highway engineer raises no objections and the proposal complies with relevant policies in the Hilligdon local Plan)

- Will the smoking area be away from the building or with increased ventilation to prevent second hand smoke Is there proper disposal units for cigarette ends and packets?

- Concerns over the width of the outside seating area

(Officer note: The outside seating area is located on the public highway and any issues would be covered by licencing)

- Cutting a hole in the wall for a rear access. If soil pipes have to be moved, this could cause disruption to our business and a health risk.

- Are there plans to fit sound reducing installation to the premises, will noise levels be monitored? (Officer note: These issues are covered by Building Control and Environmental Health legislation and it is considered that sound insulation is necessary given that both uses are commercial)

London Underground Infrastructure Protection - No objection

Northwood Residents Association: No response

Northwood Conservation Area: No response

Internal Consultees

Environmental Protection Unit:

The proposal seeks the change of use of the ground floor and the floors above are office uses. Accordingly, no objection is raised subject to the following condition:

1) The proposed development hereby approved shall not be commenced until further details of the extract ventilation system and odour control equipment including details of any noise levels, vibration levels, and external ducting, have been submitted to and approved by the local planning authority and the equipment so approved has been installed. The approved extract ventilation system equipment and odour control equipment shall be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The external ducting shall be removed as soon as possible when no longer required.

REASON: To protect the amenities of the surrounding occupiers and to ensure that the proposal complies with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies.

Floodwater Management: No objections

Access Officer:

The site is located on the ground floor of a two storey building on the West side of Eastbury Road at the corner of Green Lane. Permission is sought to change the use of the vacant, former Blockbuster video rental store (Class AI) into a gourmet burger restaurant (A3 use). The installation of a new shop front is also proposed.

The Design & Access Statement refers to level access into the proposed restaurant and to the formation of a new accessible toilet, both of which are shown on plan.

The Design and Access Statement refers to level access into the proposed restaurant and the formation of a new accessible toilet, both of which are shown on the plan.

The plans indicate that most of the internal customer seating area would be on a raised deck, which would be reachable only by steps and therefore inaccessible to wheelchair users and others with a mobility impairment.

However, given the proposal is for the conversion of an existing unit with a split floor level, there is no objection for this arrangement in this case.

The Council in conducting its business as the Local Planning Authority is required under the Equality Act 2010 to ensure the best possible accessibility is achieved. In this instance, the Council should ensure that accessibility attributes within this existing development are not lost, and improved upon where practicable.

Conclusion: as a significant part of the proposed customer seating area would be inaccessible to wheelchair users, 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 is situations where reasonable adjustments 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.

Conservation and Urban Design:

This is a commercial property dating from the inter war era situated within the Northwood Town Centre, Green Lane, Conservation Area - a heritage asset. On a visible corner, the building is simply detailed and despite later alterations not to its benefit, is well proportioned. Any new alterations should look to enhance the building and thereby the conservation area and the general streetscene.

Comments: There is no objection in principle to the overall proposals which will generally enliven the appearance of the premises. The proposals also generally adheres to and considers the guidance within Hillingdon's Design and Accessibility Statement SPD (HDAS) Shopfronts which considers good design at para. 5.2, in particular, 'The context in which the building is set includes the location of the site, the character of the area, the building that hosts the shopfront, the neighbouring premises; and the wider streetscene.' Certainly the signage is of a good proportion, the shopfront in keeping with style of the building and the awnings of a reasonable scale and design.

However, I have a few minor concerns and reservations which will require clarification. To the rear, a large extract pipe is to be installed. This may be visible from the railway (and from rear windows) and it is important that it is in the least visible position and painted black so that it is not an obtrusive addition. The signage to the front should not be internally illuminated and more detail is required. Is the raised sections of terracing a street obstruction and will it require a barrier? If so, what will the barrier look like? All of the materials proposed will need material samples (where they do not match existing) to be submitted for approval. Further details of the lighting and menu boxes are also required.

The works proposed have the potential to preserve and enhance the Northwood Town Centre, Green Lane, Conservation Area and help raise the standard of design more generally in the locality - with the above clarification.

Conclusion: Acceptable. Minor revisions and clarification required.

Agent Response:

• The position of the extract has been chosen so that it would not be seen from Eastbury Road and very well hidden from Green Lane. We would be willing to accept a condition that it be painted if you consider it to be necessary

A separate application will be submitted for advertisement consent so this is not a matter for this application.

The pavement platforms have now been removed from the proposal.

In addition to the shopfront materials shown on the front elevation drawing, please could you confirm what other materials need to be agreed so that we can do that now and avoid a pre-commencement condition.

Highways:

There are no highway objections raised in relation to the proposals. However, it is recommended that an informative is provided on the planning consent, notifying the applicant that the projecting awnings and the dinning facilities (tables and chairs) along the adjacent footpath can only be provided via licence, under the Highways Act 1980. As a result, the applicant should therefore, be

advised to contact the Highway Authority to submit an application for the licence.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy S6 states that changes of use applications will be granted where i) a frontage of design appropriate to the surrounding area is maintained or provided; ii) the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and iii) would have no harmful effect on road safety or worsen traffic congestion.

Policy S12 states that in Secondary Shopping Areas applications will be granted where i) the remaining retail facilities are adequate to accord with the character and function of the shopping centre and ii) the proposed use will not result in a separation of Class A1 uses or a concentration on non retail uses which might harm the viability or vitality of the centre. Use as a Class A3 food and drink use is regarded as acceptable at ground floor level within shopping frontages of secondary shopping areas.

The proposed external alterations are considered appropriate to the Northwood Town Centre, Green Lane, Conservation Area and the use is compatible with the varied neighbouring uses. A survey of the commercial parade identified that 51% of the retail units will remain in A1 use. Therefore the proposal would comply with the criteria listed in Policies S6 and S12 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 proposed development is located within Northwood Town Conservation Area. The Conservation Officer had no objection in principle, subject to minor clarifications and/or conditions. These included the extractor pipe to be painted black, the signage not be internally illuminated and for samples of the shopfront materials if they were different from the existing. The agent has confirmed that the extractor pipe can be painted black and the application forms confirmed that an aluminium framed shopfront for both the existing and proposed. The adverts do not form part of the application and would require separate consent. The proposed ducting is at the rear of the building and would be visible from the railway line however this is the least visually intrusive position when viewed from the street and it is considered that the size and siting of the duct would not be detrimental to the visual amenities of the street scene and the wider Conservation Area. Therefore the proposal would comply with Policies BE13, BE19 and BE4 of the Hillingdon Local Plan: Part Two - Saved UDP 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

The matters of impact on the character & appearance of the area have been addressed in section 7.03 of this report.

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that become detrimental to the amenity of the adjoining occupiers or

surrounding area will not be approved. Policy OE3 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) states that new development or uses which have the potential to cause noise annoyance will only be permitted if measures can be undertaken to alleviate the potential disturbance where a development is acceptable in principle.

The Environmental Protection Unit has raised no objection, subject to appropriate conditions and it is considered that the proposal would comply with the development plan in this regard. Limitation to hours of operation was considered, but there are no immediate residential neighbours accordingly the Environmental Protection Unit do not consider such restrictions are necessary. It is further noted that a license would be required for the placing of tables and chairs as they are on the highway and the hours at which table and chairs can be present on the public highway can be considered under this process. As such a condition in this respect is not necessary in this case

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site is situated on the junction of Eastbury Road and Green Lane, and does not have any off street parking available for customers. However, metered parking is available on the Eastbury Road and Green Lane. There is also a bus stop on Green Lane and Northwood Tube Station opposite. Servicing will be carried out within a designated loading bay located 15 metres to the east of the site. The proposal would therefore 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

Not applicable to this application.

7.12 Disabled access

The Design and Access Statement refers to level access into the proposed restaurant and the formation of a new accessible toilet, both of which are shown on the plan.

The plans indicate that most of the internal customer seating area would be on a raised deck, which would be reachable only by steps and therefore inaccessible to wheelchair users and others with a mobility impairment.

However, the existing unit is at plit level and it would not be practical to make the unit fully accessible. Morover, the proposal does provide level access to an accessible W.C. Accordingly no objections are raised on accessibility grounds.

7.13 Provision of affordable & special needs housing

Not applicable to this application

- 7.14 Trees, Landscaping and Ecology Not applicable to this application
- 7.15 Sustainable waste management

Not applicable to this application

7.16 Renewable energy / Sustainability

Not applicable to this application

- 7.17 Flooding or Drainage Issues
 - Not applicable to this application

7.18 Noise or Air Quality Issues

The Environmental Protection Unit have requested a condition for additional details relating

to the extract ventilation system and odour control equipment including details of any noise levels, vibration levels, and external ducting. This is secured by condition. Given the commercial nature of the use on the upper floor it is not considered that additional sound insulation would be required in this case.

7.19 Comments on Public Consultations

Covered within the relevant aspects of the report.

7.20 Planning Obligations

None

7.21 Expediency of enforcement action

Not required

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

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

9. Observations of the Director of Finance

None

10. CONCLUSION

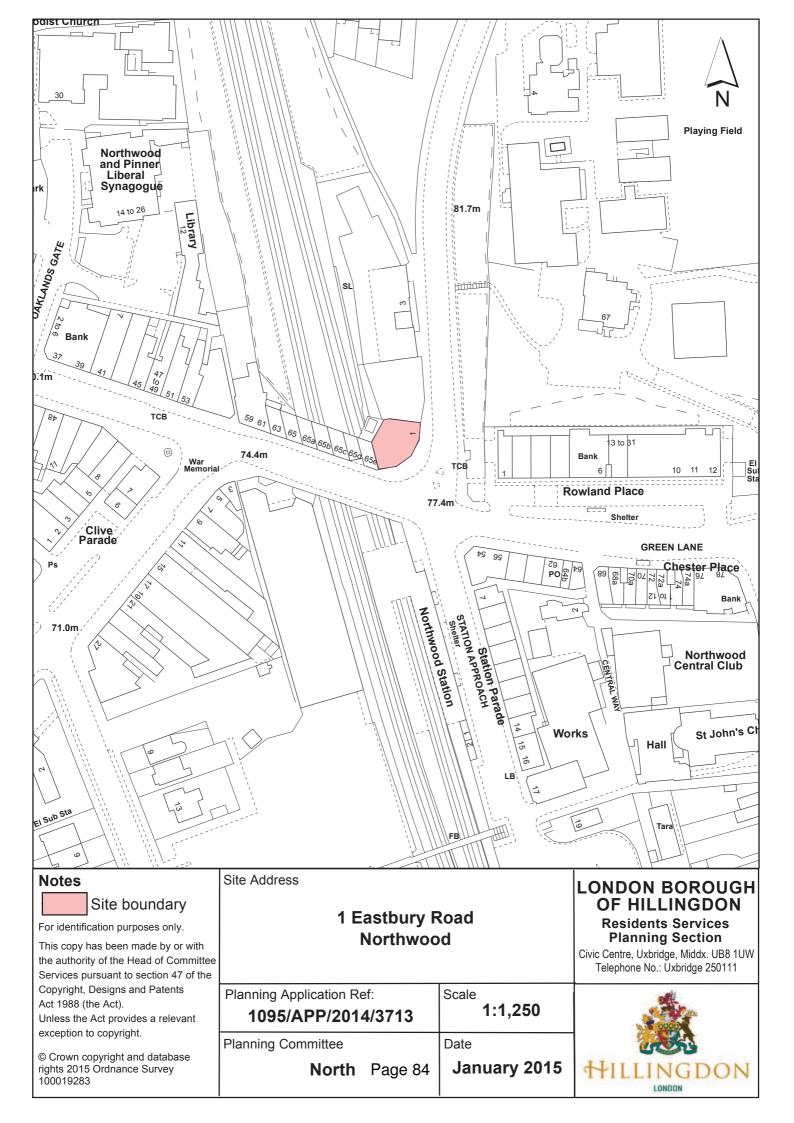
The proposal complies with the criteria listed in Policies S6 and S 12 of the Hillingdon Local Plan and is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012). Hillingdon Local Plan Part 2. The London Plan (July 2011). Supplementary Planning Document 'Accessible Hillingdon'. National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Agenda Item 10

Report of the Head of Planning, Sport and Green Spaces

Address 23 WOODFORD CRESCENT PINNER

- **Development:** Single storey detached outbuilding to rear involving alterations to roof (Part Retrospective)
- LBH Ref Nos: 41976/APP/2014/3768

Drawing Nos: Location Plan Planning and Design Statement BD/14/25/2A Supporting Photo (1) Supporting Photo (2) Supporting Photo (3) Supporting Photo (3) Supporting Photo (4) Supporting Photo (5) Supporting Photo (6) Supporting Photo (6) Supporting Photo (7) Supporting Photo (8) Supporting Photo (9) Supporting Photo (10) BD/14/25/1A

 Date Plans Received:
 23/10/2014

 Date Application Valid:
 27/10/2014

Date(s) of Amendment(s):

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a detached bungalow, which currently benefits from a single storey lean-to extension along the eastern side of the property and extends to the rear of the dwellinghouse. The property has a reasonable sized garden to the rear and a front garden laid with a hard standing to provide 1 car parking space.

The street scene is residential in character and appearance comprising detached bungalows.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

1.2 **Proposed Scheme**

The application seeks planning consent for the erection of a single storey detached outbuilding to the rear of the property for use as a summer house (Part Retrospective).

The scheme differs from the building which has been constructed on site (and for which permission was previously refused) by virtue of the removal of the pitched roof with a flat roof which reduces the overall height of the structure by approximately 1m and reduces its

bulk.

1.3 Relevant Planning History

41976/APP/2014/2290 23 Woodford Crescent Pinner

Single storey detached outbuilding to rear for use as a summer house (Retrospective) (Resubmission)

Decision Date: 29-08-2014 Refused Appeal:

Comment on Planning History

Enf/165/14/ENT - Outbuilding erected without planning permission (Enforcement Notice issued during this application process after the recommendation for approval but before the decision was made)

41976/APP/2014/290 - Single storey detached outbuilding to rear involving alterations to roof (Retrospective)

41976/APP/2014/1110 - Single storey timber outbuilding to rear for use as a garden room (invalid)

41976/APP/2014/682 - Single storey side extension

The scheme differs from the building which has been constructed on site (and for which permission was previously refused) by virtue of the removal of the pitched roof with a flat roof which reduces the overall height of the structure by approximately 1m and reduces its bulk.

2. Advertisement and Site Notice

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

3. Comments on Public Consultations

The following neighbours were consulted for a period of 21 days expiring on the 21 November 2014 as follows: -

- 65 Maycroft
- 21 Woodford Crescent
- 25 Woodford Crescent

No representations were received from adjoining neighbours:

Northwood Hills Residents Association - No response

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- 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 and provision of acceptable residential amenity for the application property.

Policies BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that development harmonises with the character of the surrounding properties and street scene. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) further requires that development should complement and improve the amenity of the residential 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.

Section 9.0 of the HDAS states that in order to prevent harm to the character and appearance of the area and the amenity of adjoining properties, an outbuilding should be positioned as far away from the main house as possible and set in from the boundaries by at least 0.5m. In terms of its design it should be constructed using materials similar to those in the main house and any windows and doors should be positioned only on the elevation facing the main house. An outbuilding with a flat roof should be no more than 3.0m in height. The use of outbuilding should also be for normal domestic use related to the residential use of the main house.

