



# North Planning Committee

Date: TUESDAY, 31 MAY 2016

Time: 7.00 PM

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

#### To Councillors on the Committee

Councillor Edward Lavery (Chairman) Councillor John Morgan (Vice-Chairman) Councillor Manjit Khatra (Labour Lead) Councillor Jem Duducu Councillor Duncan Flynn Councillor Raymond Graham Councillor Henry Higgins Councillor John Morse Councillor John Oswell

Published: Friday, 20 May 2016

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Putting our residents first

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

# Useful information for residents and visitors

# Watching & recording this meeting

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Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

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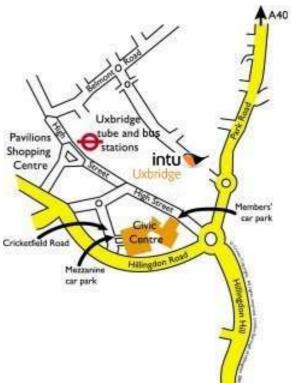
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# A useful guide for those attending Planning Committee meetings

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#### **Petitions and Councillors**

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, 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;
- 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 To sign and receive the minutes of the previous meeting held on 12 1 2 May 2016
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part 1 will be considered in public and that the items marked Part 2 will be considered in private

# **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
6	53 Pinn Way, Ruislip 1244/APP/2016/342	East single storey rear extension and 2		3 -14 112-114
			Recommendation: Approval	
7	57 Copse Wood Way, Northwood	Northwood	Two storey, 5-bedroom, detached dwelling with habitable roofspace to include 2 front dormers, 1 rear	15 - 38
	24862/APP/2015/3571		dormer, integral garage, parking and amenity space involving demolition of existing detached dwelling.	115-124
			Recommendation: Approval	

8	10 Jackets Lane, Northwood	Northwood	3 x two storey, 5-bed detached dwellings with habitable roof space and 1x two storey, 4-bed, detached dwelling with associated parking, amenity space and landscaping with installation of vehicular crossovers and demolition of existing dwelling house.	39 - 60
	70543/APP/2016/154			125-142
			Recommendation: Approval + Section 106	

# Applications without a Petition

	Address	Ward	Description & Recommendation	Page
9	186 Field End Road, Eastcote, Pinner 2294/APP/2016/410	Cavendish	Demolition of existing building and erection of new four storey building containing ground floor offices and 3 no. two bedroom, three person flats above. <b>Recommendation: Refusal</b>	61 - 74 143-156
10	The Bear on the Barge PH, Moorhall Road, Harefield - 13931/APP/2016/721	Harefield	Retention of 2 x single storey structures to rear and side of the existing building. <b>Recommendation: Refusal</b>	75 - 86 157-164
11	9 Harvil Road, Ickenham 52950/APP/2016/540	Ickenham	Erection of a two storey detached building with habitable roofspace to create 6 x 2-bed self contained flats with car parking and gym in a basement area, to involve associated landscaping and boundary treatment and installation of vehicular crossover to side.	87 - 98 165-173
			Recommendation: Refusal	

12	The Water Tower Field, Ducks Hill Farm, Ducks Hill Road, Northwood 60901/APP/2016/691	Northwood	Replacement of existing 20m telecoms mast with 27.5 metre high mast to allow for site sharing, and associated cabinet and apparatus. Recommendation: Approval	99 - 110 174-182
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PART I - Plans for North Planning Committee Pages 111 - 182



#### NORTH PLANNING COMMITTEE

12 May 2016

#### Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW

	Committee Members Present: Councillors Eddie Lavery (Chairman), John Morgan (Vice-Chairman), Jem Duducu, Duncan Flynn, Raymond Graham, Henry Higgins, John Morse and John Oswell
1.	APOLOGIES FOR ABSENCE (Agenda Item )
	Apologies for absence had been received from Councillor Khatra.
2.	ELECTION OF CHAIRMAN (Agenda Item 1) RESOLVED: That Councillor Eddie Lavery be elected as Chairman of the North Planning Committee for the 2016/2017 municipal year.
3.	ELECTION OF VICE CHAIRMAN (Agenda Item 2) RESOLVED: That Councillor John Morgan be elected as Vice Chairman of the North Planning Committee for the 2016/2017 municipal year.
	The meeting, which commenced at 9.05 pm, closed at 9.10 pm.

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

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# Agenda Item 6

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

Address 53 PINN WAY RUISLIP

**Development:** Two storey rear extension, part single storey rear extension and 2 single storey side extensions involving demolition of existing side structures

LBH Ref Nos: 1244/APP/2016/342

**Drawing Nos:** 15.911 03

Date Plans Received:28/01/2016Date(s) of Amendment(s):Date Application Valid:10/02/2016

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

This application is being referred to the Planning Committee due to a call-in request from a Ward Councillor and the receipt of a petition expressing objection to the application from local residents.

The application site is located on the eastern side of Pinn Way and comprises a two storey detached dwelling.

The dwelling has a main hipped roof with crown section, a central two-storey front gable projection, a front porch and a more forward single storey pitch-roof projection to the northern end (comprising a study). There are single storey glazed lean-to and canopy structures to the northern and southern sides of the dwelling.

To the south of the application dwelling lies No. 55 Pinn Way and to the north lies No. 51 Pinn Way, which are both detached dwellings. The eastern side of the road has a staggered building line and as such, the dwelling at No.51 projects forward of, and the dwelling at No.55 is set back from the front building line of the application dwelling. The spaciously sized rear garden is enclosed by tall tree and hedge screens, and the site is within a Tree Preservation Area covered by TPO reference 160. There is a driveway in the front garden, which forms spaces for off-street car parking.

The streetscene is primarily residential in character and mainly comprises two storey detached dwellings with varying designs. The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The application site also lies within an Archaeological Priority Area.

#### 1.2 **Proposed Scheme**

This application seeks permission for the erection of a two storey rear extension and two single storey extensions to the northern and southern sides, which would link with a part single storey rear extension across the full width of the existing dwelling. The existing structures to the sides of the dwelling would be demolished to allow for the proposed

extensions.

The first floor of the proposed two storey rear extension would have a width of 11m across the entire rear elevation of the dwelling and depth of 4m. The main hipped roof would be extended rearwards over the two storey rear extension with crown section and arranged in two sections over the rear elevation in a 'valley style' formation.

The proposed single storey side extension to the northern elevation would be set back from the projecting frontage of the dwelling by 4.4m. The side extension would be set away from the northern boundary with the dwelling at No.51 by 1m and it would have a total depth of 11.2m with the linked proposed part single storey rear extension. The northern side extension would be 1.9m wide and it would have a pitched roof to maximum height of 3.4m. The proposed single storey side extension to the southern elevation would line up with the recessed frontage of the dwelling and it would be set away from the southern boundary with the dwelling at No.55 by 1m. The southern side extension, which would also be 1.9m wide and have a pitched roof to maximum height of 3.4m, with the proposed part single storey rear extension.

The proposed part single storey rear extension would have a width of 15m wide, a part pitch/part flat roof to maximum height of 3.4m, and project beyond the original rear wall of the dwelling at a depth of 5.5m.

1.3	Relevant Planning History				
	1244/APP/2009/1132		53 Pinn Way Ruislip		
	Two storey rear and single storey side extensions, involving part demolition of existing dwe and outbuildings.				n of existing dwelling
Dec	ision Date:	22-10-2009	Withdrawn	Appeal:	
	1244/APP/	2009/2425	53 Pinn Way Ruislip		
	Erectio	on of a two storey	rear extension and sing	le storey side extensions.	
Dec	ision Date:	16-08-2010	Refused	Appeal:17-DEC-10	Dismissed
	1244/APP/	2015/2108	53 Pinn Way Ruislip		
	Single storey side and rear extensions involving demolition of existing side structures				
Dec	ision Date:	13-08-2015	Approved	Appeal:	

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

An application with reference 1244/APP/2015/2108, and which proposed the erection of single storey side and rear extensions (involving demolition of existing side structures) was granted permission on 13/08/2015. This permission has not yet been implemented on the site.

An application with reference 1244/APP/2009/2425, and which proposed the erection of a two storey rear extension and single storey side extensions was refused permission on 16/08/2010. An appeal that was lodged against that refusal was subsequently dismissed on appeal on 17/12/2010.

#### Reasons for refusal:

i). The proposed two storey rear extension, by reason of its overall size, siting, design, appearance and length of projection, would represent a disproportionate and incongruous addition that would fail to appear subordinate to the appearance of the original house. It would be detrimental to the appearance of the original house and would detract from the character and appearance of the surrounding area generally, contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

ii). The proposed crown roof design would represent an incongruous form of development which would fail to harmonise with the architectural composition of the original house. It would be detrimental to the character and appearance of the original house and the street scene and surrounding area generally, contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

iii). The proposed single storey side extensions, by reason of their alignment with the front wall of the original house, would fail to appear subordinate to the appearance of the original house. They would be detrimental to the appearance of the original house and would detract from the character and appearance of the street scene generally, contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

#### 2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- Not applicable
- 2.2 Site Notice Expiry Date:- Not applicable
- 3. Comments on Public Consultations

#### EXTERNAL CONSULTEES

6 neighbouring properties (Nos. 50, 51, 55, 58 and 60 and No. 55 Eastcote Road) were consulted by letter dated 12/02/2016. A site notice was also displayed in the area on 23/02/2016.

Two letters of objection and a petition containing 25 signatories and expressing objection to the application proposal have been received.

The grounds of objection in the letters received are summarised below:

- (i) The bulk of the proposal is out of keeping with the surrounding area.
- (ii) The proposal would not fit in with the scale of neighbouring properties in the area.

The grounds of objection in the petition are outlined below:

- 'The bulk of the two storey rear extension is out of keeping with the surrounding area and because of its similarity to an application submitted in 2009 and refused on appeal

(reference 1244/APP/2009/2425)'.

Case Officer Comments:

The points raised are addressed in the 'Main Planning Issues' section of this report below.

INTERNAL CONSULTEE

Trees Officer:

This site is covered by Tree Preservation Order (TPO) reference 106. However, no significant trees, protected or otherwise, will be affected. There are no recommendations and the conclusion (in terms of Saved Policy BE38) is acceptable.

#### 4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.			
BE1	Development within archaeological priority areas			
BE13	New development must harmonise with the existing street scene.			
BE15	Alterations and extensions to existing buildings			
BE19	New development must improve or complement the character of the area.			
BE20	Daylight and sunlight considerations.			
BE21	Siting, bulk and proximity of new buildings/extensions.			
BE22	Residential extensions/buildings of two or more storeys.			
BE23	Requires the provision of adequate amenity space.			
BE24	Requires new development to ensure adequate levels of privacy to neighbours.			
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.			
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008			
LPP 3.5	(2015) Quality and design of housing developments			

#### 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the impact on the Archaeological Priority Zone, the character and appearance of the existing dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application dwelling and provision of adequate off-street parking.

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.

Policy BE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires all new development within archaeological priority areas to safeguard, record and monitor assets of archaeological and historic importance, where they may be found in-situ following investigations.

Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to preserve the character/appearance of the area, harmonise with the existing streetscene or would fail to safeguard the design of existing and adjoining sites.

As stated in the 'Site and Locality' section above, the application site lies within an Archaeological Priority Area. However, it is considered that the scale and size of the proposed extensions are such that the proposed development would not adversely impact on any archaeological remains or artefacts that may be subterraneanly in-situ on the site. As such, the proposal does not have any conflict with Policy BE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The combined width of 3.8m for the two single storey side extensions would be less than half of the existing width of 11m for the existing dwelling. This would comply with the guidance contained in paragraph 4.5 of the adopted HDAS SPD: Residential Extensions (December 2008), which specifies that 'in order for a single storey side extension to appear subordinate, the width of the extension should be considerably less than that of the main house and be between half and two thirds of the original house width'. The proposed maximum height of 3.4m for the side extensions would comply with the maximum height of 3.4m specified for side extensions with pitched roofs in paragraph 4.2 of the HDAS SPD. It is therefore considered that the side extensions would not be excessive in scale, width and height, and that they would constitute subordinate additions to the existing dwelling. The dimensions and scale of the side extensions are the same as those approved in permission reference 1244/APP/2015/2108.

The 3.4m roof height of the proposed part single storey rear extension is compliant with the guidance in paragraph 3.7 of the HDAS SPD, which specifies a maximum height of 3.4m for extensions with pitch roofs. The proposed depth of 5.5m exceeds the maximum depth of 4m for single storey rear extensions at detached dwellings as specified in paragraph 3.4 of the HDAS SPD. However, the site specific circumstances are such that the proposed rear extension would project 4m beyond the original rear elevation of the dwelling to the north at No.51 whilst maintaining a gap of 1m to that boundary, and it would be set forward of the rear elevation of the dwelling to the south at No.55 by approximately 5.5m whilst also maintaining a gap of 1m to that boundary. It is therefore considered that the part single storey rear extension would constitute a subordinate addition and integrate well visually with the existing dwelling. It should be noted that the dimensions and scale of the rear extension are the same as those approved in permission reference 1244/APP/2015/2108.

The objection from local residents as expressed in the letter and petition in respect of the two storey rear extension is noted. Pinn Way is characterised by detached dwellings of varying styles and designs, some of which include two storey extensions. Given the

character of the immediate locality, the principle of a two storey rear extension is considered to be acceptable. The proposed two storey rear extension would project 4m beyond the original rear wall of the dwelling, and maintain the eaves and ridge heights of the existing main roof. Paragraphs 6.2 and 6.3 of the HDAS SPD specify that two storey rear extensions will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight. They also specify that two storey rear extensions will only be considered on detached properties where they do not extend beyond a 45 degree line of sight taken from the nearest of the first floor window of any room of the neighbouring properties. Paragraph 6.4 of the HDAS SPD specifies that where the 45 degree line of sight criteria can be met, then two storey rear extensions at detached dwellings should not exceed a maximum depth of 4m.

The proposed two storey rear extension would be set away from the boundaries with the adjacent dwellings at Nos. 51 and 55 by 2.9m, and given that it would be set forward of the rear building line at No.55, it is considered that any 45 degree lines drawn from the nearest edges of the closest first floor rear windows in the adjacent dwellings at Nos. 51 and 55 would not intersect the proposed two storey rear extension. As a result, it is considered that the two storey rear extension would not constitute a dominating and obtrusive addition in relation to the context of the site and the closest adjacent dwellings. Furthermore, the maximum 4m depth of the proposed two storey rear extension is significantly less than the maximum 6m depth proposed along the boundary with No.55 in the previous refused application (reference 1244/APP/2009/2425). The resultant roof design of the two storey rear extension incorporates a two-section arrangement in a 'valley style' formation across the rear elevation, and it is considered that this design is such that it would break up the massing of the resultant bulk of the extended roof.

Overall, it is considered that only a small section of the two storey rear extension would be visible from most public vantage points on the streetscene, and it is therefore considered that the overall bulk of the proposed extensions is such that they would would constitute subordinate additions and integrate well visually with the main existing dwelling, consistent with the guidance of the HDAS SPD: Residential extensions (December 2008), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The adjacent dwelling at No.51 Pinn Way would be separated from the proposed single storey northern side extension by an attached garage at that dwelling. The dwelling at No.51 has habitable and non-habitable windows in the side elevation facing the application dwelling. However, it is noted that there would be no windows in the side elevations of the proposed side and rear extensions facing No.51 and there would be a gap of 4.5m between the side walls of both dwellings at the nearest point. As stated above, the proposed two storey rear extension would not intersect any 45 degree line of sight from the nearest edge of the closest first floor rear window at that dwelling, and even though the rear extension would likely result in some overshadowing of the rear garden at No.51 during the afternoon hours, this is not considered to be so significant as to justify a refusal of planning permission. The single and two storey rear extensions would project beyond the original rear elevation of the dwelling of No.51 by 4m, which would be consistent with the guidance contained in paragraphs 3.4 and 6.4 of the HDAS SPD. The projection beyond the dwelling at No.51 would be further offset by the set-in distances of 1m (for the single storey element) and 2.9m (for the two storey element) of the rear extension from that boundary, and the

development would be partly screened off from views at No.51 by a tall tree/hedge screen. As such, it is considered that the proposed development would not adversely harm the residential amenities of the occupiers of the dwelling at No.51.

With regards to the impact on the occupiers of the adjacent dwelling to the south at No.55, the proposed single storey and two storey rear extensions would not project beyond the original rear wall of that adjacent dwelling. Furthermore, the dwelling at No.55 does not have any windows in the side elevation facing the application dwelling. The proposed single storey side extension along the southern side boundary would not project beyond the front wall of the dwelling at No.55. Given that the dwelling at No.55 lies to the south of the application dwelling, it is considered that no adverse overshadowing will occur. It is therefore considered that the proposal would not harm the residential amenities of the neighbouring occupiers from increased overshadowing, loss of sunlight, visual intrusion and overdominance. As such, the proposal is in compliance with Policies BE20, BE21, BE22 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms, and those altered by the proposed development would have adequate outlook and entry of light from sufficiently sized window openings, therefore complying with the Housing Standards in the Minor Alterations to The London Plan (March 2016).

Paragraphs 3.13 and 5.13 of the HDAS SPD require sufficient garden space to be retained as a consequence of an extension. The proposal would result in the creation of a fourbedroom dwelling, which would require the provision of a minimum garden area of 100 sq.m. The proposal would result in the retention of approximately 310 sq.m of usable area, which significantly exceeds the minimum required. Adequate garden/amenity space would be therefore be retained for the occupiers, in compliance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposal would not affect the present off-parking provision in the site, which is in the form of two spaces on the driveway in the front garden. The two spaces are adequate for a dwelling of this size and as such, the proposal would therefore comply with paragraph 9.8 of the HDAS SPD and Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

For the reasons given above, the proposal is recommended for approval.

#### 6. **RECOMMENDATION**

#### **APPROVAL** subject to the following:

**1** HO1 Time Limit

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

REASON

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

**2** HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 03.

#### 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 (2015).

#### **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).

#### **INFORMATIVES**

- 1 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 (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007) agreeing that the policies were 'saved') still apply for development control decisions.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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

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

#### **Standard Informatives**

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
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Part 2 Policies:

AM14	New development and car parking standards.
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

- 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, Environment 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.

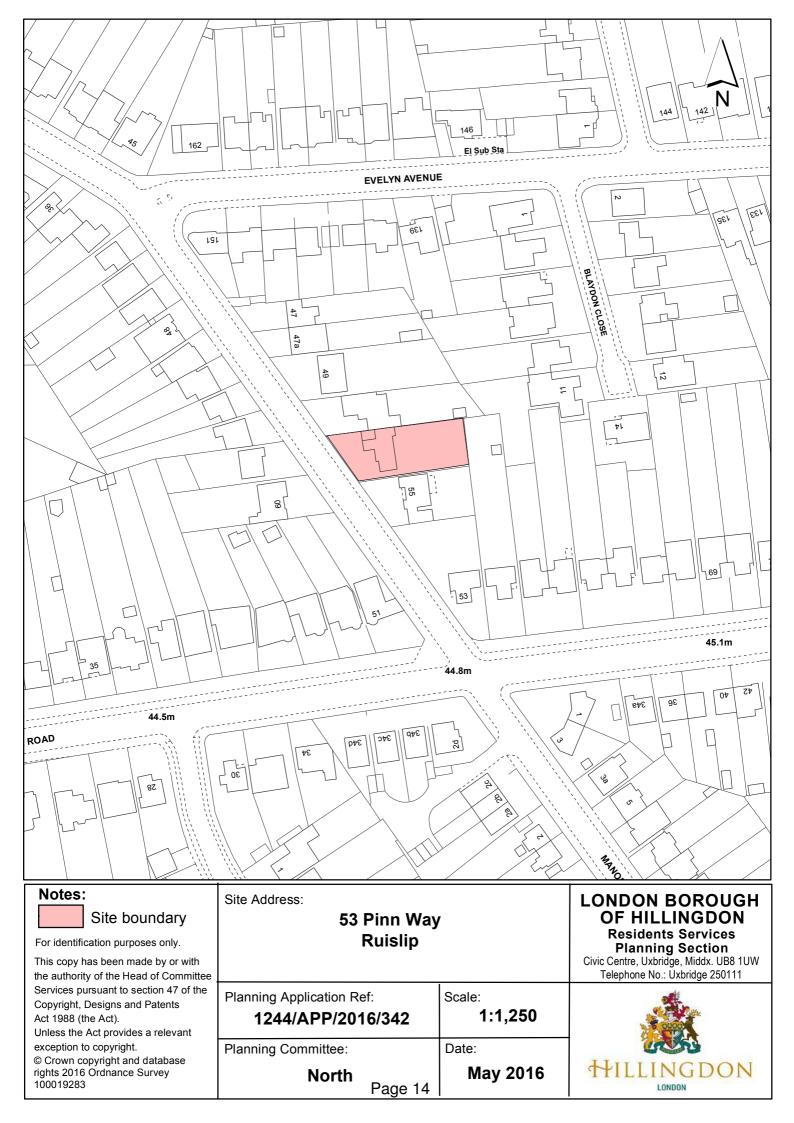
D) No bonfires that create dark smoke or nuisance to local residents.

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: Victor Unuigbe

**Telephone No:** 01895 250230



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

Address 57 COPSE WOOD WAY NORTHWOOD

**Development:** Two storey, 5-bedroom, detached dwelling with habitable roofspace to include 2 front dormers, 1 rear dormer, integral garage, parking and amenity space involving demolition of existing detached dwelling

**LBH Ref Nos:** 24862/APP/2015/3571

Drawing Nos: Location Plan Site Layout Trees Location Plan (1) Design and Access Statemen Tree Survey Bat Survey Report 15503-S1 15503-F1 669/01 Rev C 669/02 Rev D 669/03 Rev A 669/11 Rev D

Date Plans Received:	24/09/2015	Date(s) of Amendment(s):	05/10/2015
Date Application Valid:	05/10/2015		24/09/2015

1. SUMMARY

This application proposes the demolition of the existing dwelling on the site and erection of a replacement two storey, 5-bedroom, detached dwelling in similar siting with habitable roofspace (to include 2 front dormers and 1 rear dormer), integral garage, parking and amenity space to rear.

The application has been referred to the Planning Committee because of the receipt of a petition and representations from neighbouring residents.

The proposed development, by reason of its design, scale, siting, form, proportions and footprint, is not considered to have a detrimental impact on the character and appearance of the Copse Wood Way streetscene and surrounding Copse Wood Estate Area of Special Local Character. It is considered that the proposed development would not have an adverse impact on the residential amenities of adjacent occupiers, and general highway/pedestrian safety. As such, the proposal is considered to comply with Policies BE5, BE6, BE13, BE19, BE20, BE21, BE22, BE23, BE24, BE38 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 the adopted HDAS SPD: Residential Layouts (July 2006).

Accordingly, the application is recommended for approval.

#### 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 669/01 Rev C, 669/02 Rev D, 669/03 Rev A and 669/11 Rev D (revised and received on 7 April 2016).

#### 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 (2015).

#### 3 RES7 Materials (Submission)

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

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

#### REASON

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

#### 4 RES8 Tree Protection

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

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

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

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

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

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

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

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

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

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,

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

2. Details of Hard Landscaping

- 2.a Means of enclosure/boundary treatments
- 2.b Car Parking Layout
- 2.c Hard Surfacing Materials

#### 3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

- 5. Other
- 5.a Existing and proposed functional services above and below ground 5.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 6 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(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.

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

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

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

ii. include a timetable for its implementation; and

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

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

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

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

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

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

#### 8 RES14 **Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific

permission from the Local Planning Authority.

#### REASON

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

#### 9 NONSC Non Standard Condition

The dwelling hereby approved shall be designed to Category 2 M4(2), as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

#### REASON:

To ensure an appropriate standard of housing stock is achieved and maintained in accordance with Policy 3.8 of The London Plan 2015.

#### 10 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 Nos. 55 and 59 Copse Wood Way.

#### REASON

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

#### 11HO6Obscure Glazing

The first floor windows in the north elevation facing No. 55 Copse Wood Way and the ground floor window in the south elevation facing No. 59 Copse Wood Way shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

#### 12 HO7 No roof gardens

Access to the flat roof over the single storey side to rear addition of the dwelling 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 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 (2015) and national guidance.

AM7 AM14 BE5 BE6	Consideration of traffic generated by proposed developments. New development and car parking standards. New development within areas of special local character New development within Gate Hill Farm and Copsewood Estates
	areas of special local character
BE13 BE15	New development must harmonise with the existing street scene. Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the
2210	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
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
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework
2 150	Councils Local Plan - Part 1 Stratogic Policies

#### **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 (2015). 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 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).

#### 5 l2 Encroachment

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

#### **6** 15 **Party Walls**

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

-carry out work to an existing party wall;

-build on the boundary with a neighbouring property;

-in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

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

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

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

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

This application relates to a very spacious size site (No. 57 Copse Wood Way) with a site area of 0.114 hectares, and which is located on the eastern side of Copse Wood Way.

The site comprises a detached two storey dwelling, which has a main cat-slide pitched roof with crown ridge and low sloping ends. The dwelling has white-rendered and tile-hung external finish, a central front gable projection, two side dormers, integral garage (to the southern end of the front elevation) and single storey infill and projecting rear extensions. The site is located within the designated Copse Wood Estate Area of Special Local Character (ASLC), and the very spacious plot and detached context of the dwelling are characteristic features of neighbouring dwellings in the ASLC. The front garden comprises of an 'in and out' carriage-style driveway. The rear garden forms an extensive landscaped/wooded area that comprises dense screens of mature/protected trees and high hedges.

The streetscene and immediate locality are characterised by large detached two storey dwellings set within very spacious plots, which are interspersed with mature and protected trees. The application site is covered by Tree Preservation Order (TPO) reference 398 and it lies within the 'Developed Area' as identified in the policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### 3.2 **Proposed Scheme**

This application proposes the demolition of the existing dwelling and erection of a replacement two storey, 5-bedroom, detached dwelling in similar siting with habitable roofspace (to include 2 front dormers and 1 rear dormer), integral garage, parking and amenity space to rear.

Revised plans/drawings have been submitted to show that the southern end of the front elevation of the proposed dwelling would be recessed, and would comprise an integral garage at ground floor. The first floor of the proposed dwelling would be stepped in three narrower sections from the front elevation to the rear elevation, and it would have a main hipped roof with crown apex/section. The main crown roof would also be stepped at the same ridge height to align with the narrower side elevations from front to rear at first floor level. The dwelling would feature a central front porch, two small front dormers and a rear dormer. The set-back of the first floor from the rearmost limit of the ground floor is such that the ground floor would feature two single storey side to rear projections with a gap of 2.9m between them.

The proposed dwelling would have a roof eaves height of 5.55m and ridge height of 9.4m. The dwelling would have an overall stepped depth of 15.5m and overall stepped width of 15m at ground floor level. The dwelling would have an overall stepped depth of 14.3m at first floor, and it would have stepped widths of 15m, 12.9m and 7.2m at first floor (from front elevation to rear elevation). The recessed front elevation at the southern end would be 3.5m wide and it would be set back from the main projecting frontage by 1.33m at ground floor and 2.45m at first floor. The single storey side to rear projections, which would essentially form ground floor infill additions, would each be 3.6m high and 5.6m wide. There would be a gap of 2.9m between the rear projections. The front porch would be 3.15m wide, 1.2m deep and 3.2m high. The front dormers would would be set in from the northern roof side and southern roof side by 1.9m and 5.4m respectively. The front dormers would each be 1.5m high, 1.3m wide and 1.4m deep. There would be a gap of 2.4m between them and they would be set down from the roof ridge by 0.85m and set up above the roof eaves by 1.3m. The rear dormer would be 2.5m high, 2.1m wide and 2.1m deep. The rear dormer would be set down from the roof ridge by 0.85m and set up above the roof eaves by 0.4m.

The proposed dwelling would be constructed with traditional red multi-stock facing brickwork, brown clay plain tiles, white painted timber frames (doors/windows) and copping stone detailing to the edges of the front, side and rear elevations.

#### 3.3 Relevant Planning History

#### 24862/78/0403 57 Copse Wood Way Northwood

Householder development - residential extension (P)

Decision: 06-07-1978 Refused

24862/A/78/1799 57 Copse Wood Way Northwood

Householder development - residential extension (P)

Decision: 09-01-1979 Approved

24862/APP/1999/2683 57 Copse Wood Way Northwood

ERECTION OF A SINGLE STOREY REAR EXTENSION AND INSTALLATION OF SIDE DORMER WINDOWS AND A PITCHED ROOF TO SIDE GARAGE

Decision: 17-02-2000 Approved

24862/B/83/0231 57 Copse Wood Way Northwood

Householder development - residential extension (P)

Decision: 19-04-1983 Approved

24862/D/85/1854 57 Copse Wood Way Northwood

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

Decision: 14-02-1986 Approved

24862/F/93/1530 57 Copse Wood Way Northwood

Tree surgery to one Oak in front garden in area A1 on TPO 398, including the removal of one large limb (lowest) on south side facing the house

Decision: 01-11-1993 Approved

24862/TRE/2003/62 57 Copse Wood Way Northwood TO FELL ONE OAK (A1) ON TPO 398

#### **Decision:**

24862/TRE/2014/27 57 Copse Wood Way Northwood

To carry out tree surgery, including a crown reduction by up to 20%, to two Oaks and three Hornbeams in Area A1 on TPO 398.

Decision: 19-03-2014 Approved

#### Comment on Relevant Planning History

24862/APP/1999/2683 - Erection of a single storey rear extension and installation of side dormer windows and a pitched roof to side garage Decision: Approved on 17/02/2000

24862/D/85/1854 - Householder development (small extension, garage) Decision: Approved on 14/02/1986.

#### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
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
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LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework
5. Advert	isement and Site Notice

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

#### 6. Consultations

#### External Consultees

7 neighbouring properties (Nos. 51, 52, 53, 54, 55 & 59 Copse Wood Way and Toowoomba, Oak Glade) and the Northwood Residents Area were consulted about the application by letter on 07/10/2015. A site notice was also displayed in the area on 16/10/2015.