The outbuilding is positioned as far away from the main house as possible and would be set in 0.5m from the side boundary and 1.5m from the rear boundary of the site. The building is of a wooden construction with a flat roof, and is in keeping of a typical garden outbuilding. The building measures 2.8m in height and covers an area of 15.4sq.m. As such it is not considered that this building is contrary to the character and appearance of the area or has any impact on the residential amenity of the neighbouring dwellings. Therefore the proposal accords with the requirements of Policies BE13, BE19, BE 20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 9.0 of HDAS:

Paragraph 3.13 of Residential Extensions. HDAS: Residential Extensions requires sufficient garden space to be retained as a consequence of an extension. The property benefits from a reasonable sized rear garden and the outbuildings would leave over 100sqm of the rear garden open and undeveloped.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 NONSC Non Standard Condition

The alterations to the building hereby approved shall be commenced within 3 months of the date of this decision and completed within 6 months of the date of this decision, unless an alternative timetable is agreed in writing by the Local Planning Authority.

REASON

In order to rectify the existing breach of planning control, to ensure the development is completed in accordance with the approved details and that it is compliant with Policies BE19, BE23 and BE24 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

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 BD/14/25/1A AND BD/14/25/2A.

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 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 25 Woodford Crescent.

REASON

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

INFORMATIVES

1 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 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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Enviroment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 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).
- 7 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, Enviroment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.

- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

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

Contact Officer: Liz Arnold

Telephone No: 01895 250230

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Agenda Item 11

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Item 12

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Annex

Plans for North Applications Planning Committee

21st January 2015





www.hillingdon.gov.uk Page 107

Report of the Head of Planning, Sport and Green Spaces

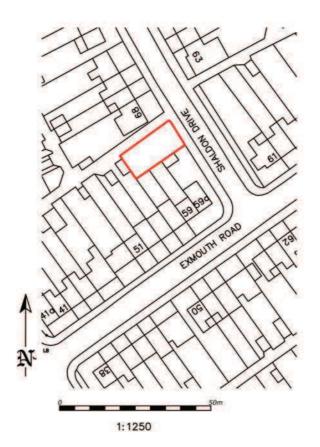
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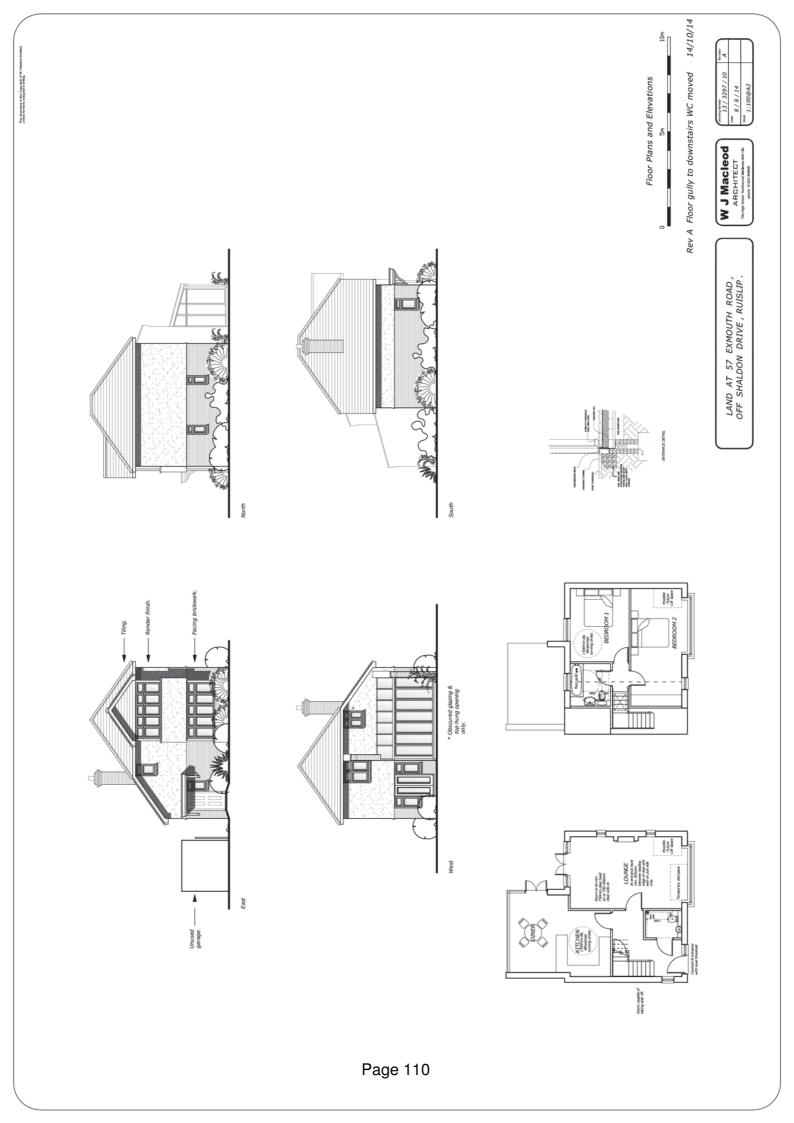
Development: Two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store

LBH Ref Nos: 16124/APP/2014/2943

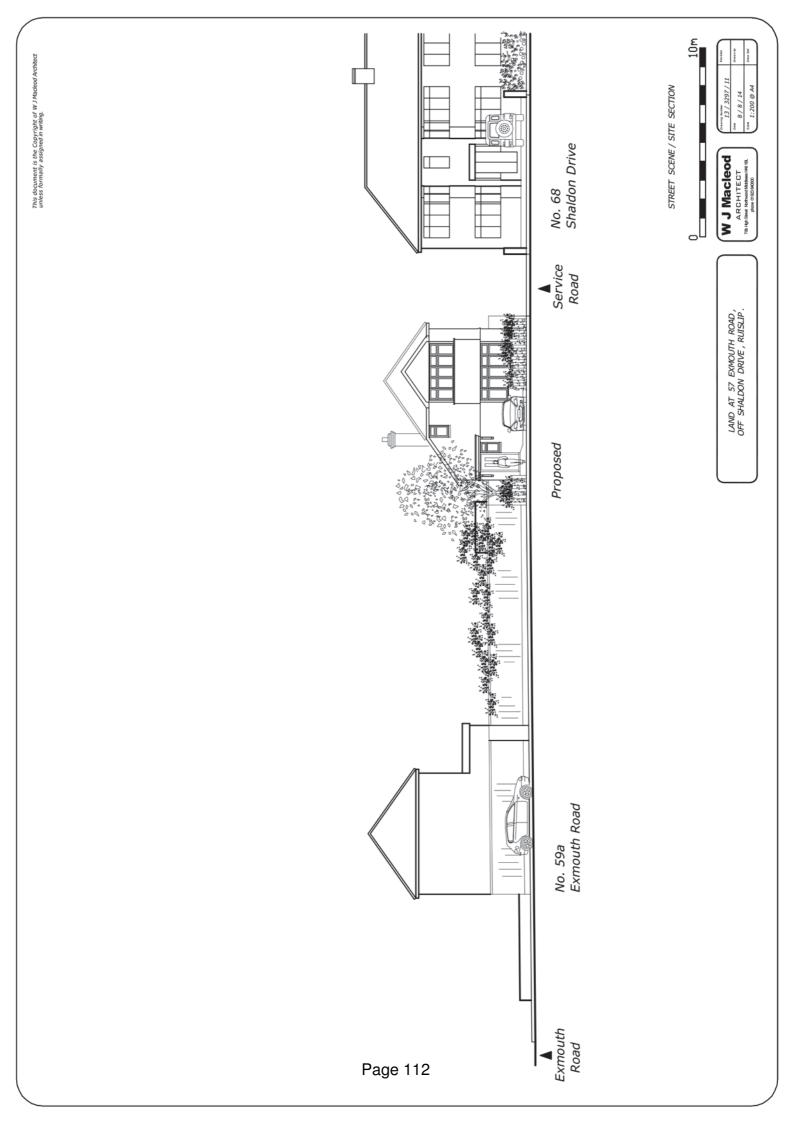
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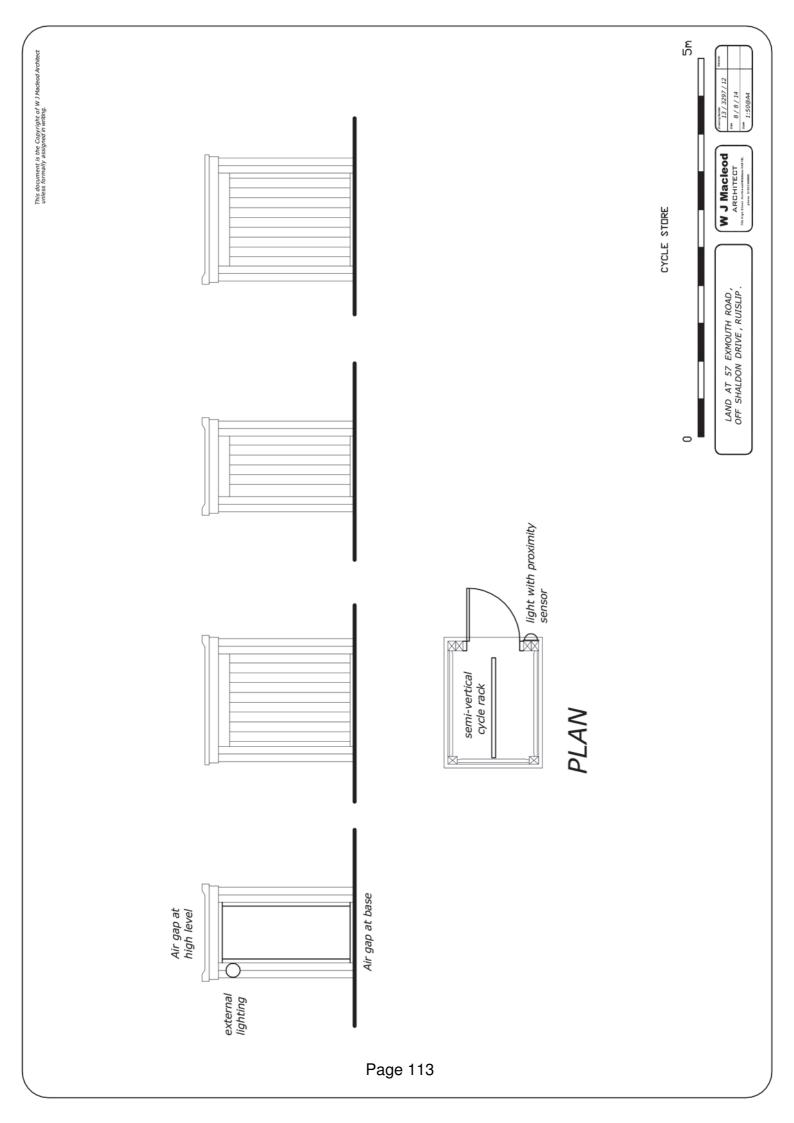
Date(s) of Amendment(s): 18/08/2014













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Report of the Head of Planning, Sport and Green Spaces

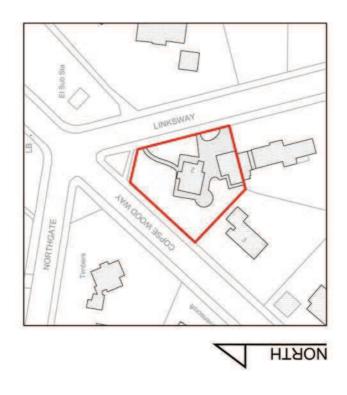
Address 2 LINKSWAY NORTHWOOD

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

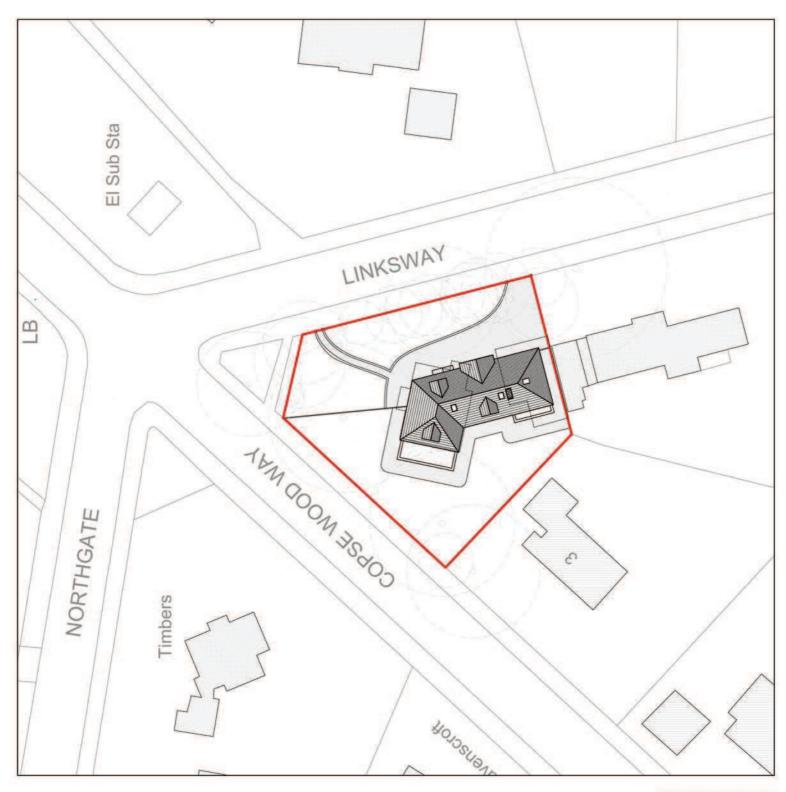
LBH Ref Nos: 36910/APP/2014/2869

Date Plans Received:	12/08/2014	Date(s) of Amendment(s):	13/08/2014
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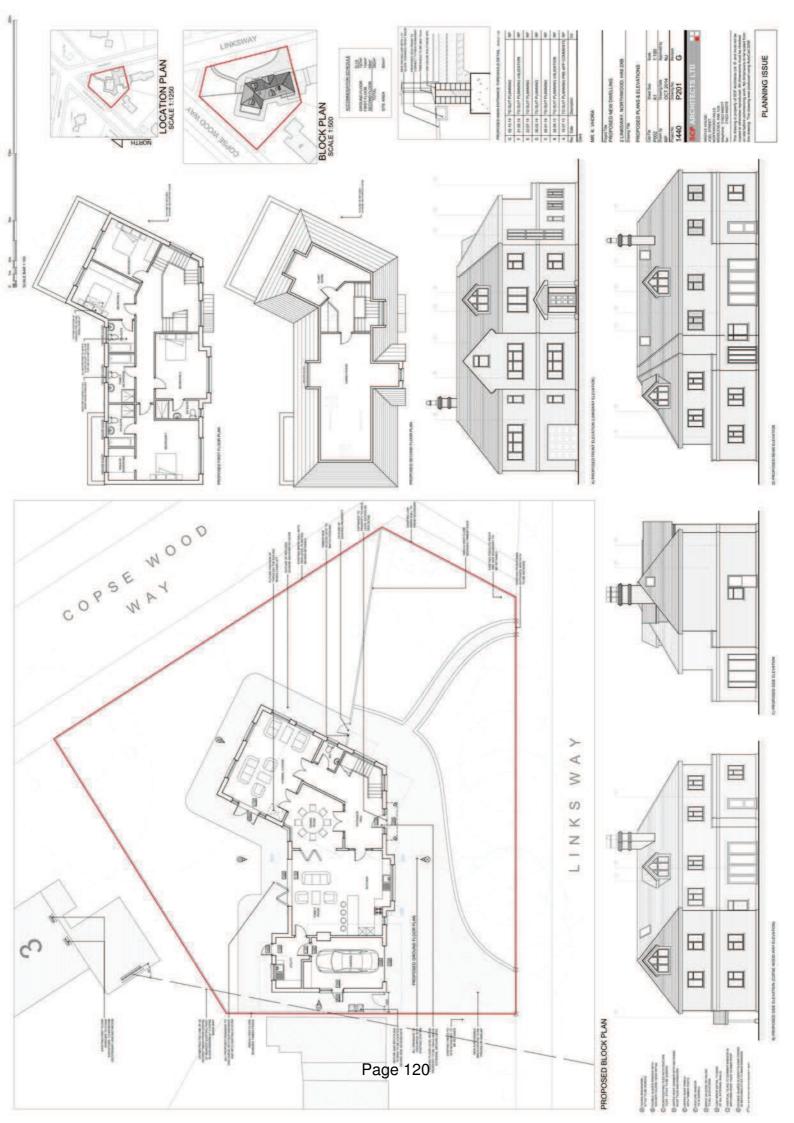
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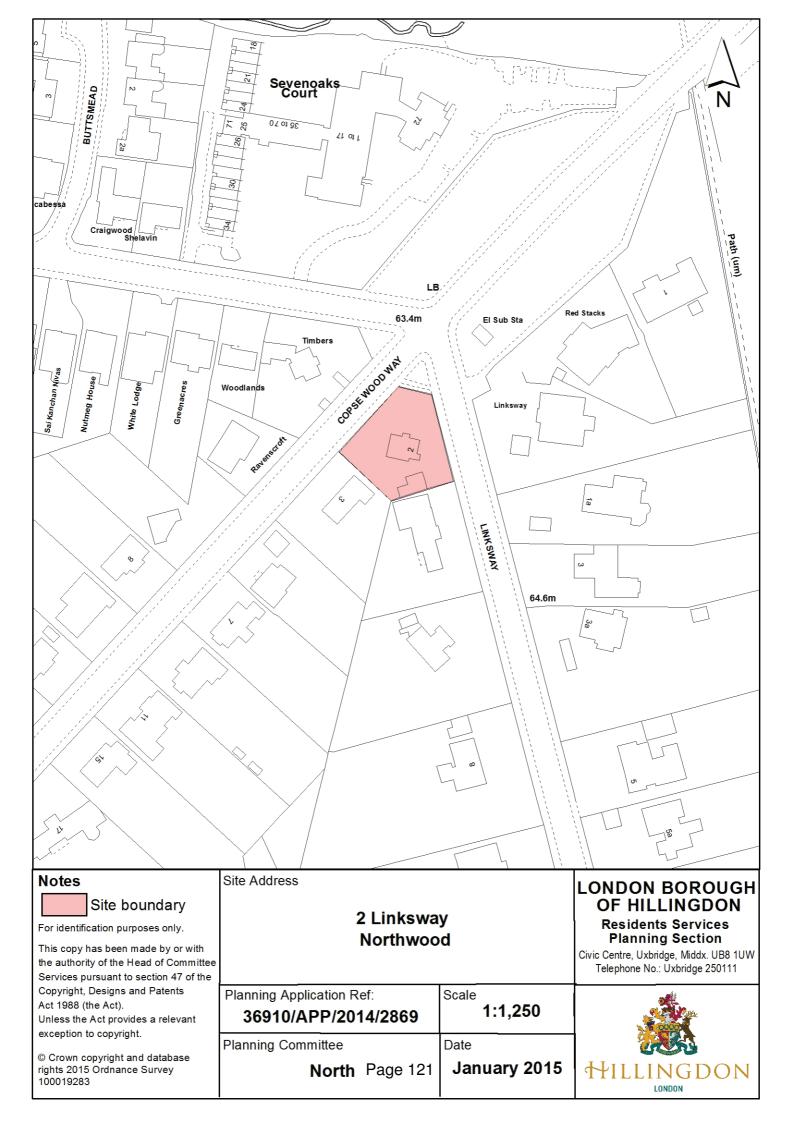




D) FRONT ELEVATION

C) SIDE ELEVATION (COPSE WOOD WAY)





Report of the Head of Planning, Sport and Green Spaces

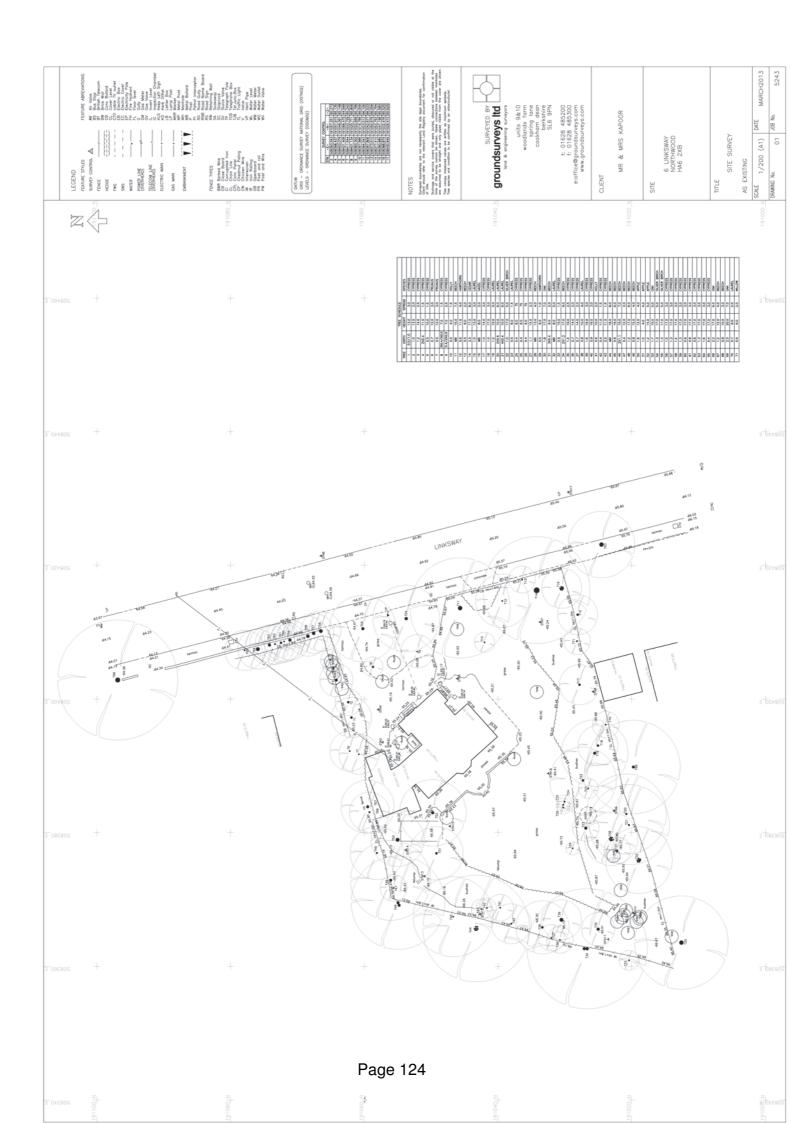
Address 6 LINKSWAY NORTHWOOD

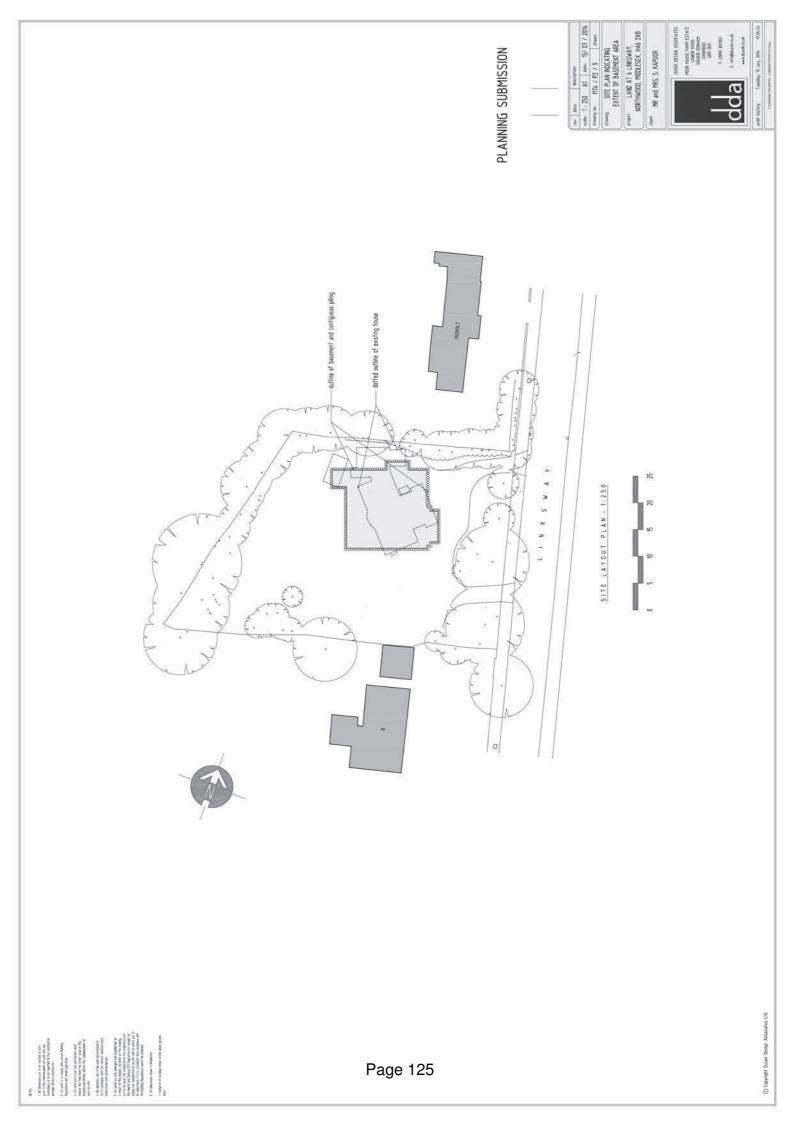
Development: Two storey, 6-bed, detached dwelling with habitable basement and roofspace involving demolition of the existing dwelling (Resubmission)

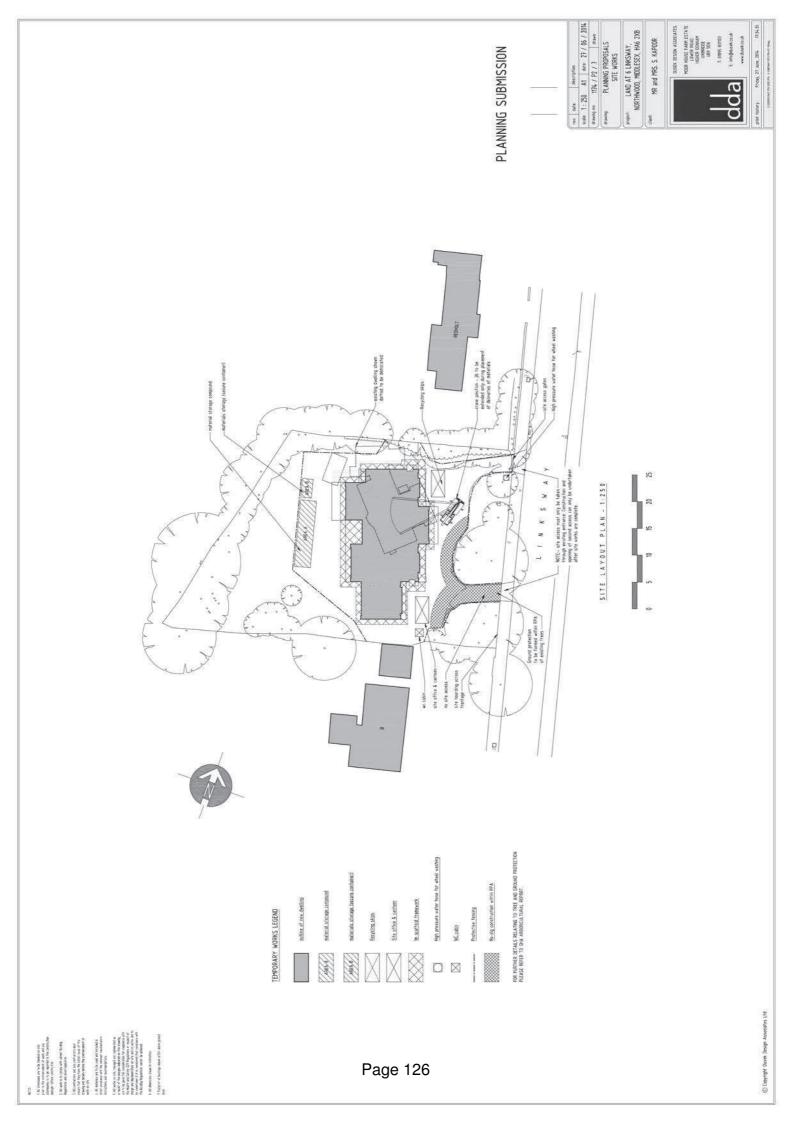
LBH Ref Nos: 5380/APP/2014/2288

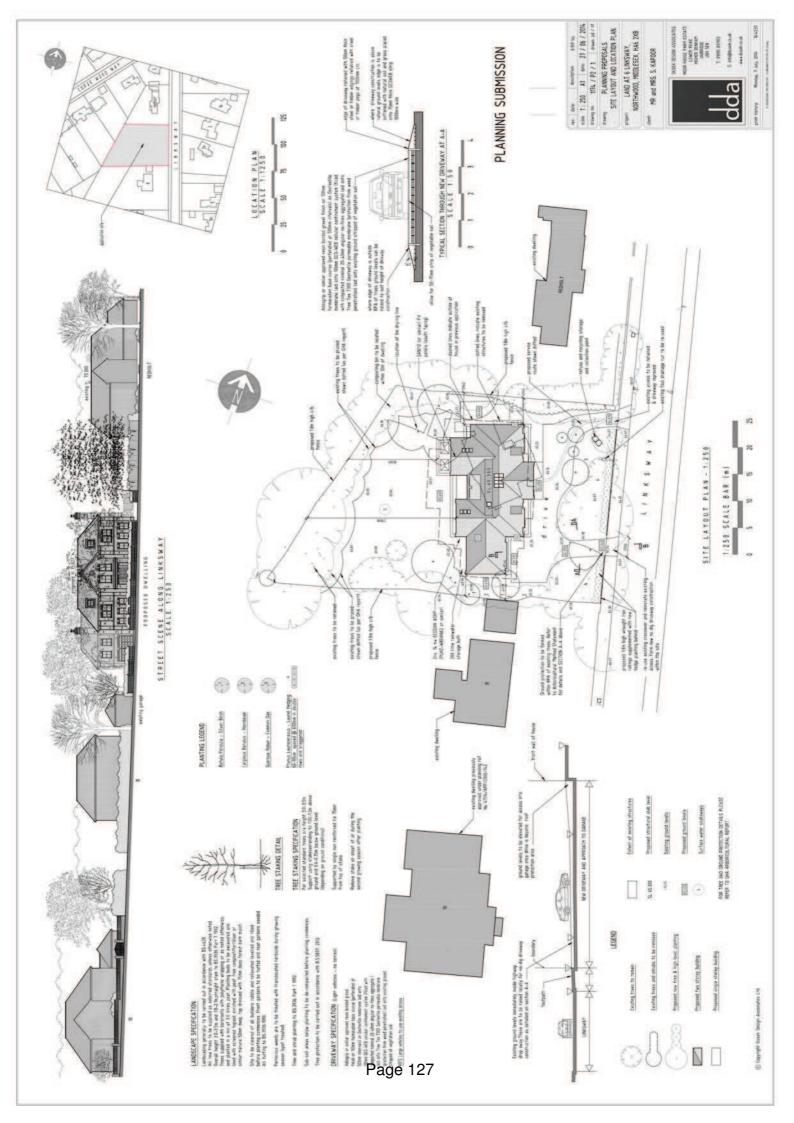
Date Plans Received:	30/06/2014	Date(s) of Amendment(s):	05/08/2014
Date Application Valid:	08/07/2014		