A petition containing 56 signatures and objecting to the application has been received from neighbouring residents. Four letters of objection have also been received from two adjacent neighbouring properties. The grounds of the objections are summarised below:

- Impact on neighbouring amenities by reason of loss of sunlight, outlook, overlook, overshadowing of rear gardens, loss of privacy and over-bearing and over-dominating impact.

- Loss of views to woodlands to rear from streetscene.

- Excessive increase in height, width, scale, massing and footprint resulting in over-development.
- Dominating appearance on streetscene because of projection beyond front building line

- Overall design is not in keeping with character and appearance of neighbouring properties and surrounding Area of Special Local Character.

- Loss of protected tree and hedge screening along side boundaries with neighbouring properties.

Case Officer comments: It is instructive to note that the objections received (petition and letters) were in respect of the original and revised drawings submitted with the application. The lead petitioner and previously consulted neighbours have had knowledge of the receipt of the revised drawings, and a number of them have made further representations in respect of the revised drawings.

#### Internal Consultees

Trees Officer:

This site is covered by TPO 398. There are several mature, protected trees within and adjacent to this site that significantly contribute to the amenity and arboreal / wooded character of the Copse Wood Estate Area of Special Local Character. The submitted tree report outlines a good level of detail and outlines the proposed protection.

A final Tree Protection Plan (also confirming foundation design and no-dig driveways) is still required, but this matter can be dealt with by condition.

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):

- A tree protection plan to show how the trees (to be retained) will be protected during development;.

- Final specification of foundation design and no-dig driveway

- 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.

- A landscape scheme that conforms to HDAS guidelines to retain at least 25% soft landscaping.

Conclusion: Acceptable subject to the addition of conditions in respect of the submission and approval of a method statement (outlining the sequence of development on the site including demolition, building works and tree protection measures prior to site clearance or construction work) and a hard/soft landscaping scheme before any development takes place (Condition codes RES8, RES9 and RES10).

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

In terms of the principle of the proposed development, there is no material objection to the replacement of an already established residential use on the site, and which is within an established residential area.

Subject to normal development control criteria and having regard to The London Plan (March 2015) and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough and is acceptable in principle, as it would provide additional housing within an area of low public transport accessibility.

The proposal therefore accords with Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that new development 'take into account local context and character, the design principles in Chapter 7 and that public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals that

compromise this policy should be resisted'.

Paragraph 4.1 of the Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies that in new developments, numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. However, density is only one indicator for the acceptance of the scheme, and other considerations such as impact to the character of the area, internal floor areas and external amenity space would carry far more weight. 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

The application site is located within the Copse Wood Estate Area of Special Local Character (ASLC).

A detailed assessment of the visual impact of the proposed development on the Copse Wood Way streetscene and surrounding ASLC is provided below in the 'Impact on the character & appearance of the area' section of this report.

It has been considered that the design, scale, siting, form, proportions and footprint of the proposed replacement dwelling are acceptable, and that the proposed development would not have a detrimental impact on the preservation of the character and appearance of the Copse Wood Way streetscene and surrounding Copse Wood Estate ASLC.

#### 7.04 Airport safeguarding

Not applicable to this application.

#### 7.05 Impact on the green belt

Not applicable to this application. The site is not situated within the Green Belt.

#### 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, BE15 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 of the Local Plan (Part Two) requires new developments within Areas of Special Local Character (ASLC) 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) apply specifically to developments within the Copse Wood Estate. These policies seek to ensure that two-storey developments in the Copse Wood Estate are set in 1.5m 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.

The grounds of objection from local residents in respect of loss of views to woodlands to rear, excessive increase in width, scale, massing, footprint, over-development, dominating appearance on streetscene (because of projection beyond front building line), increase in storey height, overall design and loss of protected tree and hedge screening along

neighbouring side boundaries are noted.

With regards to the objection in respect of the loss of views to the woodlands to the rear from the streetscene, it is instructive to note that the woodlands in the rear garden of the application site are on private land, and there is no 'right to views' over private properties. As such, this ground of objection does not constitute a material planning consideration.

In terms of the layout and siting of the proposed dwelling, the predominant character within this part of the Copse Wood Estate is for the dwellings to be set back a substantial distance from the front boundaries with the highway, to ensure that a sizeable frontage is maintained. The front building line of the existing dwelling and adjacent dwellings on the immediate section of the eastern side of Copse Wood Way addresses a bend on the highway, and is established with slight variations in a curved arrangement, and not in a linear form. It is noted that the proposed dwelling would be built further forward of the front building line of the existing dwelling on the site by 1.5m. However, the projecting front elevation of the proposed dwelling would extend beyond the front building line of the adjacent dwelling to the north, No. 55 Copse Wood Way, by 0.3m. This projection is considered very marginal. The projecting front elevation of the proposed dwelling would extend beyond the furthest point of the front elevation (front gable projection) of the adjacent dwelling to the south, No. 59 Copse Wood Way by approximately 2m. However, there would be a distance of 12.4m between the projecting front wall of the proposed dwelling and the front gable projection of No.59. This separation distance is considered adequate to offset the visual impact arising from the 2m projection beyond the front building line at No.59. Furthermore, the front elevation of the proposed dwelling would be set back from the site's front boundary (with the highway) by approximately 14.7m at the nearest point (front porch), and as such, it would maintain the varied and building line established with the neighbouring properties along the curve on the bend on the eastern side of the Copse Wood Way highway.

Within the surrounding area, there is a wide variety of house designs in the Copse Wood Estate, which as Policy BE6 of the Local Plan specifies, is characterised by large, individually designed houses. It is noted that a number of properties in the wider Estate and along Copse Wood Way 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 to give weight to the design and appearance of other redeveloped houses along Copse Wood Way.

In terms of the overall size, scale and massing of the proposed dwelling, the proposed dwelling would be higher than the existing dwelling by 0.2m, which is considered very marginal. The proposed dwelling would be 0.5m higher than the dwelling at No.55 and 1.8m higher than the dwelling at No.59. It is acknowledged that the cat-slide roof of the existing dwelling, which has a crown ridge width of 2.7m, creates a considerable degree of upper level spaciousness to the sides as the roof slopes steeply away from the side boundaries. The proposed dwelling would be vertically built up with a less steep hipped roof, but it is not considered that it would result in a significant amount of spaciousness to the side boundaries. The proposed dwelling would be set-in 1.6m from the boundary with No.55, which represents a reduction of 1m (2.6m) from the existing separation distance. However, this 1.6m set-in marginally exceeds the required minimum of 1.5m separation distance of buildings from side boundaries (as required by Policy BE6 of the Local Plan). The adjacent dwelling to the south at No.59 is built up to the shared boundary given that it has an attached side garage abutting that boundary. The existing dwelling on the application site is set-in 0.35m from the boundary with No.59. However, the proposed dwelling would be set-in

from the boundary by a greater distance of 1.3m, which is marginally less then the required minimum separation distance of 1.5m. Even though the proposed dwelling would not steeply slope away from the boundary as it would be vertically built-up, it is considered that this 1.3m set-in from the boundary is such that the proposed dwelling would not result in the creation of a 'terracing effect' with the adjacent dwellings at both Nos. 55 and 59. It is important to note that several properties in the immediate locality have been built up to their side boundaries in the form of side extensions and attached garages, so it is considered that the proposed dwelling would maintain a degree of spaciousness to the side boundaries relative to neighbouring properties in the immediate locality.

It is considered that the stepping of the proposed dwelling in narrower sections towards the rear elevation would not result in a contrived and awkward appearance. It is considered that the stepped form of the dwelling is such that it would ensure a break-up of the massing of the dwelling, and ensure it does not result in an unduly dominating appearance in relation to the adjacent dwellings at both Nos. 55 and 59. The footprint of the existing dwelling is 192 sq.m and even though the proposed dwelling would be sited on the same position as that of the existing dwelling, the proposed dwelling would have a resultant footprint of 243 sq.m. This new footprint would exceed the existing by 51 sq.m and account for a percentage increase of 26.5% on the existing. This percentage increase is considered modest and not excessive, as asserted by the objectors. The application site is not narrow and the overall massing of the dwelling would sit comfortably within the context of what is a very spaciously sized plot measuring 1,140 sg.m. The proposed dwelling would be wider and deeper than the existing dwelling by 0.4m (at the widest point) and 1.6m (at the deepest point) respectively. It is considered that the increase in width and depth is not excessive, and that they would not be excessive or disproportionate relative to the proportions of the adjacent and neighbouring properties on the streetscene. The proposed dwelling would be 3.1m wider than the dwelling at No.55 to the north, and 2.3m wider than the dwelling at No.59 to the south. The width of the dwelling at No.59 excludes the attached side garage for the purposes of the measurement.

Given the above considerations, the proposed dwelling would not appear dominating, incongruous, obtrusive or cramped within the plot or its setting to an unacceptable degree. As has been mentioned above, on Copse Wood Way and in the wider Copse Wood Estate ASLC, there are several examples of similarly re-developed dwellinghouses that occupy similar plot widths and have similar sizes, scales and proportions. The proposed dwelling would therefore not appear out of character with the scale and massing of the prevailing development in the streetscene and wider area.

In terms of the design and detailing of the proposed development and with regard to the objections about design and appearance, it is considered that the proposed dwelling would complement the general standard of new design evident in Copse Wood Way and the wider Copse Wood Estate ASLC. The proposed dwelling would have features that are characteristic of the area such as the front and rear dormers, copping stone detailing on the edges of the front, side and rear walls and front porch. These additions would be subordinate in scale and add architectural interest to the proposed dwelling. The front dormers and front porch in particular would not constitute precedents in the streetscene. The proposed use of traditional red-brick finish and clay roof tiles is such that they would be in keeping with the prevalent use of red brick in the external finishes of properties in the immediate locality. The creation of a relatively large crown section of the hipped roof as a result of the width of the proposed dwelling is noted. However, it is considered that the incorporation of hipped pitches for the roof over the side elevations would mitigate the

effects of the bulk of the dwelling to the sides. The roof design is therefore considered acceptable in this regard.

The objection in respect of loss of protected tree and hedge screening along the side boundaries with neighbouring properties is noted. The Trees Officer has recommended the imposition of suitable conditions for the protection of trees in the rear garden as well as for the implementation of a soft/hard landscape scheme. It is considered that as part of any submitted landscape scheme, appropriate and complementary permeable materials would be required for the proposed re-surfacing of the driveway in the front garden. Even though the existing driveway in the front garden would be retained, it is not proposed to displace any significant area of soft landscaping in the front garden, which is an attractive feature that positively contributes to the appearance of the Copse Wood Way streetcene.

Given the above, the objections from local residents has been addressed and the proposed development is considered acceptable, as it would comply with Policies BE5, BE6, BE13, BE19, BE22 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy BE1 of Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

#### 7.08 Impact on neighbours

Paragraph 4.11 of the Council's adopted HDAS SPD: Residential Layouts (July 2006) gives advice that the 45 degree line of sight principle will be applied to new development, to ensure the amenity of adjoining occupiers and future occupiers are protected.

Paragraph 4.9 of the HDAS SPD specifies that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 of the HDAS SPD requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy.

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies 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 objections from the local residents in respect of adverse impact on neighbouring amenities by reason of loss of sunlight, outlook, overlook, overshadowing of rear gardens, loss of privacy, over-bearing and over-dominating impact are noted.

With regards to the impact of the proposed dwelling on the dwelling to the north at No.55, the proposed dwelling would be sited on a marginally lower ground level from that at No.55, given that the ground levels on that section of Copse Wood Way slope downwards in a north to south direction. The proposed dwelling would have two ground floor windows and two first floor windows in the northern side elevation looking out to the boundary with No.55. One of the first floor windows would have a floor to ceiling height and serve a landing. The other first floor window would be a secondary opening for a dressing rooms. The submitted plans detail that the first floor windows would be obscure-glazed, so as to prevent any views from them towards windows in the southern side wall of the dwelling at No.55 and its rear garden. Even though the size of the first floor side windows are such that the imposition of a condition, requiring the windows to be permanently obscure-glazed and fixed shut above a height of 1.7m from the floor, would be sufficient to ensure there is no intrusive overlooking and/or loss of privacy to that neighbouring dwelling. There is a high and dense screen of

hedging along the shared boundary with No.55, which is considered would completely screen off the ground floor side windows and 3.6m high single storey side to rear projection of the proposed dwelling from views at the dwelling and rear garden at No.55. The applicant has proposed to retain this hedge on the side boundary. The nearest edge of the stepped rear wall of the proposed dwelling would project 0.5m beyond the rear wall of No.55, and the rearmost stepped rear wall of the proposed dwelling would project 0.5m beyond the rear wall of No.55, and the rearward stepped rear wall of the proposed dwelling would not intersect a 45 degree line of sight from the nearest edge of the closest first floor rear window at No.55. The size and rearward projection of the proposed dwelling would be sited closer to the boundary than the existing dwelling. However, the increase in roof height of the proposed dwelling from that of the existing is a marginal 0.2m, and given that it would be 0.5m higher than the dwelling at No.55, it is considered that this increase is such that the proposed dwelling would not appear unduly overbearing or over-dominating to the occupiers at No.55, or adversely overshadow the rear garden at that property.

With regards to the impact of the proposed dwelling on the dwelling to the south at No.59, the proposed dwelling would be sited on a marginally higher ground level than that at No.59, given that the sloping ground levels. The proposed dwelling would not have any first floor windows in the southern side elevation looking out to the boundary with No.59. There would however be a ground floor side window, which would be a secondary opening for a kitchen. Given that the ground floor side window would only be 0.8m set in from the shared boundary, it is considered that the imposition of a condition, requiring the window to be permanently obscure-glazed and fixed shut above a height of 1.7m from the floor, would be sufficient to ensure there is no overlooking and/or loss of privacy to the rear garden of that neighbouring dwelling. There is a hedge screening along the shared boundary with No.59, which is not as high as that on the boundary with No.55. The 3.6m height of the flat-roof single storey rear projection is noted. However, there is a single storey side to rear garage extension at No.59, which has a similar roof height and which would screen off a great section of the single storey rear projection from the rear openings at No.59. The nearest edge of the stepped first floor rear wall of the proposed dwelling would project 1.1m beyond the rear wall of No.59, and the rearmost stepped rear wall of the proposed dwelling would not intersect a 45 degree line of sight from the nearest edge of the closest first floor rear window at No.59. The size and rearward projection of the proposed dwelling in relation to No.59 is therefore considered acceptable. It is noted that the proposed dwelling would be sited farther away from the boundary than the existing dwelling, which would help to offset more any visual impact from the increase in roof height of the proposed dwelling relative to No.59. It is therefore considered that the proposed dwelling would not appear unduly overbearing or over-dominating to the occupiers at No.59, or adversely overshadow the rear garden at that property.

It is however considered expedient to impose a condition that restricts the use of the flat roof of the single storey side to rear addition of the proposed dwelling as an external balcony or as any other form of amenity use, to prevent direct overlooking of the neighbouring rear gardens at Nos. 55 and 59, and resultant loss of privacy to those properties. Subject to the imposition of this condition, it is considered that the proposal would not have any detrimental impact on the residential amenities of the occupiers of the neighbouring properties in terms of increased overshadowing, loss of sunlight, loss of outlook and visual intrusion.

The proposed dwelling would be set away from the rear boundary with neighbouring properties on Oak Glade by 38m, and the distance away from the properties on the opposite side of Copse Wood Way is considered sufficient to ensure that the proposed development

would not have a detrimental impact on the amenities of the adjacent occupiers.

The proposal would therefore be compliant with the objectives of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE20, BE21, BE22 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

#### 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards").

These new standards came into effect on 1 October 2015. The Mayor of London intends to adopt the new nation technical standards through a minor alteration to The London Plan. This alteration is in the form of the Housing Standards Policy Transition Statement and it sets out how the existing policies relating to Housing Standards in The London Plan should be applied from October 2015. Appendix 1 of the Transition Statement sets out how the standards stemming from the policy specified in the 2012 Housing SPG should be interpreted in relation to the national standards.

The proposed dwelling would comprise five bedrooms, which would all be double sized. The maximum occupancy level of the dwelling would therefore be ten persons. Policy 3.5 and Table 3.3 of The London Plan (March 2015), which is substituted by Table 1 of the nationally described space standard, specify that the minimum internal floor space area/standard for a three-storey (including the habitable roofspace), five-bedroom/eightperson plus house should be 134 sq.m. The nationally described space standards defines the Gross Internal Area (GIA) or internal floor space area of a dwelling as 'the total floor space measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The gross internal floor space area of the proposed dwelling across the ground, first and roofspace floors would be approximately 481.63 sg.m, which significantly exceeds the minimum required area. It is therefore considered that the proposed dwelling would result in the provision of satisfactory internal accommodation of an adequate size for future occupiers. The gross internal floor area of the dwelling is such that it provides floor space areas for the bedrooms that significantly exceed the minimum required nationally described space standard of 11.5 sq.m for a double bedroom. The new national standards have removed the previous standard for minimum areas for combined living/kitchen and dining areas. The new nationally described space standards specify that plans for new dwellings should demonstrate that all homes are provided with adequate space and services to be able to work from home. Given that the proposed dwelling would have adequate widths and areas for living areas, it is considered that there would be adequate scope for the provision of services to enable occupiers to work from home.

Given that the separation distances of the proposed dwelling to the front, side and rear boundaries are considered acceptable, it is considered that the habitable rooms to the front and rear elevation of the dwelling would have an adequate and acceptable level of outlook and entry of daylight/sunlight. As a result, the proposal would be complaint with the guidance contained in the standards in the Mayor's Transition Statement, Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Residential Layouts HDAS SPD (July 2006).

With regards to the provision of private usable external amenity space, the HDAS SPD guidelines require a minimum of 100 sq.m of rear garden amenity space for a four bedroom plus dwelling. The very expansive and spaciously sized plot is such that a usable area of approximately 630 sq.m would be retained in the rear garden following development. This far significantly exceeds the required minimum and as such, the proposed amenity spaces would be adequate to provide satisfactory standards of amenity for the future occupiers of the proposed dwelling, thereby compliant with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies and the guidance contained in the HDAS SPD: Residential Layouts (July 2006).

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

The proposed dwelling would benefit from the sufficient parking spaces on the driveway in the front garden, which would be retained as part of this proposal. A new integral garage would be provided in the proposed replacement dwelling, and it is considered that there is adequate scope within the curtilage for the provision of secure cycle storage, to help service the sustainable transport requirements of the proposed dwelling, and to satisfactorily offset the site's poor Public Transport Accessibility Level (PTAL) score of 1a.

Given the above considerations, the proposal would provide adequate and sustainable transport/parking facilities within the site, and it would not be detrimental to highway/pedestrian safety, thereby compliant with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted car parking standards.

# 7.11 Urban design, access and security

It has been considered that the proposed development would incorporate a level of design that would not detract from the preservation of the character and appearance of the Copse Wood Way streetscene and the Copse Wood Estate ASLC.

The proposed development would incorporate an acceptable level of accessibility and it would feature entrances and openings to the primary front elevation, which look out towards the Copse Wood Way highway, and ensuring that natural surveillance of the proposed dwelling from the highway is maintained.

## 7.12 Disabled access

Policy 3.5(c) of The London Plan requires all new homes to be built to Lifetime Homes standards. However, the new national standards, which comprise of new additional 'optional' Building Regulations on water and access, substitute this Lifetime Homes requirement. From October 2015, the new national standards specifies that the requirement should be interpreted as 90% of homes to meet Building Regulation M4(2) - 'accessible and adaptable dwellings'.

Policy 3.5(d) of The London Plan requires ten per cent of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. From October 2015, the new national standards specifies that this should be interpreted as requiring ten per cent of new housing to meet Building Regulation M4(3) - 'wheelchair user dwellings'.

The proposal incorporates only one new replacement dwelling and as such, it does not constitute a 'Wheelchair User dwelling'. The requirements of Part M4(3)4 is therefore not applicable in this regard. Even though the submitted plans show the provision of adequate corridor/lobby/door opening widths and bathroom furniture layouts, which can enable bathrooms to be used as wet rooms in future, the plans show the provision of a stepped

route access to the primary ground floor front entrance door. Given that level access is required to all entrances (primary and secondary) to enable inclusive access into the dwelling, it is recommended that a condition be imposed, requiring the provision of a step-free route and level access threshold to all primary and secondary entrances, including accessibility to and into the amenity area of the dwelling. The condition is such that it would enable the dwelling be designed to Part M4(2)3, as set out in Approved Document M to the Building Regulations 2015, and comply with the requirements of Policy AM13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies 3.5 and 3.8 of The London Plan (March 2015) in this regard.

## 7.13 Provision of affordable & special needs housing

Not applicable to this application.

## 7.14 Trees, Landscaping and Ecology

The Trees Officer has commented that suitable landscape conditions should be imposed with any approval to ensure the protection of mature and high-amenity value trees on the site. In this respect, additional landscape conditions are recommended to be imposed, requiring the submission and approval of tree protection measures and soft/hard landscape details in the front and rear gardens.

It is expected that any hardsurfacing materials for the re-surfacing of the existing driveway in the front garden should be of traditional and permeable form, to ensure they complement the landscaped setting of the site and wider ASLC.

## 7.15 Sustainable waste management

The proposal incorporates a residential development fr a single family occupancy, and there would be adequate scope within the curtilage and rear garden of the site for the secure storage of domestic waste (refuse and recycling).

# 7.16 Renewable energy / Sustainability

Not applicable to this application.

## 7.17 Flooding or Drainage Issues

The application site is not situated within any flood zone so it is not shown as being at risk of surface water flooding. However, it is considered expedient to impose a condition requiring that prior to commencement of the development, a scheme for the provision of sustainable water management and control of surface water on the site should be submitted for approval and implementation.

This would help ensure compliance with the requirements of Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.12 of The London Plan (March 2015).

## 7.18 Noise or Air Quality Issues

There are no adverse noise or air quality issues to address as part of this application proposal.

The proposed development would not result in an over-intensification of the established residential use of the application site.

## 7.19 Comments on Public Consultations

The representations (objection) from local residents in form of a petition and letter from an adjacent neighbouring resident have been discussed extensively above in the main section of this report.

## 7.20 Planning Obligations

None.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

COMMUNITY INFRASTRUCTURE LEVY

The total CIL liability has been calculated as £45,754.85

#### 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 proposed development, by reason of its acceptable design, scale, siting, form, proportions and footprint, is not considered to have a detrimental impact on the character and appearance of the Copse Wood Way streetscene and surrounding Copse Wood Estate Area of Special Local Character.

It is considered that the proposed development would not have an adverse impact on the residential amenities of adjacent occupiers, and general highway/pedestrian safety.

As such, the proposal is considered to comply with Policies BE5, BE6, BE13, BE15, BE19, BE20, BE21, BE22, BE23, BE24, BE38 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 the adopted HDAS SPD: Residential Layouts (July 2006).

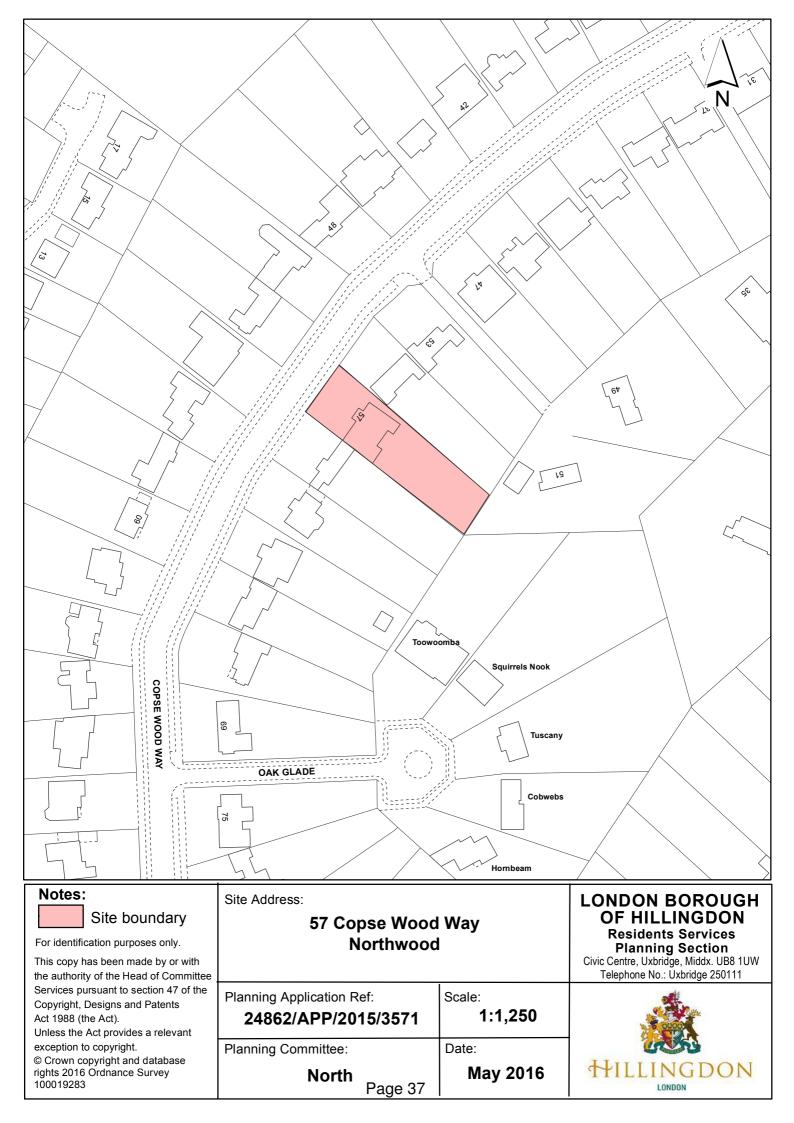
#### 11. Reference Documents

The London Plan (2015).

Hillingdon Local Plan Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) Mayor of London's Housing Supplementary Planning Guidance (November 2012) Mayor of London's Housing Standards Policy Transition Statement (October 2015) Supplementary Planning Document HDAS: Residential Layouts (July 2006) Supplementary Planning Document HDAS: Residential Extensions (December 2008) Supplementary Planning Document HDAS: Accessible Hillingdon (January 2010) National Planning Policy Framework (March 2012)

Contact Officer: Victor Unuigbe

**Telephone No:** 01895 250230



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

Address 10 JACKETS LANE NORTHWOOD

**Development:** 3 x two storey, 5-bed detached dwellings with habitable roof space and 1x two storey, 4-bed, detached dwelling with associated parking, amenity space and landscaping with installation of vehicular crossovers and demolition of existing dwelling house.

LBH Ref Nos: 70543/APP/2016/154

Drawing Nos: 1300/PLN/203 Rev A 1300/PLN/204 Rev A 1300/PLN/213 Drainage Statement dated 9th October 2016 by Golder Associate Aboricultural Impact Assessment dated July 2015 ref DAA AMS ( Design and Access Statemen 1300 loc 001 1300/PLN/202 1300/PLN/205 1300\_pln\_001.1 A **Overshadowing Assessmen** 1300/PLN/212 Rev. A 1300/PLN/211 Rev. C 1300/PLN/210 Rev. A 1300/PLN/209 Rev. B 1300/PLN/208 Rev. A 1300/PLN/207 Rev. A 1300/PLN/206 Rev. A 1300/PLN/201 Rev. C LP 02 **Date Plans Received:** 14/01/2016 Date(s) of Amendment(s): 27/04/2016 Date Application Valid: 21/01/2016

09/03/2016 21/01/2016 14/01/2016 25/04/2016

## DEFERRED ON 12th April 2016 FOR SITE VISIT .

This application was deferred from the North Planning Committee meeting dated 12 April 2016 i order to enable Members to visit the site. As part of the deferral, Officers also advised the applicant to submit a landscaping plan which would be preferable to conditioning the landscaping.

Revised plans have been submitted on 25/4/16 and 27/4/16 which include a draft landscaping scheme and an overshadowing assessment. The revised scheme has involved the re-siting of the main bulk of the house on Plot 4 some 1.0m further into the rear of its plot The integral garage at the front of this property adjoining Plot 3 would maintain a similar siting of its front elevation so that now it would project an additional 1m from the front elevation of the house. The house on Plot 3 would also marginally increase the depth of its rear projection from 2.46m to 2.55m so that the single storey rear projection to the house on Plot 4 does not project further

than some 4m from the adjoining single storey rear addition on Plot 3.

The landscaping scheme shows a proposed native 'instant-hedge' (containing at least 80% evergreen species holly and yew with the remaining 20% being beech and hornbeam) sited along the whole depth of the application site which adjoins the side boundary of No. 4 Glynswood Place.

The overshadowing assessment is based on Building Research Establishment guidelines and advises that in order to demonstrate that the overshadowing impact is negligible, at least half of garden or amenity area should receive at least 2 hours of sunlight on 21 March with the development in place. The assessment shows 100% of the garden, with and without the development, would receive more than two hours of sunlight on 21 March and 21 June. On the 21 December, when the sun is at its lowest, the percentage of the garden that would receive at least two hours of sunlight drops to 83%, but the assessment shows that the proposed development does not add to this percentage. More importantly, looking at the overshadowing plots for each hour of the day at 21 March, shows there would only be a small area of overshadowing to the rear garden of No. 12 Jackets Lane which would cease by 9:00. All overshadowing from the proposed buildings from 9:00 to 14:00 would be within the application site. From 14:00 onwards, the overshadowing would begin to affect the very rear part of the rear garden of No. 4 Glynswood Place and gradually increase so by 16:00 this would affect approximately the rear third of the rear garden.

Adjoining residents were re-consulted on these amended plans via email on the 3 May 2016, with the consultation period expiring on 17 May 2016. Any comments received will be reported on the Addendum Sheet.

## 1. SUMMARY

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area.