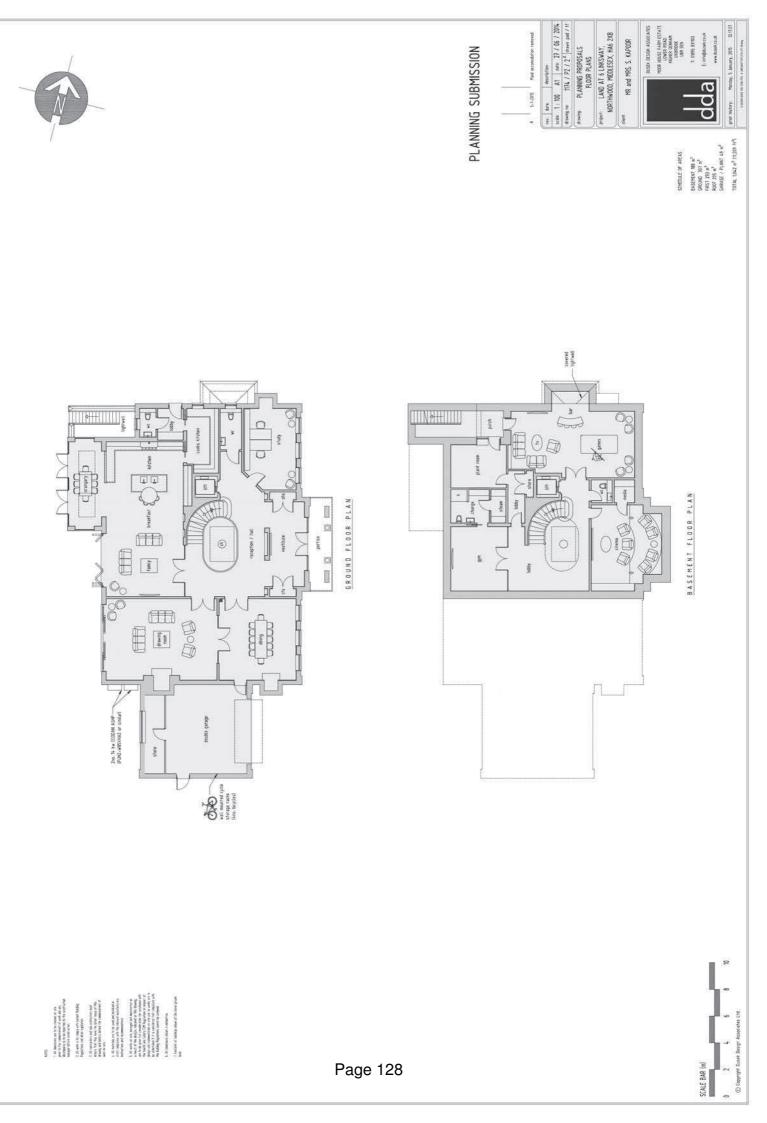


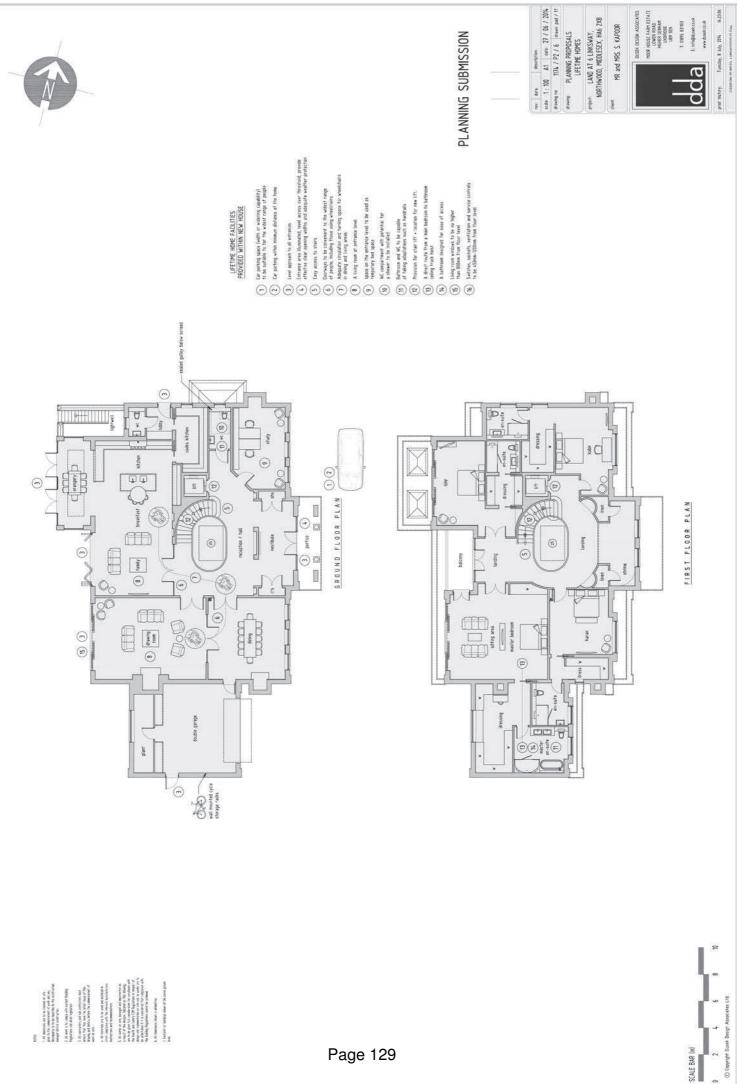


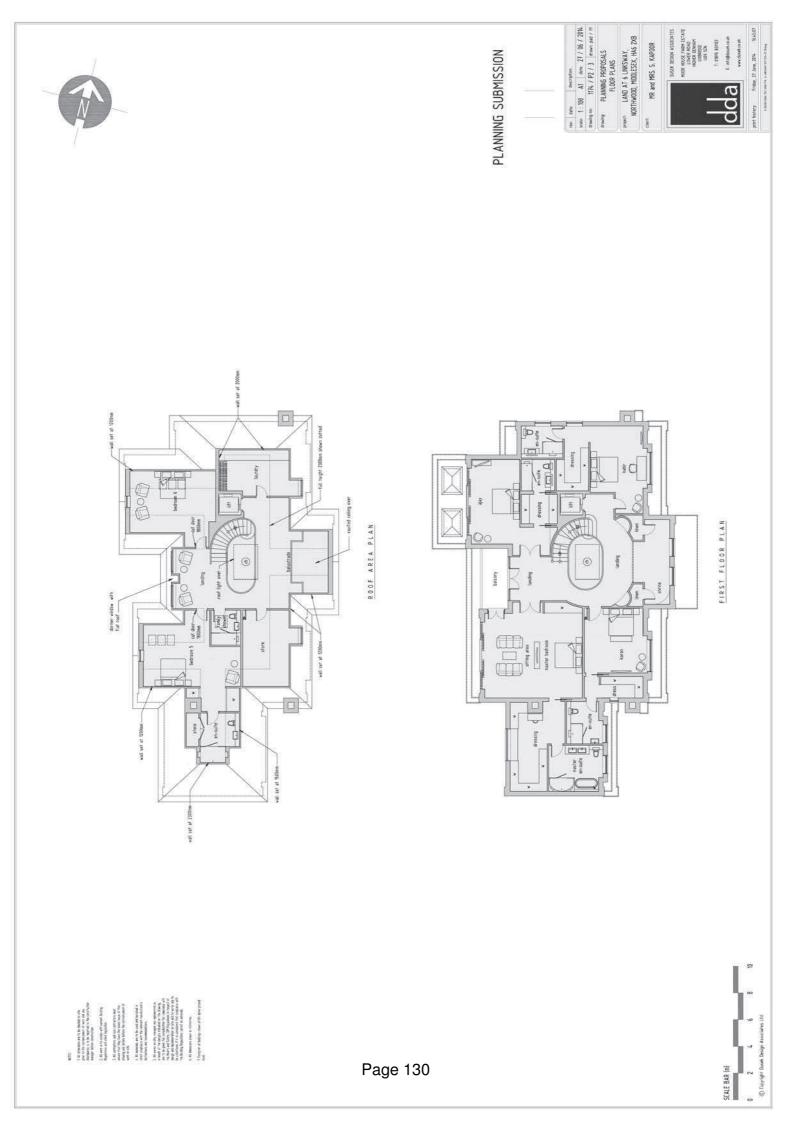


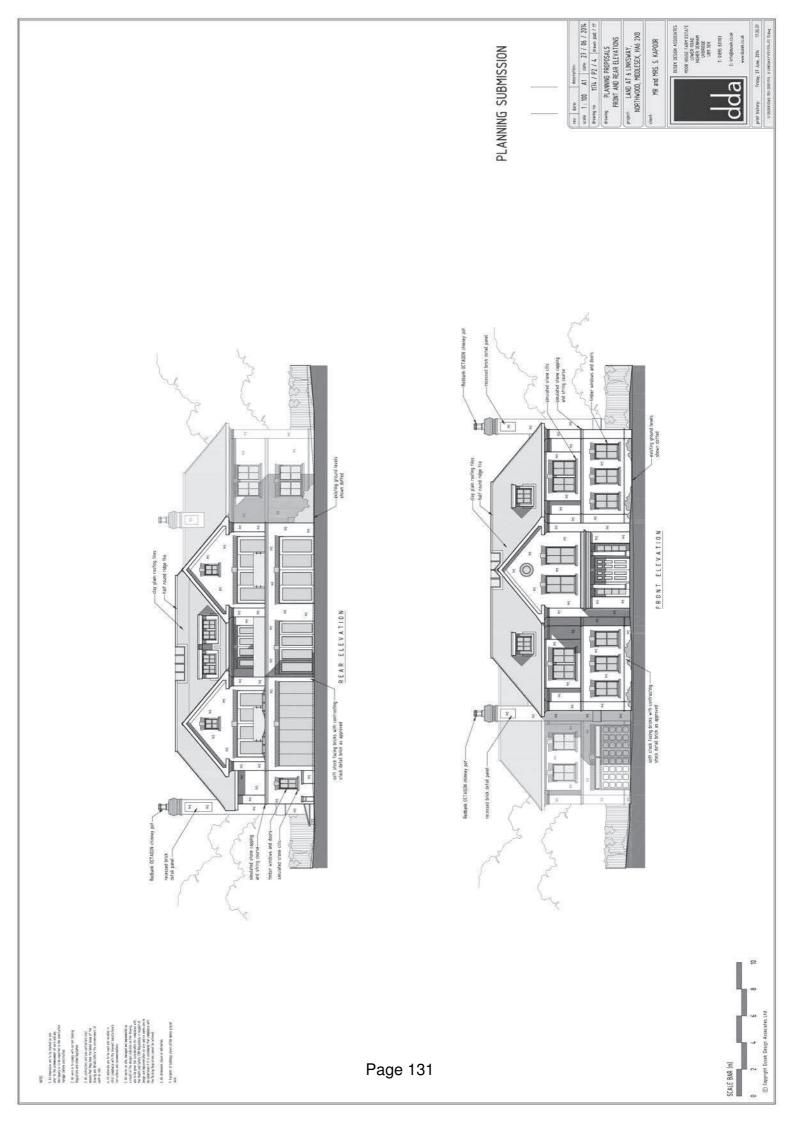


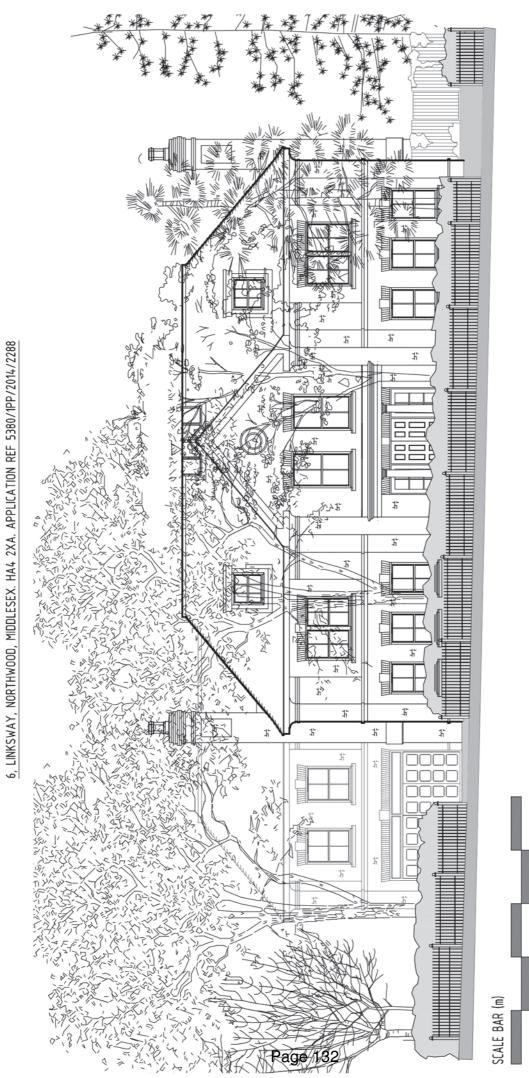












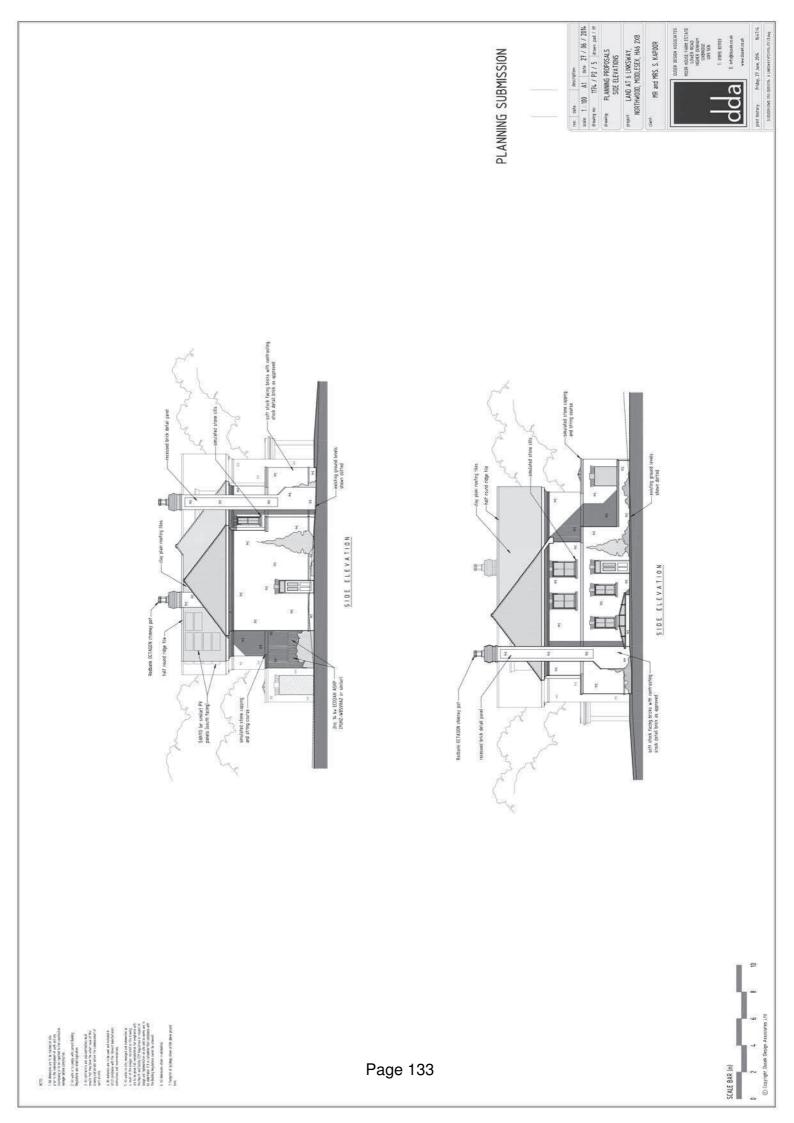


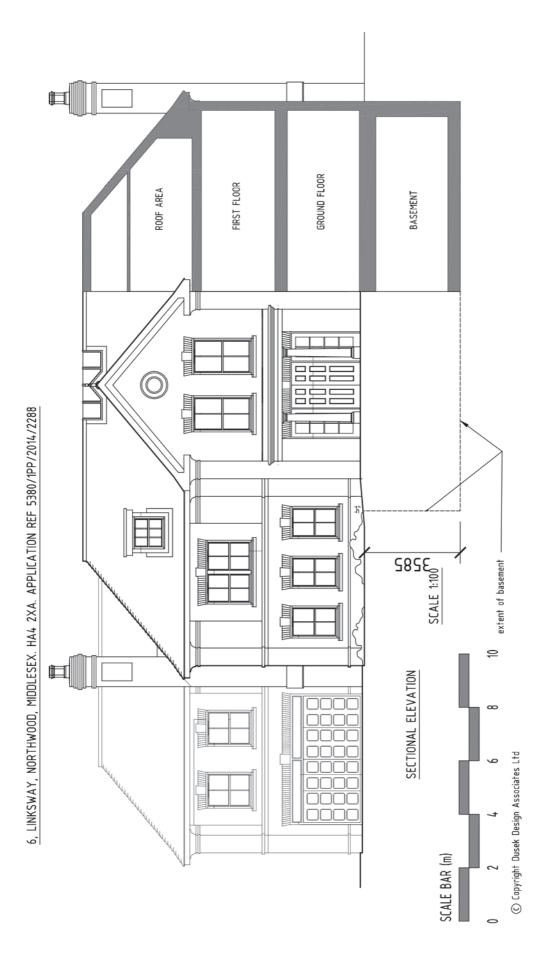
PROPOSED FRONT ELEVATION SHOWING RAILINGS SCALE 1:100

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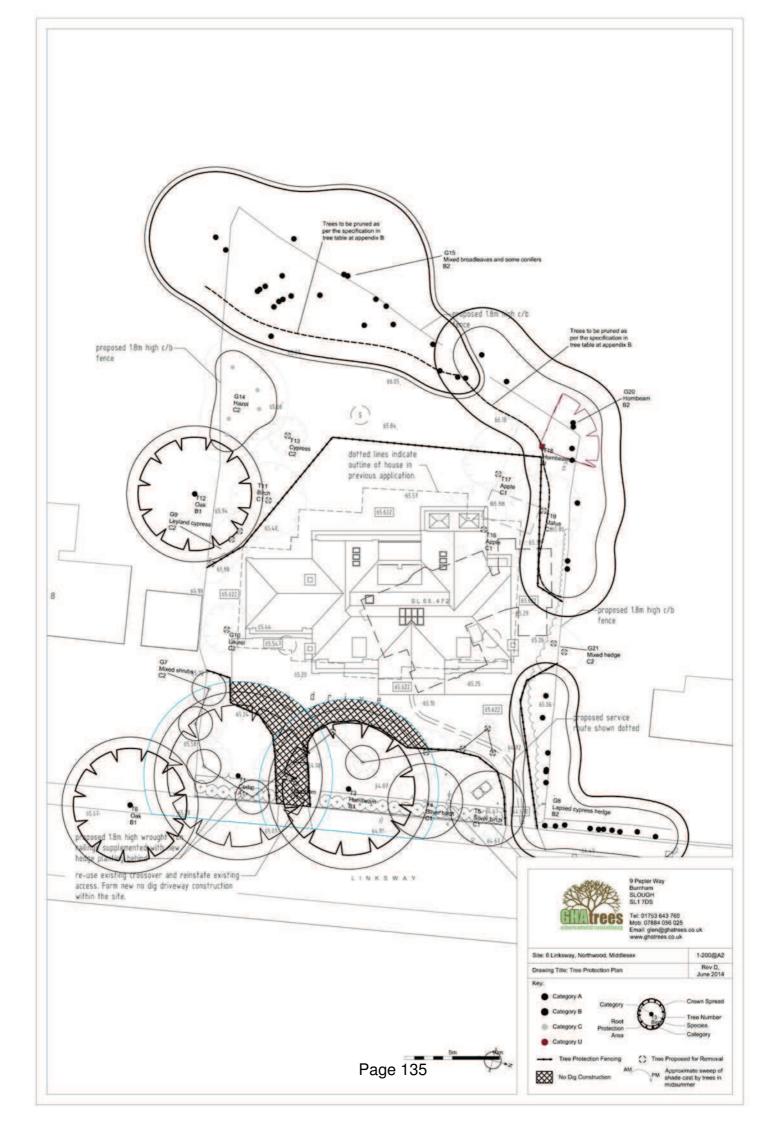
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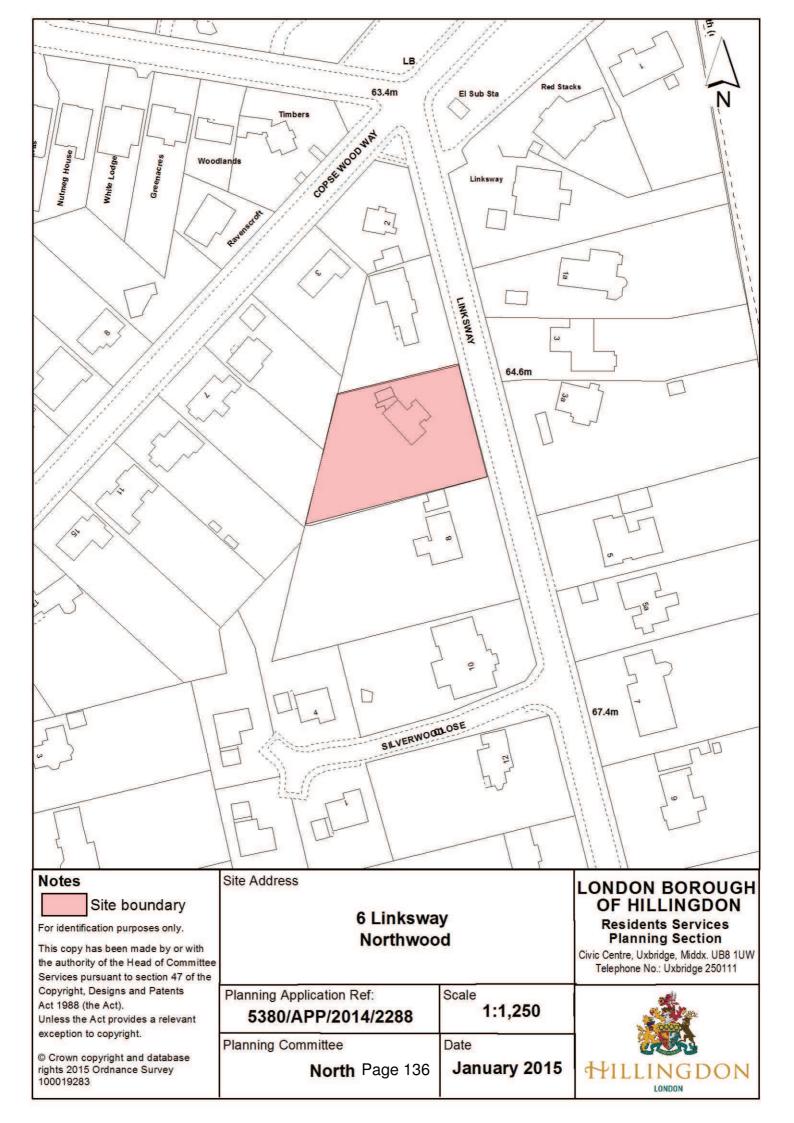
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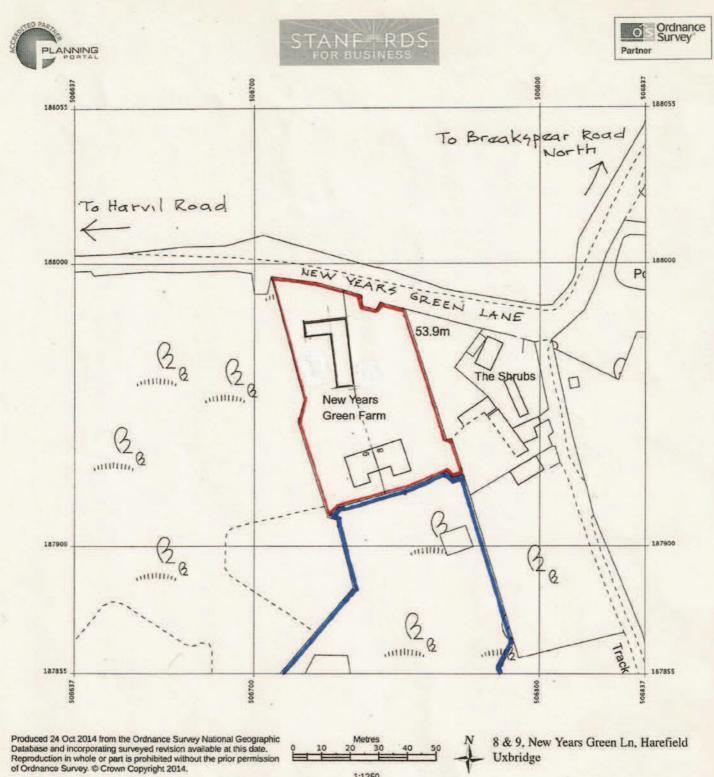
Report of the Head of Planning, Sport and Green Spaces

Address 8 & 9 NEW YEARS GREEN FARM NEWYEARS GREEN LANE HAREFIELD

Development: Single storey rear extensions to numbers 8 & 9 and a first floor side extension to number 8