The proposal is not considered have a negative impact upon the visual amenity of the site, the surrounding area, the adjacent Listed Building or the nearby Green Belt. It is also considered that the proposal would not result in a significant loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. The provision of 2 off street parking spaces for each residential unit is acceptable in this location and the proposed the crossover is not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

The application has been called in for a committee decision and a petition has been submitted objecting to the proposal.

## 2. **RECOMMENDATION**

1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to:

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

Non-monetary contributions:

i) Highways Works secured under S278/S38 to comprise:

- Resurfacing and associated works to the highway outside no. 8 to no. 12 Jackets Lane to provide a shared surface arrangement;

- Installation of lighting column on Jackets Lane;
- Creation of footways on Hurst Place;
- Trim back hedging on Jackets Lane.

Full details to be submitted to the Council in writing for approval.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.

C) That the Head of Planning and Enforcement be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreements have not been finalised by 1st July 2016 (or such other timeframe as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of highways works). The proposal therefore conflicts with Policies AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (2015).'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved the following conditions be imposed, subject to any changes negotiated by the Head of Planning and Enforcement, prior to issuing the decision:

# 1 RES3 Time Limit

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

## REASON

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

# 2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1300/PLN/201 Rev. C; 1300/PLN/202; 1300/PLN/203 Rev A; 1300/PLN/204; 1300/PLN/205; 1300/PLN/206 Rev. A; 1300/PLN/207 Rev. A; 1300/PLN/208 Rev. A; 1300/PLN/209 Rev B; 1300/PLN/210 Rev A and 1300/PLN/211 Rev C and shall thereafter be retained/maintained for as long as the development remains in existence.

## REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

# 3 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details and mitigation shown in the submitted documents:

-Drainage Statement dated 9th October 2016 by Golder Associates -Aboricultural Impact Assessment dated July 2015 ref DAA AMS 01

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 (2015).

## 4 RES7 Materials (Submission)

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

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

## REASON

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

## 5 RES13 Obscure Glazing

The first floor side windows of all residential units hereby approved shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

## 6 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (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 side walls or roof slopes of the development hereby approved.

#### REASON

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

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garages, sheds or other outbuildings, nor extension or roof alteration to any dwellinghouses 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)

#### 8 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 how it:

a) Manages Water: The scheme shall demonstrate ways of controlling the surface water on site by providing information on:
a) Suds features:

i. incorporating sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,

ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,

iii. overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).

#### b) Receptors

i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.

ii. Where infiltration techniques (soakway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.

iv. indentify vulnerable receptors, ie WFD status and prevent pollution of the receiving

groundwater and/or surface waters through appropriate methods;

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

i. incorporate water saving measures and equipment.

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

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

e) Long Term Management and Maintenance of the drainage system.

i. 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. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

ii. Where the maintenance will not be the responsibility of an individual householder, the details of the body legally responsible for the implementation of the management and maintenance plan must be provided.

# f) During Construction

i. How temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

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).

# 9 RES6 Levels

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

## REASON

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

# **10** 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)

## 11RES9Landscaping (car parking & refuse/cycle storage)

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

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,

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

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

- 2.d Hard Surfacing Materials
- 2.c Refuse Storage

#### 3. Schedule for Implementation

4. Other

4.a Existing and proposed functional services above and below ground

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 (2015).

# 12 NONSC Non Standard Condition

All residential units within the development hereby approved shall be built in accordance with Part M4(2) of the Building regulation standards as set out in the Councils 'Accessible Hillingdon' adopted guidance note.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2015) Policies 3.1, 3.8 and 7.2.

#### **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 (2015). 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 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).

## **3** 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 Councils 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.

# 4 I23 Works affecting the Public Highway - Vehicle Crossover

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

# **5** 125A **The Party Wall etc. Act 1996**

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

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

1) carry out work to an existing party wall;

2) build on the boundary with a neighbouring property;

3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

6

Please note the requirements of the General Permitted Development Order. Alterations to front gardens are only within permitted development rights, if it complies with the following condition:

Where the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres, either the hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house Guidance on how alter a front garden appropriately can be found on the RHS website: https://www.rhs.org.uk/science/pdf/climate-and-sustainability/urban-greening/gardening-matters-front-gardens-urban-greening

# 7

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved'

UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the north eastern side of Jackets Lane a traditional country lane, enclosed by mature vegetation giving access to a small number of detached properties set within substantial gardens. The site comprises a large detached property, characterised by the white rendered finish with the brick surround around the entrance door providing an element of detail to the principle facade. There is a small traditional detached garage on the north western boundary set down from the land level of the existing dwelling. To the rear of the property there is a large landscaped garden and a number of other small traditional garden buildings. There are also two large protected Oak trees located towards the centre of the north western boundary.

The country lane and adjacent open Green Belt Land, provides the surrounding area with a semi-rural characteristic. To the east and south are more modern housing developments including Hurst Place and Glynswood Place. To the west is a 16th Century timber framed, Grade II listed property known as The Cottage (no. 12 Jackets Lane).

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and located adjacent but outside of the Green Belt. The site is also covered by TPO 505.

#### 3.2 Proposed Scheme

The proposal is for the demolition of the existing detached dwelling and the erection of 3 x two storey, 5-bed detached dwellings with habitable roof space and 1x two storey, 4-bed, detached dwelling with associated parking, amenity space and landscaping, with the installation of vehicular crossovers, with 2 of the proposed dwellings facing and accessed from Jackets Lane and the other two from Hurst Place.

#### 3.3 Relevant Planning History

70543/APP/2015/2992 10 Jackets Lane Northwood

4 x two storey, 5-bed, detached dwellings with habitable roofspace with associated parking, amenity space and landscaping with installation of vehicular crossovers involving demolition of existing dwelling house

Decision: 06-11-2015 Refused

70543/PRC/2015/4 10 Jackets Lane Northwood

Erection of 4 detached dwellings involving demolition of existing dwelling.

Decision: 19-03-2015 OBJ

# Comment on Relevant Planning History

70543/APP/2015/2992 - 4 x two storey, 5-bed, detached dwellings with habitable roofspace with associated parking, amenity space and landscaping (refused) 70543/PRC/2015/4 - Erection of 4 dwellings (objection)

The previous application was refused on the basis of the scale and design of the proposed dwellings resulting in a cramped and undesirable form of development; the impact on the setting of the adjacent listed building; the close proximity of plot 4 resulting in a loss of amenity to the occupiers of 4 Glynswood Place and the intensification of use of a substandard road.

# 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.HE1 (2012) Heritage

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE10	Proposals detrimental to the setting of a listed building
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.
EC2	Nature conservation considerations and ecological assessments
EC6	Retention of wildlife habitats on derelict or vacant land
H5	Dwellings suitable for large families
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
LPP 3.8	(2015) Housing Choice
LPP 5.12	(2015) Flood risk management

- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- LPP 5.15 (2015) Water use and supplies
- LPP 7.4 (2015) Local character
- LPP 7.8 (2015) Heritage assets and archaeology
- NPPF National Planning Policy Framework
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

## 5. Advertisement and Site Notice

- **5.1** Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- 23rd February 2016

#### 6. Consultations

## **External Consultees**

21 neighbours were consulted for a period of 21 days expiring on the 12 February 2016. Four responses were received from nearby residents who have raised the following issues:

- Out of character for this confined area

- Loss of privacy

- Cul de sac already over crowded with cars, the service area is too small and already struggle to manoeuvre

- Safety and lives at risk as emergency vehicles will be unable to manoeuvre

- Problems with drainage and flooding

- Pressure on local services
- Increase traffic, noise and pollution
- The houses on Hurst Place are not in keeping with the others

- The common areas on Hurst Place are maintained at the expense of the existing 5 houses. Part of this land is now planned for plots 3 & 4, are there going to be any fencing for this division? Who will be liable for on-going maintenance?

- Impact on the setting of the listed building
- The plans submitted does not accurately reflect the proximity or impact on 4 Glynswood Place
- The loss of amenity to 4 Glynswood Place is increased by nearer proximity of the house in plot 4
- Moving plot 4 closer fails to resolve the loss of privacy
- Increased bulk and proximity results in over dominance

- The number of first floor windows on the flank facing 4 Glynswood Place has been increased and would need to be frosted and fixed shut

- Significant amount of mature trees/screening have already been lost around the two boundaries intersection the properties.

- The trees inferred as screening between no. 4 Glynswood Place and plot 4 are deciduous and in poor condition

- Loss of outlook

- Loss of privacy to our private amenity space
- Loss of sunlight
- Line of sight at 45 degrees does not mean they would need to 'lean out' of the window as the

developer asserts

- Our master bedroom and lounge would be within 21m and 45 degrees
- Our patio will be 14.4m
- Backland development contrary to policy
- Over development of the site
- Increased traffic flow leading to impact on the highway safety for pedestrians and bridleway traffic

- Any supporting statements submitted by the applicant have been paid for by the developer and should be treated accordingly

- Precedence set by approval at 12 Jackets Lane should not inform or influence the decision for 10 Jackets Lane

- The developer should be encouraged to renovate the existing dwelling

## Officer response:

Concern has been raised regarding the parking in the turning area restricting access. The proposal includes access from the turning areas to proposed plots 3 and 4, which should ensure that additional vehicles would no longer be able to park in these areas, which would ensure better access and manoeuvrability for all vehicles (including emergency vehicles) in the cul de sac. Issues relating to the maintenance of the common areas are civil issues and not material considerations in the context of the assessment of this proposal. All other issues raised are addressed in the relevant sections of the report.

A Ward Councillor has objected to the scheme in support of local resident objections.

Northwood Residents Association: No response

A valid petition in objection containing 27 signatures was also received on the 11 March 2016.

## **Internal Consultees**

Access Officer: No response

#### Trees/Landscape:

This application has been subject to pre-application discussions and the proposed tree retention and landscape proposals reflect the outcome of the discussions. None of the trees covered by a TPO will be impacted as a result of the proposed works. No objection subject to condition.

## Highways:

The site has a very poor PTAL 1a, indicative of developments highly likely to be dependent on car use. Jackets Lane to the west of Hurst Place comprises an adopted but unmade single carriageway with a variable width between 2.7m - 4.0m and there are no footways or street lighting. Hurst Place serves 4 dwellings and is made up and includes footway/lighting.

The application is supported by a transport statement including traffic and pedestrian counts from the existing dwellings on Hurst Place and Jackets Lane. This is used to assess the traffic and pedestrian movements likely to be generated from the consents at 12 Jackets Lane and the current proposal. There are errors and inconsistencies within the data. The results indicate the am peak hour traffic flows (two way) will be increased from 14 to 20 vehicle/hour and pedestrian flows increased from 5 to 7 per hour. Corresponding changes during the pm peak hours indicate (with errors) increase of 16 to 23 vehicles and pedestrians 8 to 11 per hour.

The proposed development would provide two dwellings off Jackets Lane and two from Hurst Place.

The existing access off Jackets Lane would be closed and located centrally along the frontage. Visibility sightlines corresponding to vehicular speed of approximately 20mph only would be provided. It is also proposed that the section between the access and Hurst Place would be resurfaced, street lighting provided and the hedges trimmed to provide a shared surface for vehicles and pedestrian use. Provision of additional footway would only be provided at the end of Hurst Place, adjacent to the turning head. Overall the access proposals for Jackets Lane are not considered adequate to satisfactorily/safely accommodate movements of refuse collection/delivery vehicles, emergency service vehicles, cars and pedestrians.

Whilst the proposed development would not generate large volumes of traffic/pedestrian movements, improved access along Jackets Lane are considered necessary. These improvements would require widening the road to 4.5m to allow two way traffic flow, the inclusion of pedestrian footway/street lighting all to adoptable standards. Such improvements would provide standards of access to the new development via Jackets Lane, comparable with the provision of access to Hurst Place.

A S106/S278 agreement will be required for all highway works and adoption. The proposed development would provide 10 car parking spaces in excess of LBH requirements contrary to Policy AM14. Cycle parking should be provided.

OFFICER COMMENT - Please see section 7.10 of this report for a full assessment and response to the Highways comments.

#### Flood and Water Management:

No objection in principle however there has been increased flooding reports in this area and it is important that surface water is controlled appropriately. Prior to the commencement of any works a suitable scheme of sustainable water management must be submitted.

#### Conservation and Urban Design:

The site lies next to a 16th Century timber framed Grade II listed building The Cottage (12 Jackets Lane). The existing property with a few commendable characteristics is well situated in a large plot adjacent to Green Belt land. Jackets Lane can be described as a traditional country lane, enclosed by mature vegetation, with a small number of modest properties set within substantial gardens along it. The country lane and adjacent Green Belt provides the surrounding area with a semi rural characteristic. Therefore it is important the existing character is maintained and retained where appropriate. To note 12 Jackets Lane has approval for two dwellings to the rear.

Whilst the loss of the existing dwelling is regrettable there is scope to develop the site. There are no objections to the principle of the residential development and partly traditional architectural appearance of the proposed properties. It is important that the proposed new dwellings and any other enhancements to the site and road, respect the existing dwellings on the adjacent plots as well as the established character of the road.

The house (Plot 4) has been moved further back and the internal layout changed so that there is only one, obscure glazed window on the first floor of the side elevation. There is also plenty of room in the front garden of the property for planting along the joint boundary, which would screen the house in views from No. 4. It might be helpful to condition a planting plan, if there is not one already. In my view there are no issues outstanding.

Whilst plot 1 would be sited closer in proximity to the Listed Building when compared to the existing dwelling, the amendments from the previously submitted scheme are noted improvements in regard to respecting the immediate setting of the designated heritage asset. The proposed cat slide roof maintains a suitable gap between the two properties and reduces the overall bulk of the property

making it less dominating and more harmonious in the general streetscene. The single access off Jackets Lane would be a commendable feature and further planting along the site boundary and Jackets Lane would enhance the rural character of the road and contribute positively to the setting of the Listed Building.

Whilst improvements to Jackets Lane may be necessary, the scale of the improvements need to be weighed against the setting and significance of the Listed Building. Jackets Lane is characterised as a rural lane and is noted as a permissive Bridleway. The 'lane-like' characteristic contributes to the rural nature of the Listed Buildings and forms part of its overall setting. Any proposal to include further lighting, widen and formalise the road in any manner may compromise the setting of the Listed Building and have a detrimental impact on the character of the property.

Side facing windows would need to be obscure glazed and all materials conditioned for submission prior to final approval.

Environmental Protection Unit:

No objections from a noise point of view

# 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

Given the residential character of the area adjacent to the plot, there is no policy objection to the development of the site to provide additional residential accommodation, subject to an appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The site has a Public Transport Accessibility Level (PTAL) of 1b (very poor). The London Plan (2015) range for sites with a PTAL of 0 to 1 in an urban area is 35-65 units per hectare. Based on a total site area of 0.1169ha the site would have a residential density of 15 units per hectare, which is significantly less.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

See section 7.07 of this report.

## 7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

An area of Green Belt is located along the north western boundary of the site. Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not allow developments adjacent to or conspicuous from the green belt that would injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

The proposed development sits along side the exisitng residential developments of Glynswood Place, Hurst Place and the proposed development to the rear of 12 Jackets Lane. It is not considered the additional dwellings would result in a significant visual impact on the adjacent Green Belt. The proposed scheme therefore complies with Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE19 seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The general design of the proposed dwellings appears relatively traditional and the elements previously considered unacceptable, such as the crown roof detail, have been removed from this proposal. The design of plot 1 has also been amended in line with the Conservation Officer's recommendations. Whilst the proposed dwelling would be sited in closer proximity to the adjacent Listed Building when compared to the existing dwelling, the proposed cat slide roof form maintains a suitable gap between the two properties. The cat slide roof form also reduces the overall bulk of the property making it a less dominating structure and more harmonious with the general street scene.

It is therefore considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable. The proposal would not be in accordance with policies BE10, BE13 and BE19 of the UDP saved policies.

## 7.08 Impact on neighbours

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.

Plots 1 and 2 present a staggered frontage facing towards Jackets Lane, with plot 1 set back from the road by 17.25m and set in from the boundary with no.12 by 2.5m. Plot 2 is set back 20.8m from the road and set in from the boundary with no. 8 by 1.3m. Plot 1 is separated by 10.5m from no. 12, which is set further forward in its plot and away from the boundary. Plot 2 is separated from the main side wall of no 8 by 2.85m and set forward by approximately 3m However it is noted that plot 2 occupies a similar position in the plot to the existing dwelling. The primary windows face front and rear and the proposed side windows serve the stairs or bathrooms, so could be conditioned to be obscure glazed and fixed shut

Plots 3 and 4 are set at right angles to plots 1 and 2 and have a slightly staggered frontage

facing Hurst Place. Plot 3 is to the rear of plot 2 and separated by 15.6m from the single storey rear projection of the family room of plot 2 to the side elevation of plot 3. Plots 3 and 4 are set 2.3m apart. The primary windows face front and rear with the habitable rooms of the properties opposite on Hurst Place set approximately 31.6m from the front windows of the proposed dwellings. At 12 Jackets Lane, 2 dwellings have been approved in the rear garden but are orientated facing Jackets Lane, with the side elevation of plot 2 (of that development) the nearest, at a minimum distance of 18.6m from proposed plot 4 where the windows along that part of the elevation serving non habitable rooms.

Concerns have been raised by the owners of 4 Glynswood Place which is situated to the east of plot 4, regarding the potential loss of privacy and overlooking of their property. HDAS advises that in order to ensure adequate daylight, sunlight and privacy for the occupiers of the existing and proposed dwellings, a 45 degree principle will be applied. This involves drawing a 45 degree line of site from the mid-point of an existing or new window. If the proposed building breaches that line it is unlikely to be acceptable. HDAS further advises that an adequate distance should be maintained to any area from which overlooking may occur and as a guide, not be less than 21m between facing habitable rooms. It is noted that the two buildings do not directly face one another but follow a parallel line, with the dwelling in plot 4 set from the boundary by 3m and no. 4 Glynswood Place set back by 8.1m, therefore any overlooking would be at an oblique angle. In order to address the loss of privacy issues raised in the previous submission the originally submitted plans moved plot 4 forward to increase oblique angle of view and further limit the potential loss of privacy. However this was considered to further increase the bulk of the proposed dwelling along the boundary of the site resulting in an increased loss of outlook for the occupiers of no.4 Glynswood Place. Revised plans have moved the position of the proposed dwelling back to the originally proposed building line but also moved it further from the side boundary to increase separation distances. From the site plan submitted it is acknowledged that a line of site at 45 degrees would still intersect with 4 Glynswood Place, the distances have been further increased to approximately 23.5m to the corner of the building at first floor level and 21m to the corner of the ground floor projection. The increased distance from the side boundary of plot 4 would also allow for additional planting to provide additional screening to further minimise any potential increase in loss of outlook or privacy. Therefore on balance it is considered that the proposal would not result in a significant loss of privacy to the occupiers of no. 4 Glynswood Place. As such the proposal would be in accordance with policies BE21 and BE24 of the UDP saved policies and HDAS Residential Layouts.

## 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has since adopted these new national technical standards through a minor alteration to The London Plan. This alteration is in the form of the Housing Standards MALP (2016) sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposed dwellings have a floor area of a minimum of approximately 185sqm in excess of the minimum requirements and therefore is considered acceptable. All bedrooms exceed the minimum area requirements.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts:

## Section 4.9.

The development provides 340 sqm; 171 sqm; 303 sqm and 264 sqm of private amenity space for units 1, 2, 3 and 4 respectively, which exceeds the 100 sqm required, in accordance with the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

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

Policies AM7 and AM14 are concerned with traffic generation, road capacity, onsite parking and access to public transport. In particular AM7 (ii) advises that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the 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 provision of 2 spaces per dwelling. The proposed plans indicate the provision of 2 car parking spaces to the front of each dwelling in addition to the associated space within the garage, which is in excess of the adopted requirements. A Ministerial Statement (25 March 2015) highlights the Government's view that "arbitrarily restricting new off-street parking spaces does not reduce car use, it just leads to parking misery. It is for this reason that the Government abolished national maximum parking standards in 2011." The Ministerial Statement therefore introduced additional text to be read alongside paragraph 39 of the NPPF. It states "Local Planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.". In this context given the limited scale of the development proposed and the works to be undertaken to highway, it is not considered the Council would have grounds to restrict or reduce the level of car parking proposed.

The proposal will lead to an intensification of use of the site with associated traffic movements. The site has very poor public transport accessibility (PTAL=1a) and will therefore be more reliant on other modes of travel. In particular the Highways Officer has raised concerns on highway safety grounds. They have advised the existing vehicular and pedestrian access via Jackets Lane is not satisfactory because:

i. it is narrow (2.7m - 4.0m), and poor unmade condition that would not be suitable for two way car movements or for use by service and emergency vehicles;

ii. there are no footways for pedestrians and the verges are substantially overgrown with vegetation;

iii. there is no street lighting; and

iv. there will be intensification of use along a section of Jackets Lane fronting the site as a result of the proposed development and the recent consent granted for development at 12 Jackets Lane.

As a result, the Highways team have recommended that improvements are secured to provide an adoptable highways layout outside the application site, which would involve road widening and substantial loss of trees on the opposite side of Jackets Lane.

Further to the previous refusal on similar grounds the applicant have submitted a Transport Statement in support of this application including traffic and pedestrian counts to assess movements likely to be generated from the proposal and also considers the impact of the two additional dwellings to the rear of no. 12 Jackets Lane. Those dwellings were approved under planning application 67677/APP/2015/328, where it was considered that the

requirement to make up the access would not be proportionate on the basis of two additional residential units. Having regard to the information provided for the traffic flow uplift for 3 additional units (including the two approved) it is noted that the proposed developments would still not generate a significant increase in traffic/pedestrian movements. The applicants have therefore put forward proposals for trimming back of the existing hedgerow, the resurfacing of the existing lane and installation of a proposed street light to the front of the repositioned access.

It is noted that the Conservation Officer has advised that from conservation perspective and having regard to the setting of the adjoining Listed Building, The Cottage (12 Jackets Lane), Jackets Lane can be described as a traditional country lane enclosed by mature vegetation, which in conjunction with the adjacent Green Belt land provides the surrounding area with a semi rural characteristic. Therefore it is important the existing character is maintained and retained where appropriate. Whilst the improvements to Jackets Lane may be necessary, the scale of the improvements needs to be weighed against the setting and significance of the Listed Building. Jackets Lane is characteristic contributes to the rural nature of the Listed Buildings and forms part of its overall setting. Any proposal to include further lighting, widen and formalise the road in any manner may compromise the setting of the Listed Building and have a detrimental impact on the character of the property.

The section of road in question measures approximately 50m in length and runs from the side of 1 Hurst Place to the boundary with The Cottage (12 Jackets Lane). The lane curves slightly to the right (north west) in front of no. 8 Jackets Lane but any vehicle in front of 10 Jackets Lane would still have a clear view of vehicles or pedestrians at the junction with Hurst Place and vice versa. Therefore whilst the making up of the road to a full adoptable standard may be preferable from a highway perspective, on balance it is considered that given the limited increase in traffic/pedestrian movements set against the need to retain the rural characteristic of the lane, the proposed improvements would adequately address highway concerns. The proposed improvement works would be secured via a legal agreement.

# 7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

# 7.12 Disabled access

If the scheme is found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

## 7.13 Provision of affordable & special needs housing

Not applicable to this application

## 7.14 Trees, Landscaping and Ecology

The Council's Landscaping Officer has advised that the proposals comply with the advice given within pre application discussions and that subject to condition there is no objection to the scheme with regard to trees or landscaping.

## 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

The Drainage Officer has also advised that whilst there is no objection in principle to the development there have been increased reports of flooding in this area and that prior to the

commencement of any works a scheme for the provision of sustainable water management must be submitted and approved by the Local Planning authority.

# 7.18 Noise or Air Quality Issues

Not applicable to this application

7.19 Comments on Public Consultations

The issues raised have been addressed appropriately in the report.

# 7.20 Planning Obligations

The proposal would necessitate the provision of a legal agreement to secure highway improvement works. Based on the information before officers at this stage the scheme would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not Applicable

# 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

#### 10. CONCLUSION

The proposal is for the demolition of the existing dwelling and erection of 4 detached dwelling with associated amenity and parking provision. It is not considered the proposal would have a negative impact upon the visual amenity of the site, the surrounding area, the adjacent Listed Building or the nearby Green Belt. It is also considered that the proposal would not result in a significant loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers.

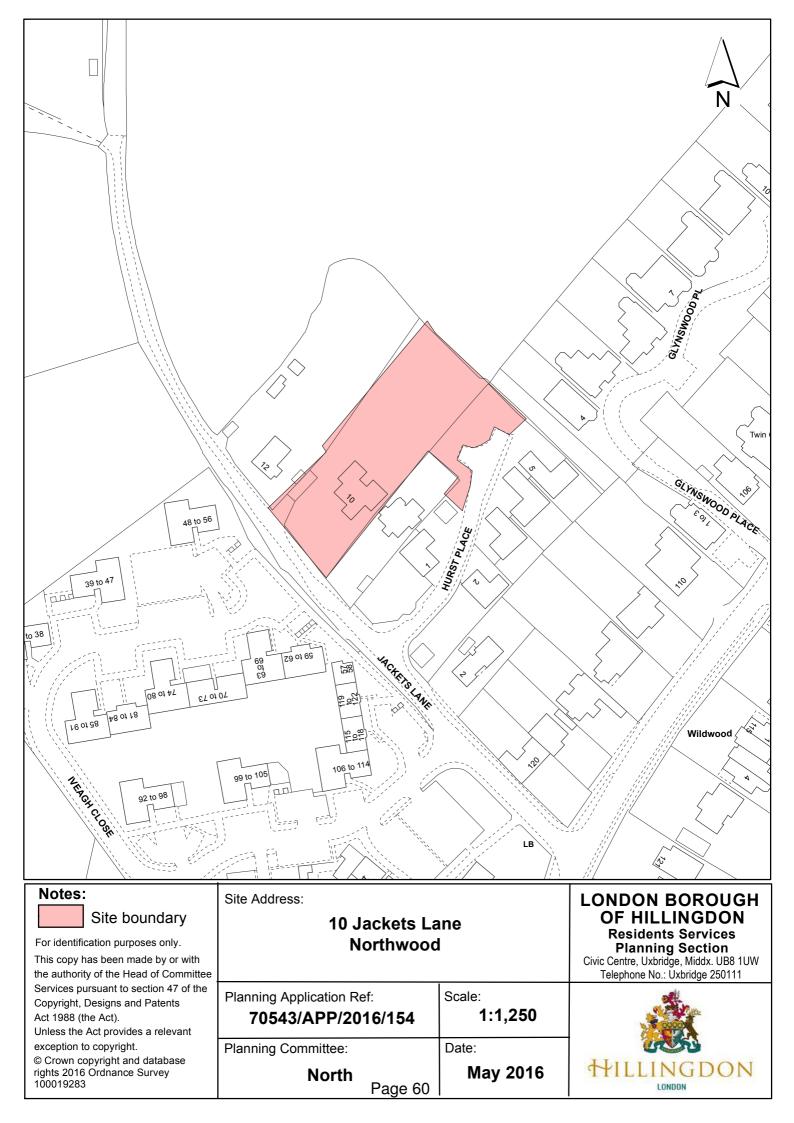
As such the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan Part 2 The London Plan (2015) Supplementary Planning Document 'Accessible Hillingdon' National Planning Policy Framework

Contact Officer: Richard Phillips

**Telephone No:** 01895 250230



# Agenda Item 9

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

Address 186 FIELD END ROAD EASTCOTE PINNER

**Development:** Demolition of existing building and erection of new four storey building containing ground floor offices and 3 no. two bedroom, three person flats above.

**LBH Ref Nos:** 2294/APP/2016/410

Drawing Nos: Location Plan 11/2599/131A 11/2599/125 11/2599/110 11/2599/111 11/2599/126 11/2599/127 11/2599/128 11/2599/129 Design and Access Statemen 11/2599/132 11/2599/133 11/2599/130

Date Plans Received: 02/02/2016

Date(s) of Amendment(s):

Date Application Valid: 10/02/2016

1. SUMMARY

The application seeks permission for the erection of a four storey building to include ground floor offices and  $3 \times 2$  bed (3 person) self contained flats.

The proposed development by virtue of the design, scale and bulk is considered unacceptable and would be out of keeping with the character and appearance of the street scene and the neighbouring Conservation Area. Given the close proximity of the extended building along the boundary line with the adjacent property it is also considered the proposal would result in a loss of amenity to the adjoining occupiers. The proposal is therefore recommended for refusal.

The application has been called into committee for consideration by a Ward Councillor.

## 2. **RECOMMENDATION**

**REFUSAL** for the following reasons:

## 1 NON2 Non Standard reason for refusal

The proposed building, by reason of its design, size, scale and bulk, would result in an incongruous addition which would be detrimental to the architectural composition of the existing street scene and would be detrimental to the character and appearance of the wider area and adjacent Conservation Area. The proposal would therefore be contrary to Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

# 2 NON2 Non Standard reason for refusal

The proposed building, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupiers at 188 Field End Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

## **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 (2015). 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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

# 3. CONSIDERATIONS

## 3.1 Site and Locality

The application site is located on the south western side of Ruislip High Street just off the junction with North View and Elm Avenue. It is two storey property, which is currently being used as a Learning and Support Centre. This is attached to a four storey terrace of properties on the southern side and to the north is a detached building currently being used as a taxi office. Beyond this is Champer's Wine Bar a locally listed building.

The street scene is a mixture of retail and residential. The existing building forms part of the main shopping parade of Eastcote. The buildings vary in detailing and finishes, collectively they form part of a planned commercial street dating from the interwar period and relating to the Metroland development of Eastcote. Many buildings within the area were designed by Architect Frank Osler. The predominant materiality along Field End Road is defined by red brick, which is a defining characteristic of the road. The roofscape undulates with storey heights ranging from 2 and half to 3 storeys, with exception to the building adjacent to the application site (No. 188). The predominant roof design is a mansard roof form with the inclusion of small dormers at roof level.