LBH Ref Nos: 70392/APP/2014/3842

Date Plans Received:	28/10/2014	Date(s) of Amendment(s):	28/10/0014
Date Application Valid:	03/11/2014		28/11/0014



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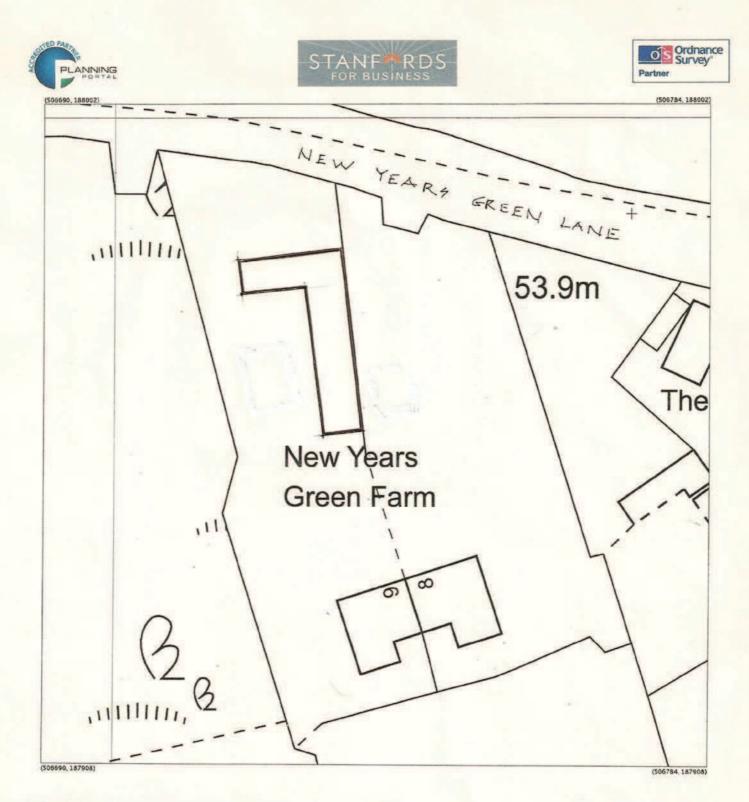
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Supplied by: Stanfords 24 Oct 2014 Stanfords Ordnance Survey Partner Licence: 100035409 Order Licence Reference: OI773929 Centre coordinates: 506737 187955

Uxbridge

Location Plan

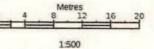
Drg Nº NYF/12



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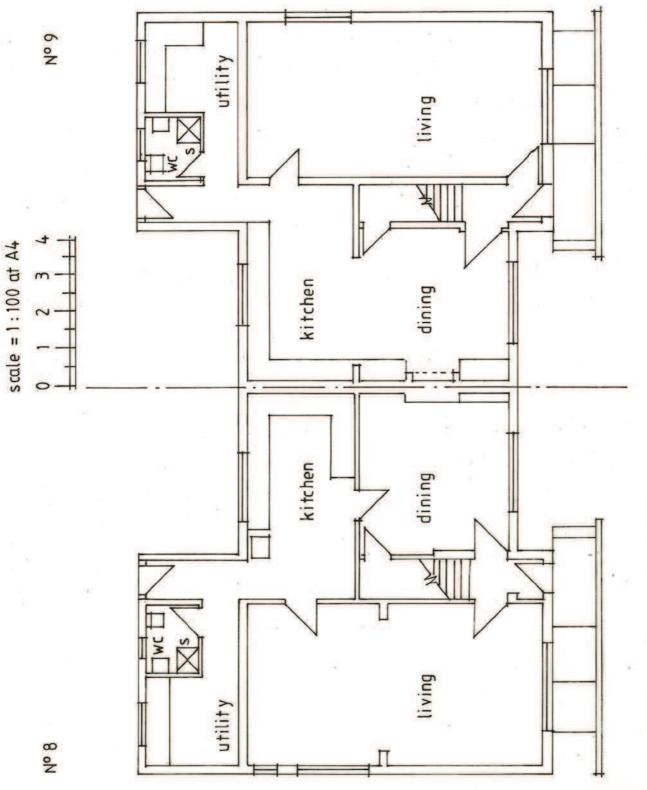
Supplied by: Stanfords 24 Oct 2014 Stanfords Ordnance Survey Partner Licence: 100035409 Order Licence Reference: OI773928 Centre coordinates: 506737 187955 8 & 9, New Years Green Ln, Harefield Uxbridge