The application site lies within the Developed Area as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). It is also within the Eastcote Town Centre and Secondary Shopping Area and sits immediately adjacent to the Eastcote (Morford Way) Conservation Area. It has a PTAL of 3.

# 3.2 **Proposed Scheme**

This application seeks permission for the demolition of the existing two storey building and the erection of a four storey building to include offices at ground floor level and 3 x 2-bed (3 person) self contained flats.

## 3.3 Relevant Planning History

2294/APP/2011/415 186 Field End Road Eastcote Pinner

Change of use from photographic studio to accountancy office (Use Class A2)

Decision: 19-05-2011 Approved

2294/APP/2013/3840 186 Field End Road Eastcote Pinner

Four storey building containing Use Class A2 office and 3 x 2-bed self contained flats involving demolition of existing building

Decision: 03-03-2014 Withdrawn

## **Comment on Relevant Planning History**

2294/APP/2013/3840 - Four storey building containing A2 use (withdrawn) 2294/APP/2011/ 415 - Change of use from A1 to A2 (approved)

## 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.HE1 (2012) Heritage

Part 2 Policies:

Consideration of traffic generated by proposed developments.
New development and car parking standards.
New development within or on the fringes of conservation areas
Proposals detrimental to the setting of a listed building
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 area.
Town centres - design, layout and landscaping of new buildings
Shop fronts - design and materials
Mix of housing units
Protection of the character and amenities of surrounding properties and the local area

- OE3 Buildings or uses likely to cause noise annoyance mitigation measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off requirement for attenuation measures
- LPP 3.3 (2015) Increasing housing supply
- LPP 3.5 (2015) Quality and design of housing developments
- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- NPPF National Planning Policy Framework
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 16th March 2016
- **5.2** Site Notice Expiry Date:- Not applicable

## 6. Consultations

#### **External Consultees**

11 neighbours were consulted for a period of 21 days expiring on the 3 March 2016. No response was received from adjoining neighbours.

Eastcote Residents Association: No response

Eastcote Village Conservation Panel:

This application is an improvement on the previous, however we consider a 4 storey building will not enhance the Morford Way Conservation Area. The proposal will block the view of the locally listed building adjacent. Refuse.

Ruislip, Northwood and Eastcote Local History Society:

Request this is refused as it is adjacent to Champers Wine Bar, which is locally listed and is situated within the Conservation Area. The proposed 4 storey building is not sympathetic to the Arts and Crafts style of the adjacent properties, will look obtrusive and overdominant with the houses in Morford Way

#### **Internal Consultees**

Access Officer: No response

## Conservation and Urban Design:

Whilst the adjacent building (No.188) is 4 storeys in height, it has been altered in the past. The original building, formerly known as Field End Garage had been 2 storeys in height, relatively small in scale and of individual design. Therefore the building as existing was not built or extended as part of the 1920s development of the shopping parade during the interwar period. It does not entirely relate

well to the architectural composition of Field End Road, therefore it should not be assumed as a suitable design precedent for potential future development of the application site.

The building's presence along Field End Road from the public realm is an important factor to consider. The proposal would need to be of a quality that sustains and enhances the appearance of the area.

It would be regrettable from a conservation perspective to see the loss of the original building. Any replacement building would need to respect and respond to the character and local distinctiveness of the surrounding area. It is therefore important that the new development does not become an overly dominant structure and detract from the existing townscape.

#### Scale, bulk and height

It is recommended that the scale and height of the building is reduced in order to respect the heights of the buildings either side of the site. As existing the building is modest in size, it stands as a small reminder of the character of Eastcote and Field End Road prior to Metroland development. It also maintains a significant gap view between the Locally Listed Building and 1920s terraced shopping parade on the corner of Field End Road and Elm Avenue. The proposed 4 storey building would be visible from within the Conservation Area on Morford Way. Ideally the height of the proposed building would need to be reduced to 2 and half to 3 storeys in height, including any proposed accommodation in the roofspace.

The overall bulk of the building would need to be reduced in order to avoid the stark nature of the proposed flank wall, and could be broken up through alternative massing or inclusion of architectural details/variation of materiality.

#### Footprint

The proposed footprint of the building would develop a significant bulk of the site, leaving a minimal service area, which would be unacceptable.

## Design

It is duly noted that the design of the building aims to emulate no. 188. The application site and neighbouring building have always remained independent of one another and surrounding built forms. The development of these sites predate that of the surrounding 1920s architecture, therefore it is important they retain such a principle. Taking into account that No.188 has been significantly altered in the past, it should not be assumed as a set precedent. Therefore any proposal for No.186 would need to remain to a degree independent in its design.

The roof form as proposed, with a part mansard roof to the front and a flat roof form to the rear of the proposed building would be considered in principle unacceptable. Ideally the proposed roof design would need to be of one concise form. A roof plan would need to be submitted as part of the application in order to gain an appropriate understanding.

The proposed windows and dormers are not in proportion or, in line with the neighbouring building, and would not be considered in keeping with surrounding buildings and the rhythm set by existing building along the road. The existing and proposed building would act as a bookend to the wide shopping parade therefore its design should essentially reflect such a position and respond to the streetscene. Taking into account that it is proposed to demolish the existing building, there is opportunity to enhance and improve the way in which the new building responds to the streetscene. The building line and orientations vary between the 1920s corner terrace and the Locally Listed Building (Champer's Wine bar) therefore it is recommended that the proposed building is set slightly back between the defined building lines of the neighbouring buildings. An additional design feature that could be incorporated, to reduce the blunt nature of the flank elevation and soften the corner of

the building, would be to cut off the corner of the proposed building to reflect the built form of the Locally Listed Building or reintroduce a curve return to the building as had been proposed for the previous application.

## Materiality

The defining material of the area is red brick it is advisable that the proposed materiality reflects the surrounding area. A variation in materiality through architectural detailing could enhance the building's presence along Field End Road as well as reduced the perceived scale of the proposed building. It is important that the development of the site contributes positively to the wider setting of the Conservation Area and character and local distinctiveness of Eastcote (NPPF, para. 58 & 60).

CONCLUSION: Unacceptable

Environmental Protection Unit: No objection subject to condition

#### Highways:

The Ptal score for the area is 3, which is classified as moderate. However it is noted that the site is adjacent to all local amenities, including public transport. In addition a public car park is located adjacent and the surrounding highway network is designated as a controlled parking zone. Therefore the development would not be contrary to policy subject to condition for the provision of 2 cycle parking spaces to serve the office use.

#### Flood and Water Management:

The highways are shown at risk of flooding on the Environment Agency maps, therefore development will need to contribute to manage surface water run off. A condition should be added to require submission of details for sustainable urban drainage.

## 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

The proposed site currently comprises of a commercial property in Class A2 use, set within the defined development area and therefore constitutes 'previously developed land' i.e. 'brownfield land'. The proposal includes replacement offices (A2 use) at ground floor level with the provision of 3 residential units above.

Policy S12 advises that within Secondary Shopping Areas permission for service uses will only be granted where the remaining retail facilities are adequate and will not result in a separation of Class A1 uses or concentration of non retail uses. The shops within this part of the shopping area are comprised of a variety of uses, including 7 retail outlets, a bank, an estate agent, a hairdressers and 3 food and drinks premises. It is not considered that the replacement of an A2 office at ground floor level with a new B1 office use would have any adverse impact on the vitality or viability of the town centre.

There is a presumption in favour of re-development on brownfield land subject to other material planning considerations as detailed within the report. Therefore the principle of development of the site for a mix of commercial and residential is considered acceptable.

## 7.02 Density of the proposed development

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

consideration of the density of the proposal.

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

The Conservation Officer has advised that in principle the proposal is unacceptable. The building is modest in size, it stands as a small reminder of the character of Eastcote and Field End Road prior to Metroland development. It also maintains a significant gap view between the Locally Listed Building and 1920s terraced shopping parade on the corner of Field End Road and Elm Avenue.

The proposed 4 storey building would be visible from within the Conservation Area. The overall bulk of the building, its roof form and footprint are all considered inappropriate for this site. As designed the proposed building would have a detrimental impact on the character and appearance of the adjacent Conservation Area.

# 7.04 Airport safeguarding

No objections are raised to the scheme in terms of airport safeguarding.

# 7.05 Impact on the green belt

Not applicable, the site is not located within the green belt.

# 7.07 Impact on the character & appearance of the area

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. Policy BE15 allows proposed extensions to existing buildings where they harmonise with the scale, form, architectural composition and proportions of the original building. BE19 ensures new development complements or improves the amenity and character of the area. Furthermore Policy BE4 requires new development within or on the fringe of Conservation Areas to preserve or enhance those features which contribute to their special architectural or visual qualities. The NPPF also notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The proposed building is of a similar height and proportion as the adjacent property, measuring 4 storeys in height with a small slope to the front and two dormer windows but a flat roof detail to the rear. The Conservation Officer has raised concerns over the design and siting of the proposal advising that although the proposal emulates the extended and altered adjacent property, these buildings have always remained independent of one another and the surrounding built form. Therefore it is important they retain such a principle.

Taking into account that No.188 has been significantly altered in the past, it should not be assumed as a set precedent. Therefore any proposal for No.186 would need to remain to a degree independent in its design.

The roof form as proposed, with a part mansard roof to the front and a flat roof form to the rear is unacceptable. Ideally the proposed roof would need to be of one concise form. The proposed windows and dormers are not in proportion or line with the adjacent property and would not be in keeping with the surrounding buildings and the rhythm set by existing buildings along the road. The building would act as bookend to the wide shopping parade, therefore its design should essentially reflect such a position and respond to the streetscene. Therefore, it is considered that the proposed building is unacceptable and would cause harm to the character and appearance of the streetscene and the adjacent Conservation Area. As such the proposal fail to comply with Part 1 Policy BE1 and Part 2 Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and

guidance in HDAS: Residential Layouts.

# 7.08 Impact on neighbours

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy.

Policy OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook of sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The proposed building sits on the boundary and extends 3m beyond the rear elevation of the adjacent property no. 188. Although not shown on the submitted plans, it would appear from observations at the site visit and the close proximity of the development to the windows of the neighbouring property, that the proposal would compromise a 45 degree line of site from the neighbouring windows. To the other side the adjacent single storey property (184a) is currently used as a taxi office. There are side windows of no. 184 facing the flank walls of the proposed building, but from a previous planning application for these premises they appear to be non habitable rooms or secondary windows to habitable rooms. To the rear the proposal would face the end of the garden areas for properties running along Elm Avenue situated approximately 11m away. However given the presence of the existing residential units adjacent it is not considered there would be an increase of overlooking of this area to already existing.

In view of the potential impact on the adjacent property the proposal is considered unacceptable and fails to comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

# 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposed flats have a floor area of approximately 73sqm against a requirement of 70sqm plus 2sqm of built in storage, based on a 2 bedroom 3 person property, which meets the minimum requirement.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

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

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of the development and the availability of and opportunities for public transport. The site has a PTAL rating of 3, with good access to bus routes, with bus stops outside the front of the property and Eastcote Underground Station a couple of minutes walk to the south. It is also located within a town centre location with easy access to a range of services and facilities.

A proposal for the development of land at 216 Field End Road, some 75m to the south of this site, for a retail unit at ground floor with 11 one and two bedroom flats above was refused by the Council with one of the reasons being the lack of on-site parking. In allowing the appeal, the Inspector commented as follows on the highway and parking issues:

"Although there would be no off-street car parking, the site is located within Eastcote town centre, almost opposite Eastcote tube station, in a highly accessible location. Visitors to the shop could park within the town centre where there is controlled parking available. Car numbers associated with the flats would be very small and could, therefore, be accommodated within the town centre parking or along nearby streets without causing undue parking pressure. Services and deliveries would be catered for with a new loading bay proposed at the front of the site.

6. There would be no dedicated space for disabled drivers; nevertheless, as part of the proposal, the nearby lay-by would be remodelled to accommodate disabled driver parking spaces and the controlled parking within the area would also be available for disabled drivers. The accessible location would ensure that people with disabilities could travel to the site by other modes of transport....

8. The Council's parking standards and supplementary planning guidance suggest parking needs should be met on-site. However, the standards/guidance is flexible and due to the accessible location, town centre parking and scope for disabled parking within the area, there would be no harm to users of the highway or inconvenience to disabled occupiers/visitors. The proposal would comply with the National Planning Policy Framework (the Framework) paragraph 35 relating to access for all, the London Borough of Hillingdon Unitary Development Plan (UDP) policies AM13 relating to access and AM14 (annex 1) which allows for flexibility of parking standards where appropriate, whilst ensuring that there would be no harm to highway safety. Flexibility of approach is carried forward in the Supplementary Planning Guidance for residential layouts (SPG) and Accessible Hillingdon SPG also referred to by the Council."

Given the conclusions of the Inspector, a refusal reason on parking grounds is unlikely to be supported at appeal.

The accompanying plans indicate an area for cycle storage within the building serving the residential units. In line with the Highways Officer comments the provision of storage for 2 cycle parking spaces to serve the office use could be conditioned if all other aspects of the proposal were acceptable.

# 7.11 Urban design, access and security

The Council's HDAS guidelines require a minimum of 25sq.m for a two bedroom flat. This would give an overall requirement of 75sqm. It further advises that the guidelines are

intended as a minimum and exceptions will only be given is special circumstances such as the provision of small non-family housing predominantly made up of 1 bedroom units in town centres or the provision of small non-family units in town centres. The proposal does not include any amenity space for the proposed residential units. However given the small scale of the development and the town centre location in the context of the mixed commercial and residential terrace, it considered the proposal would meet the exception criteria.

The design, materials and appearance of shopfronts are key to establishing the character of an area. The proposed shopfront is fairly standard, reflecting the character and appearance of the existing shop front and that of the adjacent properties and is considered in keeping with the character of the street scene and the area as a whole. As such is it considered that the proposal is in compliance with Policies BE26 and BE28 of the Hillingdon Unitary Development Plan (Saved Policies, November 2012) and the adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement: Shopfronts (July 2006).

# 7.12 Disabled access

The Access Officer has not raised any concerns with relation to this application

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

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

# 7.15 Sustainable waste management

A bin store area for the office development is shown to the rear however there is not provision demonstrated for the residential units above.

# 7.16 Renewable energy / Sustainability

Not applicable to this application.

# 7.17 Flooding or Drainage Issues

The highways are shown at risk of flooding on the Environment Agency maps, therefore development will need to contribute to manage surface water run off. A condition should be added to require submission of details for sustainable urban drainage.

# 7.18 Noise or Air Quality Issues

The Environmental Protection Unit have not raised any concerns over the proposal.

# 7.19 Comments on Public Consultations

The comments raised have been addressed in the report.