Site Plan

Drg Nº NYF/13

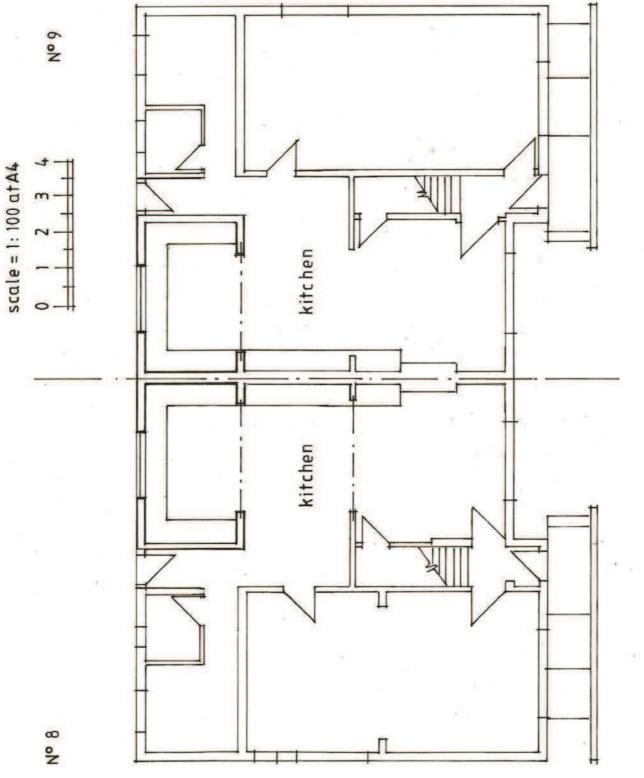
Drg Nº NYF/ 01A

Ground Floor Plan : As Existing

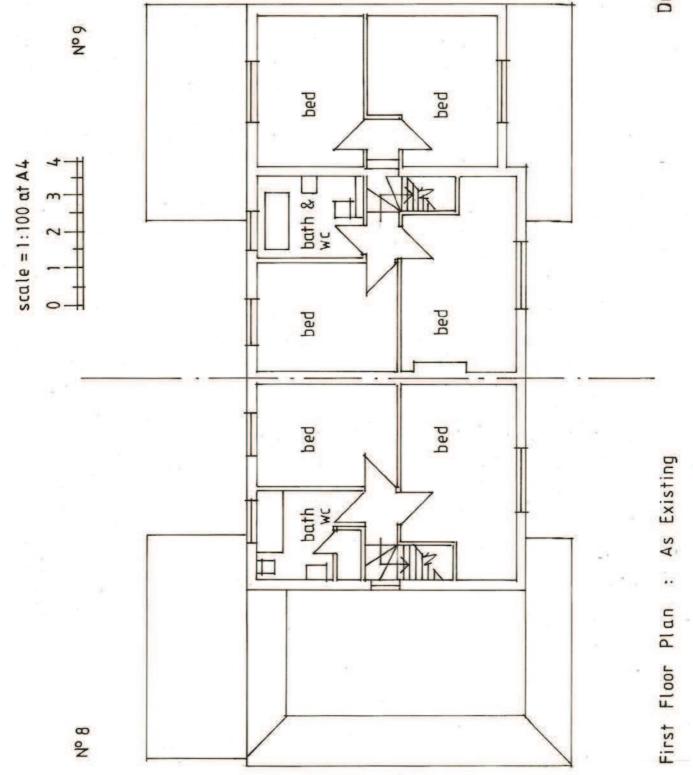


Drg Nº NYF / 02A

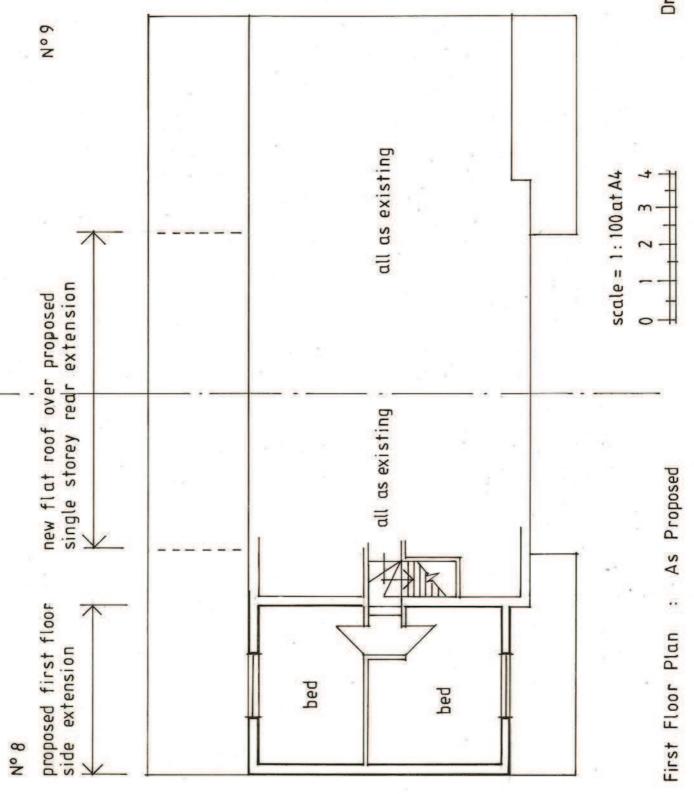
Ground Floor Plan : As Proposed

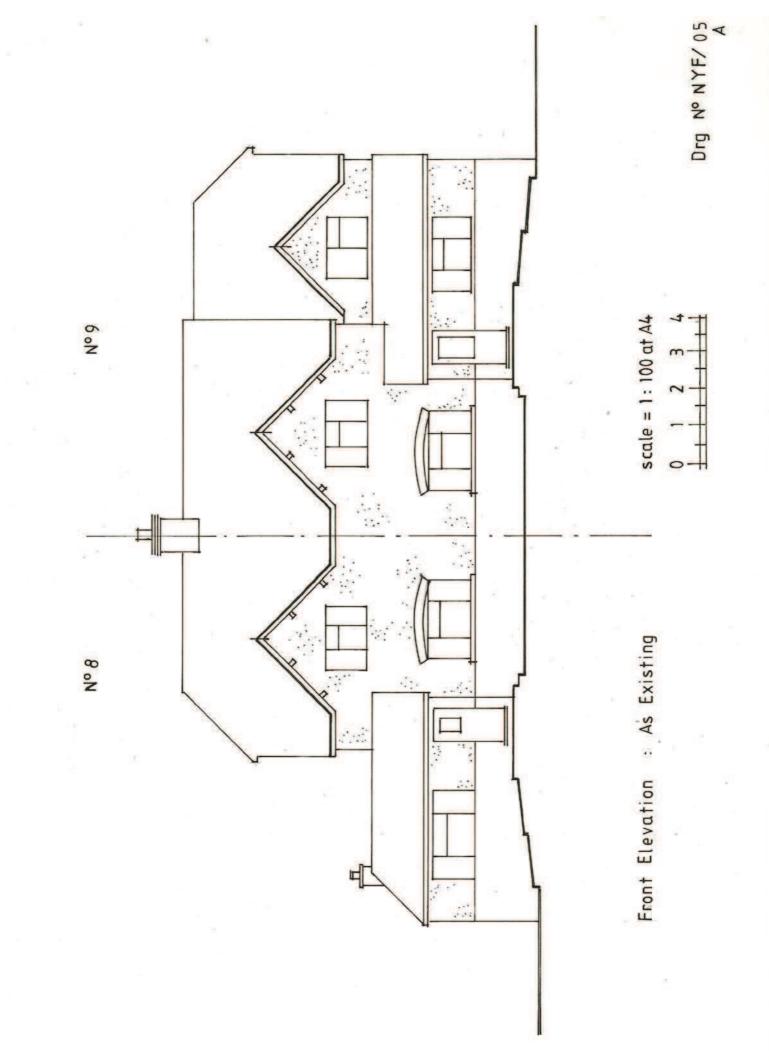


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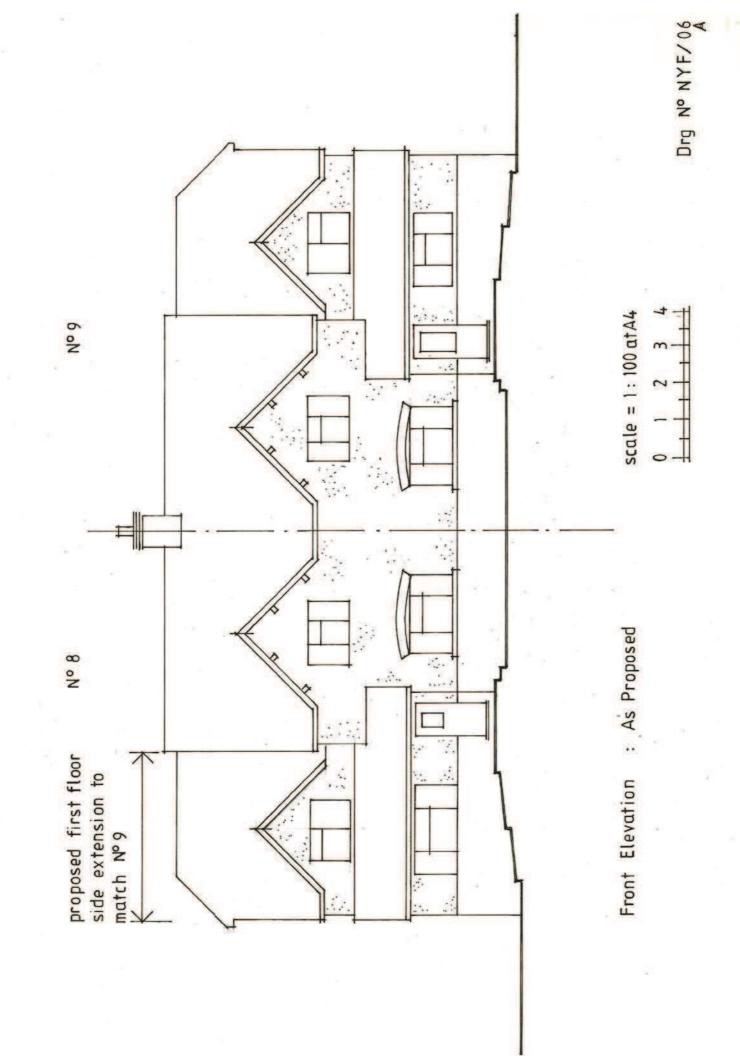


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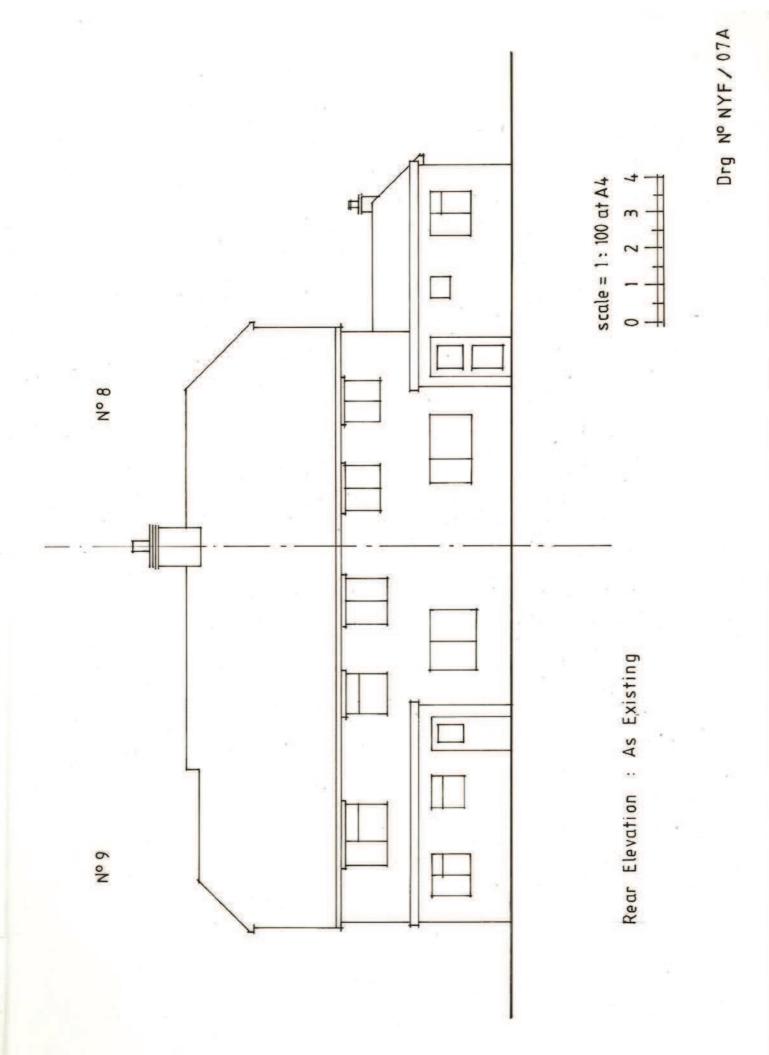


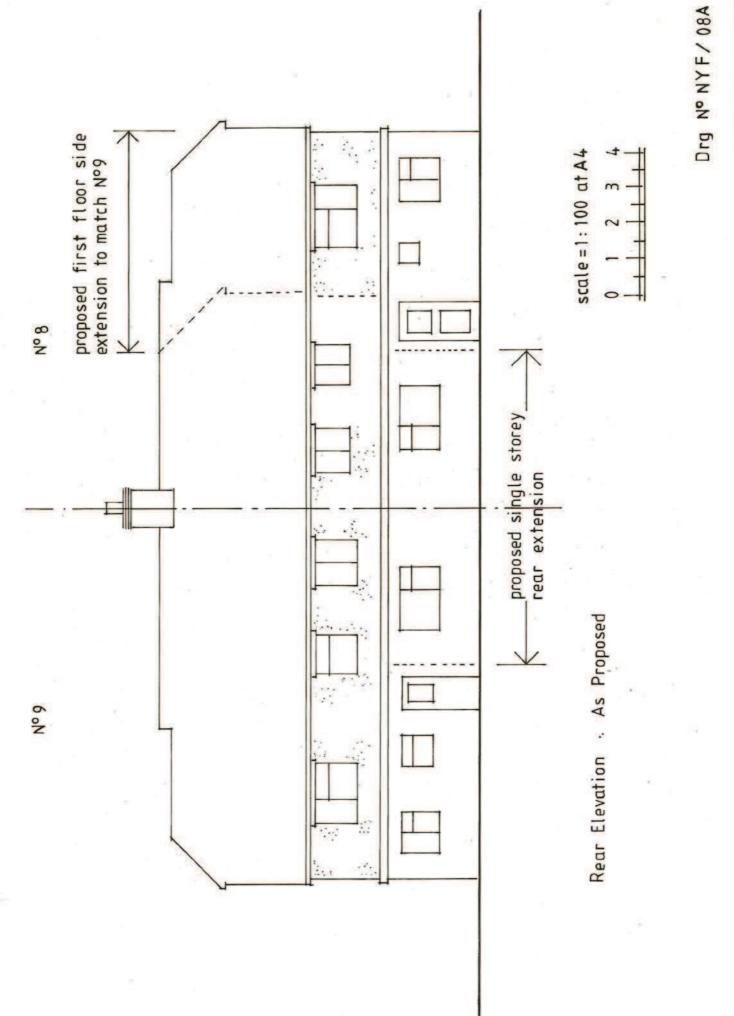


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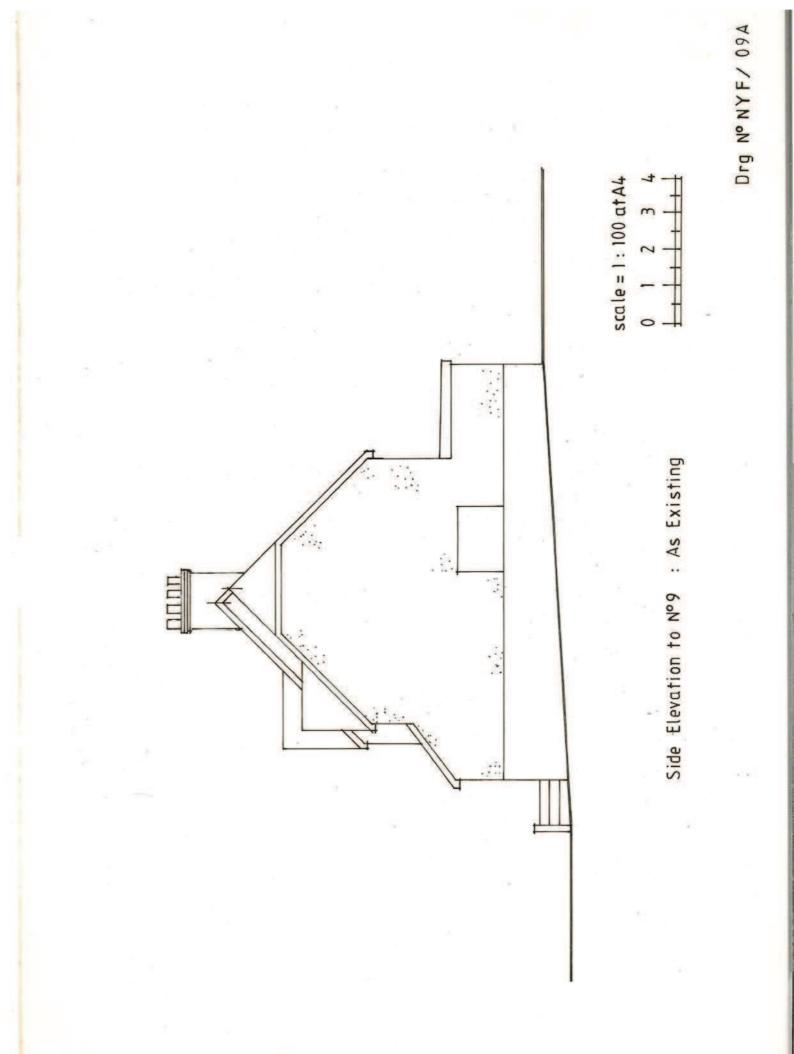


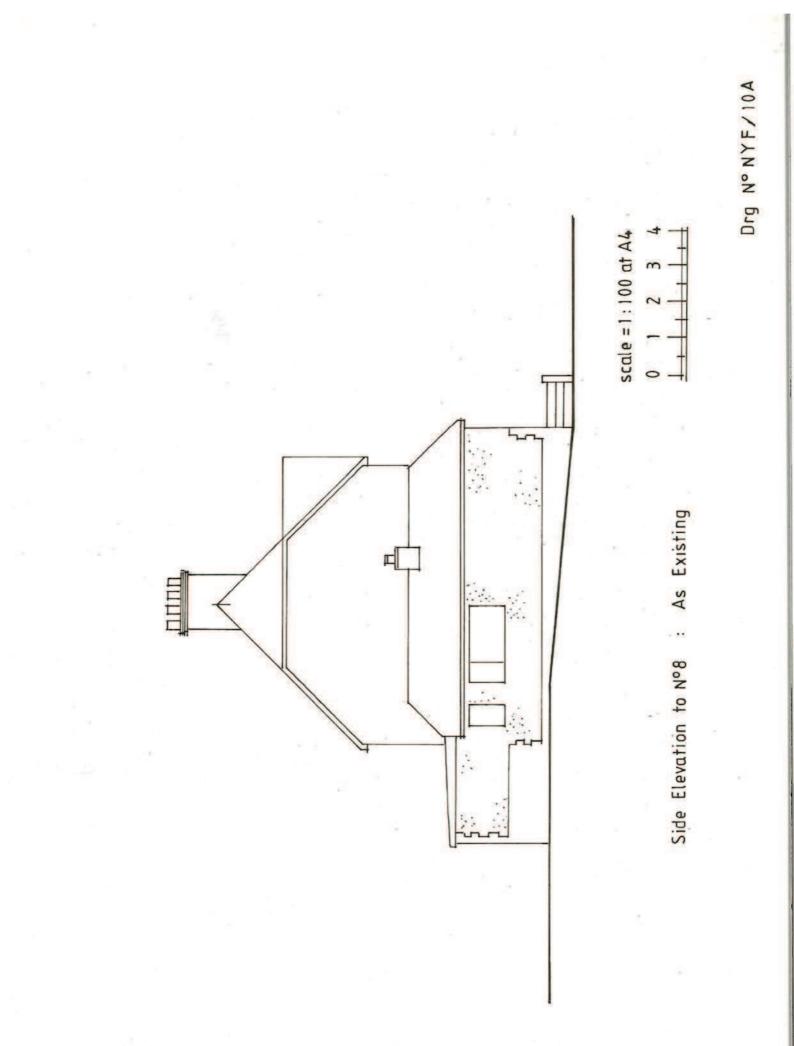
Page 145

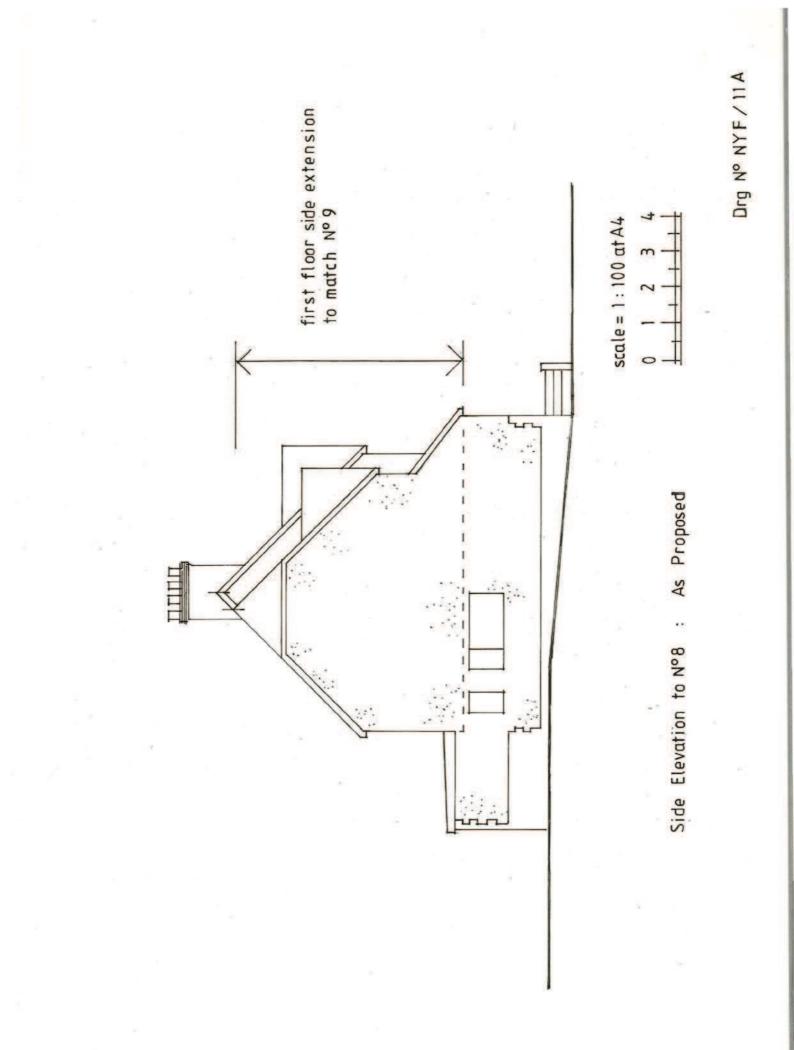


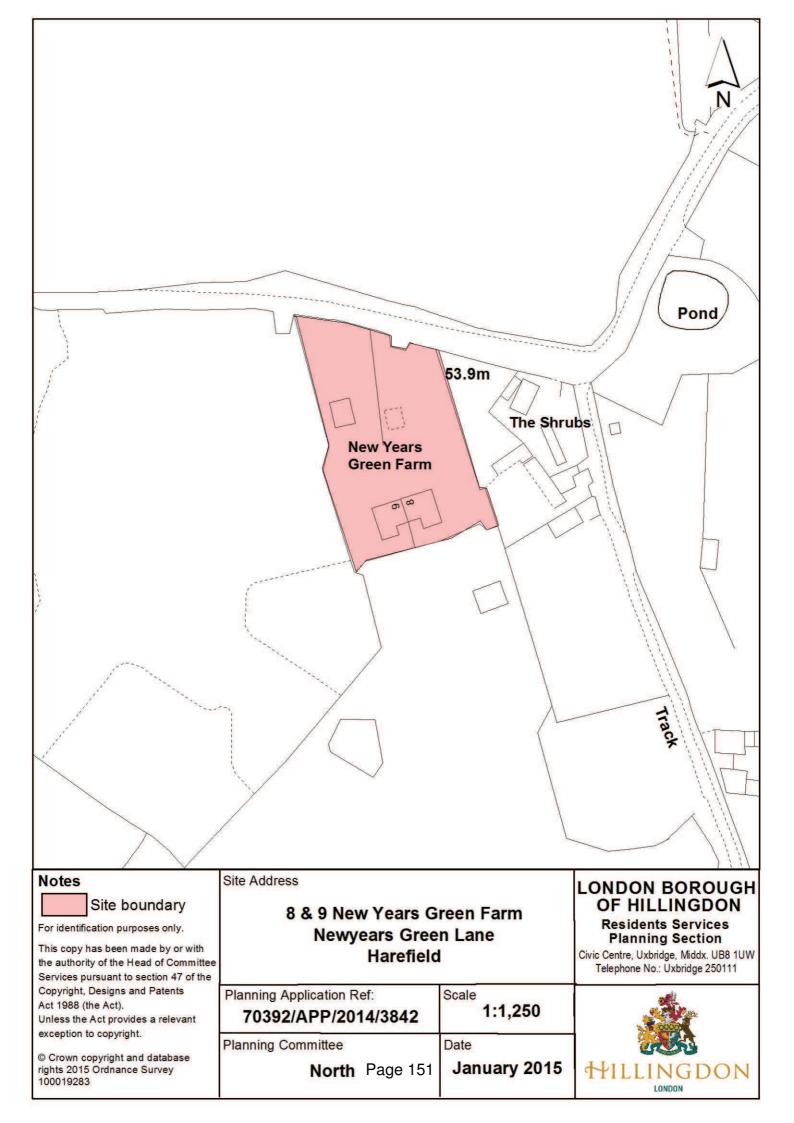


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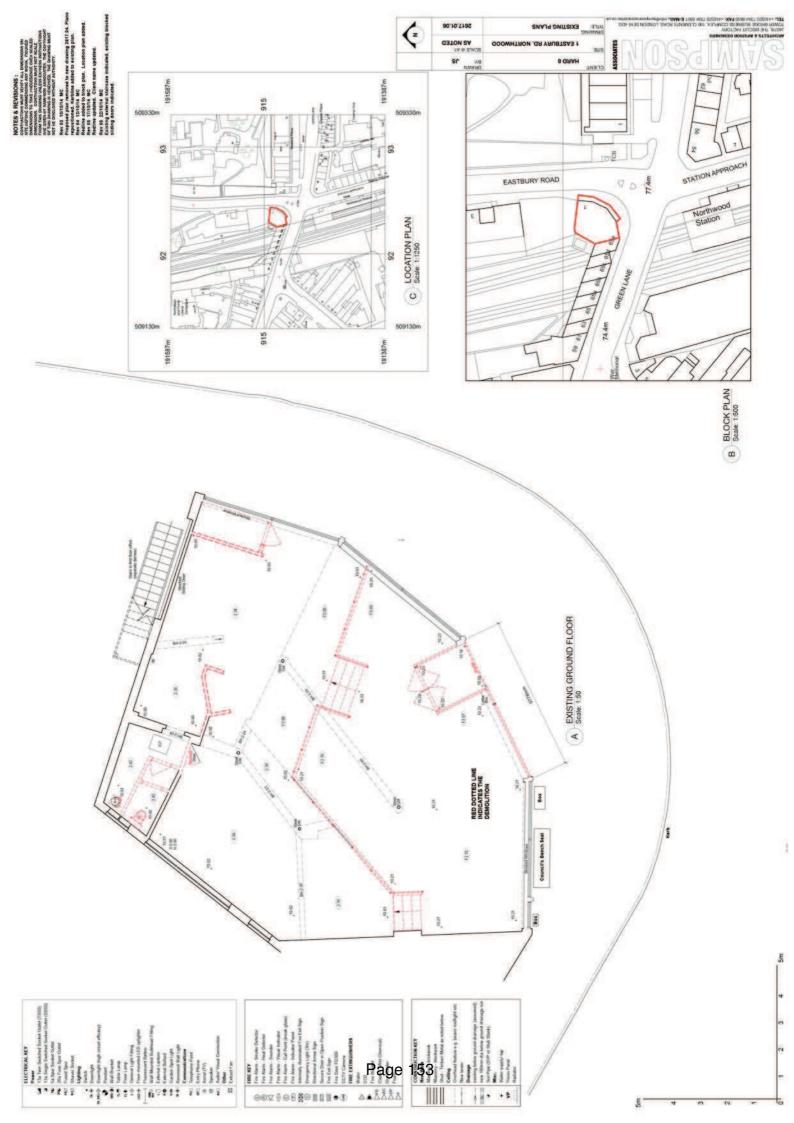


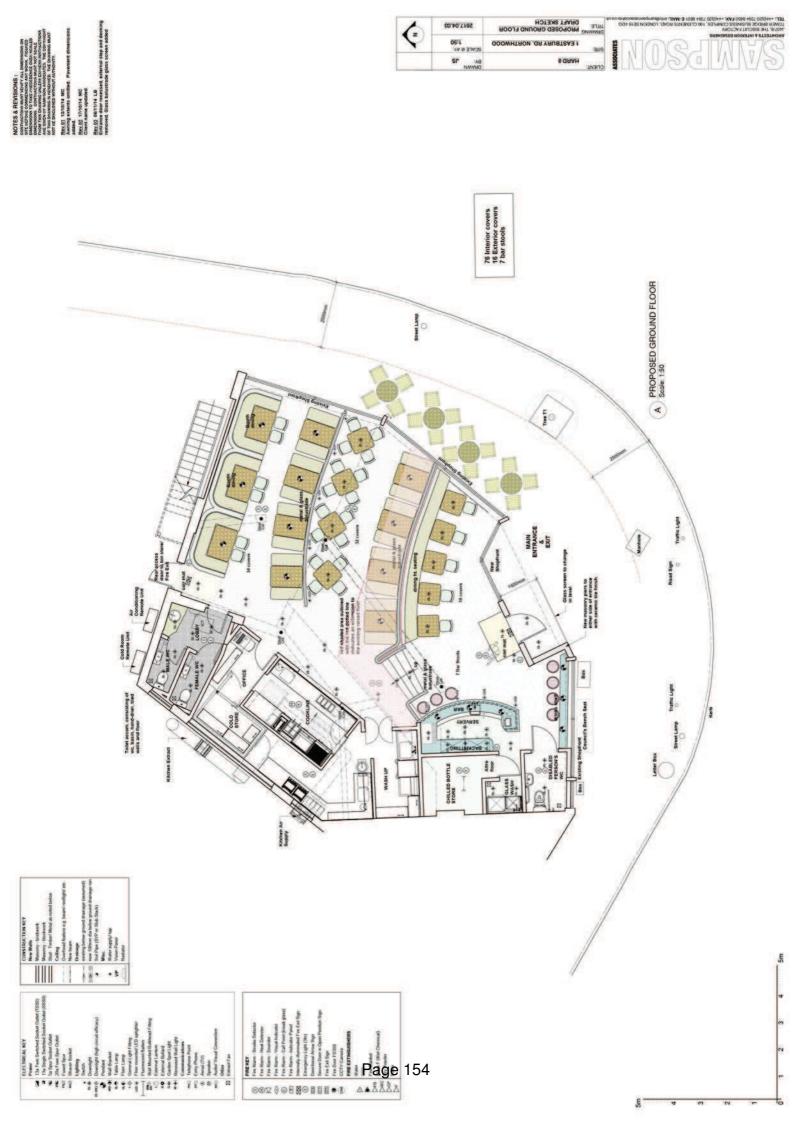
Report of the Head of Planning, Sport and Green Spaces

Address 1 EASTBURY ROAD NORTHWOOD

- **Development:** Change of use from Use Class A1 (Shops) to Use Class A3 (Restaurant) involving, installation of new shopfront, outdoor seating to front and installation of extraction fan to rear associated works
- LBH Ref Nos: 1095/APP/2014/3713

Date Plans Received:	17/10/2014	Date(s) of Amendment(s):	17/10/2014
Date Application Valid:	22/10/2014		22/10/2014





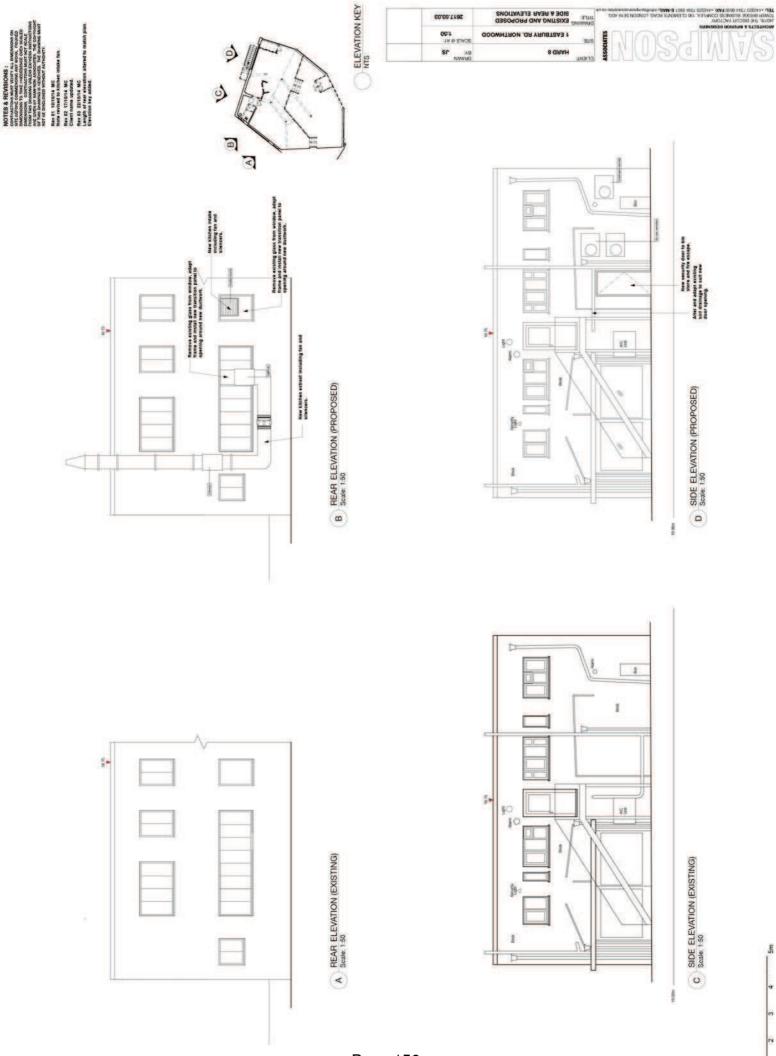


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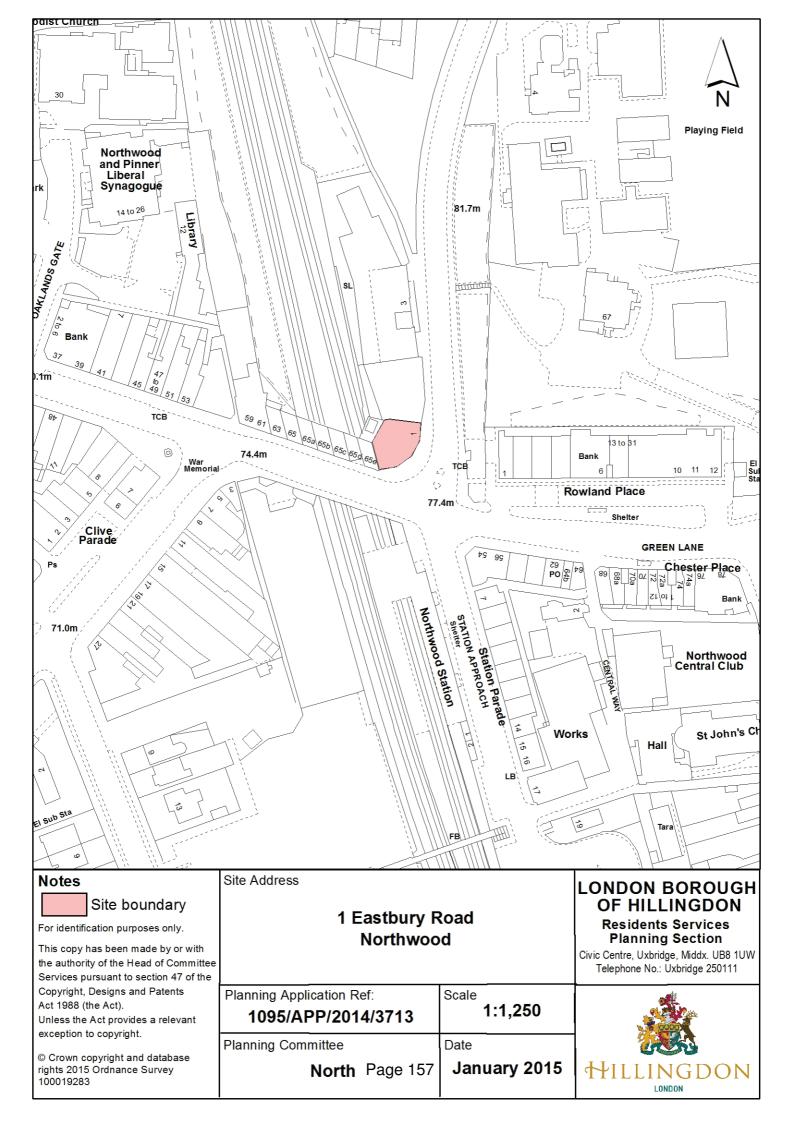
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Report of the Head of Planning, Sport and Green Spaces

Address 23 WOODFORD CRESCENT PINNER

Development: Single storey detached outbuilding to rear involving alterations to roof (Part Retrospective)

LBH Ref Nos: 41976/APP/2014/3768

Date Plans Received: 23/10/2014

Date Application Valid: 27/10/2014

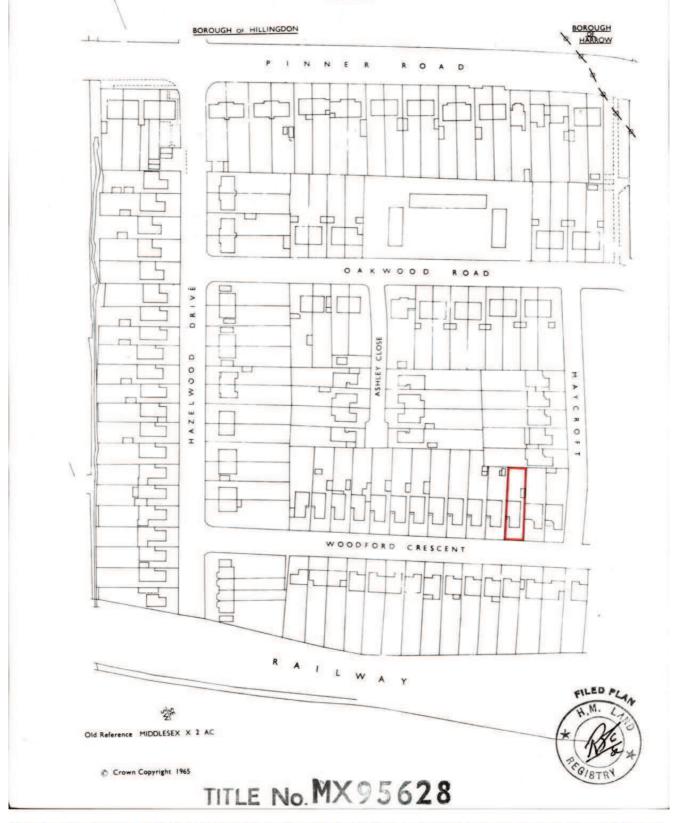
Date(s) of Amendment(s):

H. M. LAND REGISTRY

NATIONAL GRID PLAN TQ 1090 SECTION O

GREATER LONDON

Scale | 1250



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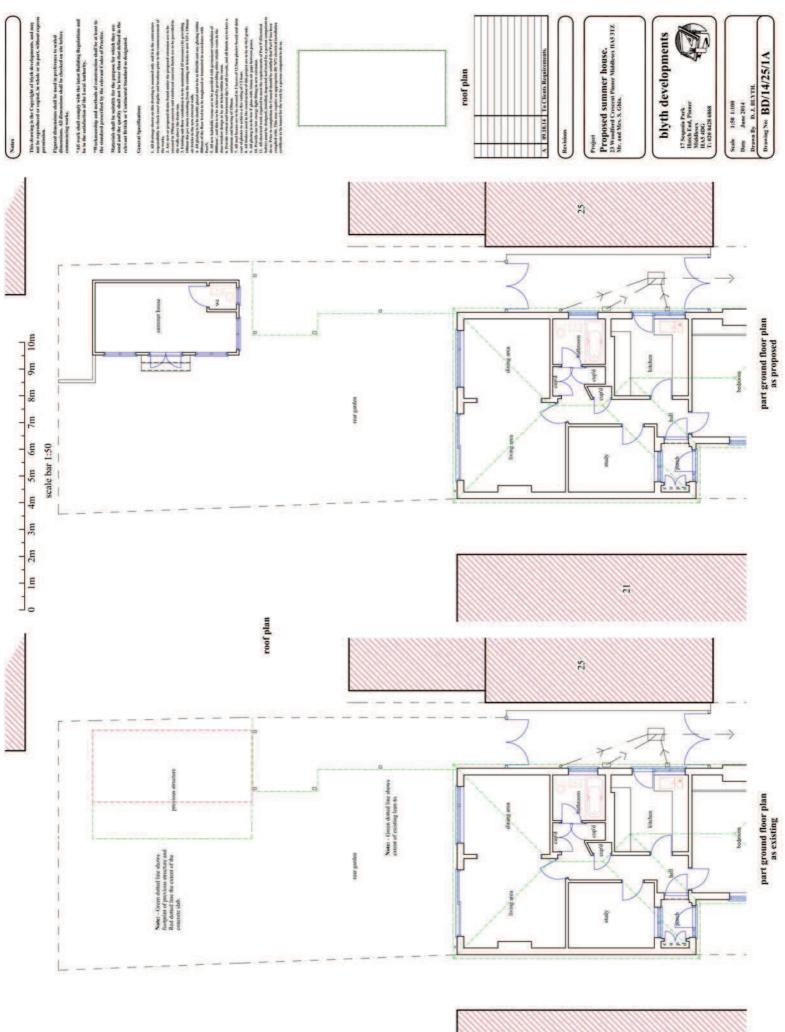
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d dimensions shall be used in preference to se dons. All dimensions shall be checked on site

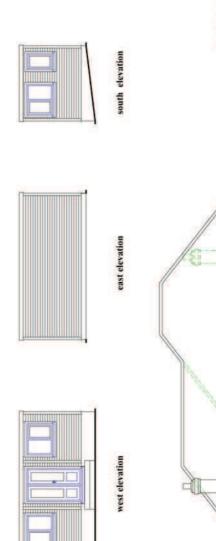
This drawing is the Copyright of blyth o not be reproduced or copied, in whole e

Notes

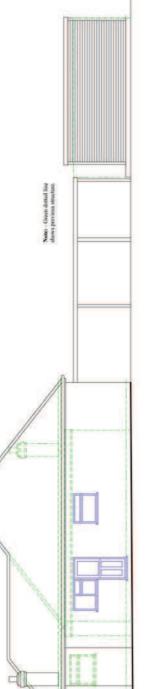
All work shall comply with the latest Buildin e to the satisfaction of the Local Authority.

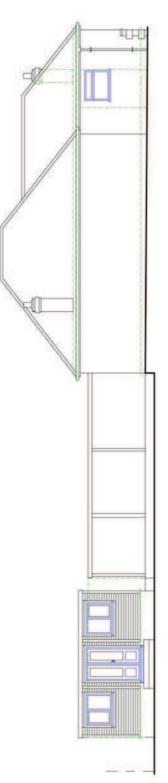
Vorkmanship and methods of construct e standard preseribed by the relevant G attents shard be watcheds for the purpose of and the quality shall not be lower dha eval Beitish ur Continental Standards

covered Snew Brations



north elevation





A 09.10.14 To Clears Requirements.

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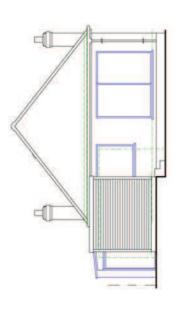


4m 5m 6m 7m 8m 9m 10m scale bar 1:50

0 lm 2m 3m



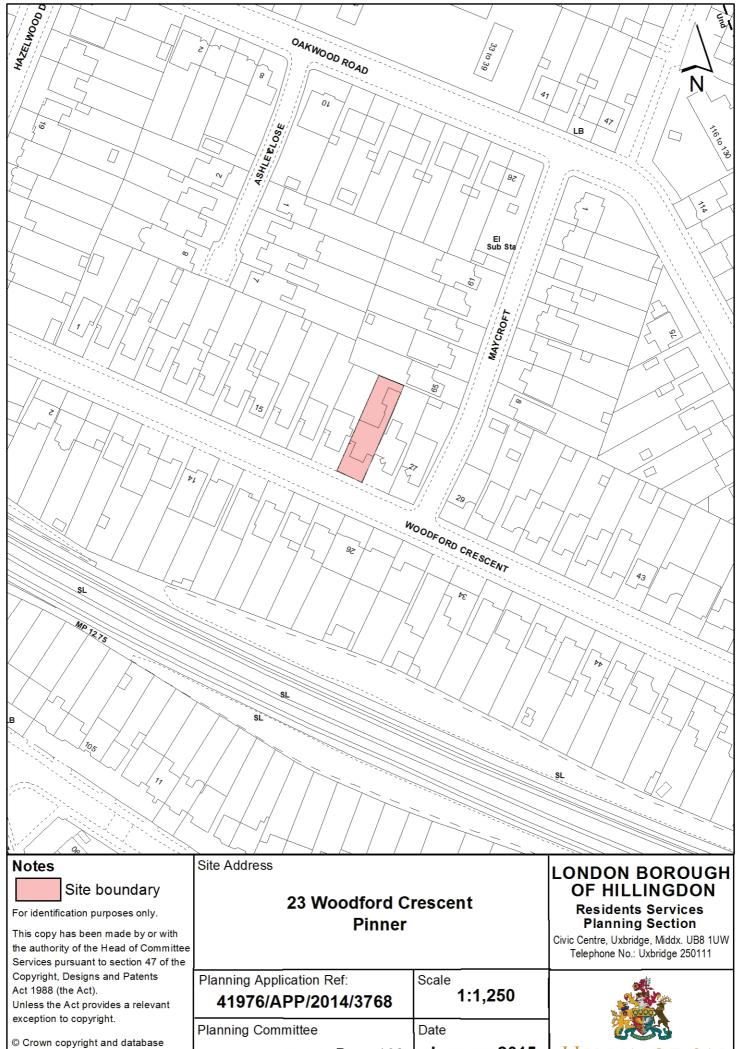
west elevation



north elevation

THO

east elevation



North Page 162

January 2015

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