#### 7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of 225sq metres and 107.35sq metres respectively of additional floospace are as follows:

Hillingdon CIL =  $\pounds$ 21,375 +  $\pounds$ 3,757.25 =  $\pounds$ 25,132.25 Mayoral CIL =  $\pounds$ 3,757.25

# 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

#### 10. CONCLUSION

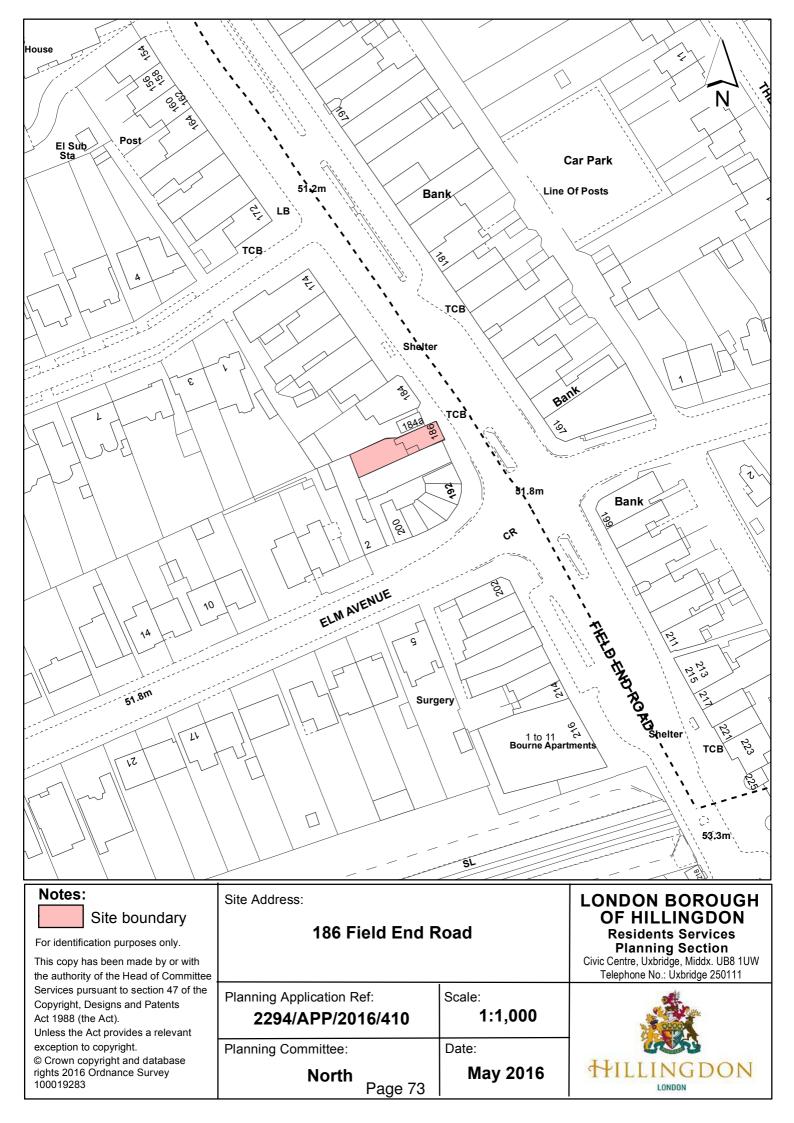
Whilst the principle of redevelopment of the site is acceptable, the proposal is considered unacceptable by virtue of the design, scale and bulk of the proposal as well as the impact on the amenity of the adjacent property.

#### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (2015).
Supplementary Planning Document HDAS: Accessible Hillingdon.
National Planning Policy Framework.

Contact Officer: Liz Arnold

**Telephone No:** 01895 250230



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# Agenda Item 10

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

Address THE BEAR ON THE BARGE PH MOORHALL ROAD HAREFIELD

**Development:** Retention of 2 x single storey structures to rear and side of the existing buildin

LBH Ref Nos: 13931/APP/2016/721

Drawing Nos: 72-P3/1 72-P3/2 72-P3/3 72-P3/4 72-P3/5 72-P3/6 Design and Access Statemen Planning Statemen

Date Plans Received: 22/02/2016

Date(s) of Amendment(s):

Date Application Valid: 03/03/2016

# 1. SUMMARY

This application seeks retrospective consent for the erection of two single storey extensions, to the side and rear of the existing Public House.

The extensions by reason of their unacceptable design, size, scale, siting and form would constitute a disproportionate and incongruous overdevelopment of the site. The extensions fail to relate or respect the existing scale, form and design of the original building, and completely dominate and overwhelm its traditional form and proportions. Given the excessive scale of the extensions, these are considered to erode the openness and character of the Green Belt to an unacceptable degree and constitute inappropriate development within the Green Belt. Furthermore, the unacceptable extensions detract from the character and setting of the building within the Waterside Conservation Area.

Overall, the extensions fail to comply with the Councils adopted policies and guidance and refusal is recommended.

# 2. **RECOMMENDATION**

That had an appeal for non-determination not been lodged, the Planning Inspectorate be notified that the application would have been refused for the following reasons:

# 1 NON2 Non Standard reason for refusal

The development would result in a disproportionate change to the bulk and character of the original building and would significantly increase the built-up appearance of the site to an unacceptable degree. The development represents inappropriate development within the Green Belt due to the excessive bulk, size, scale and siting of the extensions, which would detract from the openness and character of the Green Belt setting. The development is therefore contrary to Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies OL4 and BE15 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy 7.16 of the London Plan (2015)

and the National Planning Policy Framework (2012).

# 2 NON2 Non Standard reason for refusal

The development, by reason of its excessive size, scale, bulk, siting, form and design, would result in an overdominant and visually obtrusive form of development, that overwhelms and dominates the original proportions and form of the original building to an unacceptable degree. The excessive scale of the extensions would be to the detriment of the character, appearance and setting of the building within the wider Waterside Conservation Area. The proposal would thereby be contrary to the National Planning Policy Framework (2012), Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), OL15, BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# **INFORMATIVES**

# 1 I52 Compulsory Informative (1)

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

# 2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

NPPF NPPF9		National Planning Policy Framework NPPF - Protecting Green Belt land
OE1		Protection of the character and amenities of surrounding properties and the local area
OL1		Green Belt - acceptable open land uses and restrictions on new development
OL15		Protection of Countryside Conservation Areas
OL4		Green Belt - replacement or extension of buildings
OL9		Areas of Environmental Opportunity - condition and use of open land
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
BE20		Daylight and sunlight considerations.
BE21		Siting, bulk and proximity of new buildings/extensions.
BE24		Requires new development to ensure adequate levels of privacy to neighbours.
BE38		Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4		New development within or on the fringes of conservation areas
3	159	Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies

appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

# 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the southern side of Moorhall Road and is set within a large plot extending eastwards towards the Grand Union Canal. The site is located within the Widewater Lock Conservation Area, Green Belt and Colne Valley Regional Park.

It comprises a modest fairly unaltered public house dating from the inter war era, extended to the rear without permission). The public house contributes towards the quality of the area and is a landmark building that has period features such as an extended tiled gable front, eaves and tall chimneys. It is located on a busy road with views from the local path.

#### 3.2 **Proposed Scheme**

This application seeks retrospective consent for the erection of two single storey rear conservatory style extensions to the rear and side of the building.

The constructed rear extension is approximately 12.5 metres in depth, 13 metres in width and 3.6 metres in height at its tallest point. The constructed side extension is approximately 4.5 metres in width, 8.3 metres in length and approximately 3.3 metres in height. The structures are made up of predominantly glass and steel, with retractable plastic roof coverings and sides.

#### 3.3 Relevant Planning History

13931/A/85/0749 Horse & Barge Ph Moorhall Road Harefield

Erection of side extension and enlarge car park and garden area.

Decision: 15-07-1985 Approved

#### 13931/APP/2006/763 Horse & Barge Ph Moorhall Road Harefield

ERECTION OF A SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING RESTAURANT AREA), FOUR ENTRANCE ACCESS RAMPS AND ADDITIONAL C, PARKING (RETROSPECTIVE APPLICATION).

Decision: 25-05-2006 Withdrawn

#### 13931/APP/2014/3746 Horse & Barge Ph Moorhall Road Harefield

Single storey rear infill extension, porch to front involving demolition of exiting porch, installation of hipped roof to front, alterations to elevations, installation of boundary wall to front and raising

of existing wall to rear

Decision: 17-12-2014 Refused

13931/APP/2014/4044 Horse & Barge Ph Moorhall Road Harefield

Single storey detached outbuilding to rear for use as bar and office/store involving demolition of existing outbuildings and play ground equipment

Decision: 19-12-2014 Withdrawn

13931/C/85/1197 Horse & Barge Ph Moorhall Road Harefield Erection of conservatory.

**Decision:** 04-11-1985 Approved

13931/F/91/0034 Horse & Barge Ph Moorhall Road Harefield

Erection of a single-storey rear conservatory extension for restaurant, a kitchen extension and car park extension

Decision: 23-08-1991 Refused

#### Comment on Relevant Planning History

There have been a number of planning applications on this site, which are listed below. Of particular relevance to the consideration of this application is application 13931/APP/2014/3746, which refused consent for a single storey rear infill extension, porch to front involving demolition of existing porch, installation of hipped roof to front, alterations to elevations, installation of boundary wall to front and raising of existing wall to rear.

This application refused a much smaller extension to the rear of the site. The proposed extension was considered to have a detrimental impact on the visual amenities of the surrounding conservation area and wider street scene.

The extensions that have been constructed on site, are substantially larger and more prominent than those considered within the previous 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
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains

# PT1.HE1 (2012) Heritage

Part 2 Policies:

NPPF	National Planning Policy Framework
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL15	Protection of Countryside Conservation Areas
OL4	Green Belt - replacement or extension of buildings
OL9	Areas of Environmental Opportunity - condition and use of open land
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
BE20	Daylight and sunlight considerations.

- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE4 New development within or on the fringes of conservation areas

# 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 6th April 2016
- 5.2 Site Notice Expiry Date:- Not applicable

# 6. Consultations

# External Consultees

4 residents were notified of the planning application and a site notice erected at the site which expired on the 28th April 2016. Three responses were received to this consultation which raised the following concerns:

- 1. Inappropriate development within the green belt and conservation area;
- 2. The scale and nature of the work are out of keeping with the conservation area;
- 3. Concern with noise nuisance and litter.

EXTERNAL CONSULTEES:

Inland Waterways Association:

A viable public house should be retained next to the canal as it has been a useful facility for canal users. Some misgivings that the application may set an unwelcome precedent for other developments to proceed next to the canal and within the green belt without permission.

Canals and Rivers Trust: No comments to make on the application.

# Internal Consultees

Floodwater Management:

The site lies in flood zone 2 and there is also historic flooding in Moorhall Road in 2014.

A flood risk assessment has been submitted however this is limited and there is no detailed assessment of the risk to the site by obtaining flood levels. Also flood resistant construction methods are proposed, however these are not detailed, which is surprising considering this is a retrospective application. A flood warning and evacuation plan should be provided as well to ensure that the site remain safe.

#### Trees and Landscape:

It is not known whether trees or other landscape features of merit have been affected by the proposal. At least one tree shown on plan in the car park, is no longer present on site.

There is space and opportunity for new/replacement tree and hedge planting around the site perimeter fence and between the car bays, which would improve the site significantly.

If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

#### Conservation:

The existing building has been considerably extended overtime, impacting the character and contribution this heritage asset has on the wider streetscene and Conservation Area. The single storey extensions are considered incongruous additions to an already substantially extended building. The extension do not relate or respect the plan form, character or style of the original building. The addition to the rear in particular detracts from the rural and open nature of the surrounding area.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The extensions to the building represent a disproportionate increase in the overall footprint of the building within its Green Belt setting. Furthermore, the extensions are of a design and scale, that would be out of character with, and completely overwhelm and detract from the original modest proportions and form of the original building. For these reasons, the principle of further extensions to the building are considered unacceptable. Further justification is provided within sections 7.05 'Impact on the green belt' and 7.07 'Impact on the character and appearance of the area'.

# 7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

The site is visible from Moorhall Road and adjacent canal, and given such, the emphasis on design and scale, is of even more relevance and importance. The extensions by virtue of their siting scale, design and form, are considered to represent an incongruous and visually dominant form of development of the site, that completely overwhelms and dominates the elevations upon which they are sited to an unacceptable degree. The scheme is thereby considered detrimental to the character, appearance and setting of the building within the Conservation Area.

# 7.04 Airport safeguarding

There are no airport safeguarding issues associated with this application.

# 7.05 Impact on the green belt

Policy OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) will not allow the replacement or extension of buildings within the Green Belt that would result in a disproportionate change in the bulk and character of the original building or would significantly increase the built up appearance of the site. Developments in the Green Belt that would injure the visual amenity of the Green Belt by the siting, materials and design would not be permitted.

The National Planning Policy Framework indicates that new buildings are inappropriate development within the Green Belt, and should not be approved except in very special circumstances. It does however set out an exception for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building. With regard to the original building it is made clear within Annex 2 of the NPPF that the original building is a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.

The main issue for consideration with this application, is thus whether the proposed retention of the extensions would be disproportionate. No definition of disproportionate is given in the Framework, or in local policy. Therefore, assessing proportionality is primarily an objective test based on the increase in size. Whether the proposal is a disproportionate addition is fundamentally a matter of the relative increase in overall scale and bulk of the original building.

Having looked through the planning history for the site, there have been a number of extensions and additions within the curtilage of the property in the past. The original building had a floor plan of circa 245 sq.m Gross External Area (GEA). The Council's records indicate a number of extensions to the building have been constructed (some without the benefit of planning permission) and an outbuilding erected, which have a total floor area of approximately 266 sq.m.

The extensions subject of this application, increase the floor area of the building by a further 199.85 sq.m. The total footprint of extensions and additions to the building is 466 sq.m.

Whilst there is no set definition within the NPPF of what constitutes a proportionate extension, it has been considered through appeals and case law that extensions in the Green Belt are normally only considered to be proportionate, where they result in less than a 50% increase in floor space and/or footprint from the original building, depending on which is more appropriate in the circumstance. Given height is involved it is considered that floor space would be more appropriate in this case.

On the basis of the information before the Local Planning Authority, the original building had a footprint of 245 sq.m. The extensions forming part of this application, represent an 82% increase over and above the footprint of the original building, and when taking into account the previous extensions to the building, which total 266sqm, the total of all the extensions would represent a 90% increase in floor area.

The proposed retention of extensions to the building would therefore represent a significantly disproportionate addition to the original building, when considered on their own merits and cumulatively with the previous extensions and curtilage additions.

Whilst the Council is aware of the need of such development to increase the amount of restaurant space for the business, such a need has to be considered in the context of the extensions and their impact. The scale of the additions, coupled with their incongruous design and finish, results in a development that is detrimental to the visual appearance of the site, and open aspect and visual amenity of the Green Belt. The scheme would thereby be contrary to both adopted National and Local policies and guidance.

# 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 BE4 requires new developments within Conservation Areas to preserve or enhance the character and appearance of the Conservation Area.

The extensions as constructed, are substantial additions to the building which completely overwhelm and dominate the elevations of the building to an unacceptable degree. The siting, form and design of the additions, fails to relate in any form, to the layout and scale of the existing building, and these appear as incongruous additions. The contemporary steel framed construction is visually at odds with the overall appearance of the building, and whilst in some cases, a modern design approach is advocated for extensions to older buildings, in this instance, the failure of the extensions to relate in scale and form, render such an approach detrimental to the overall character and appearance.

Overall, the unacceptable design and scale of the extensions is considered to represent a development that is visually detrimental to the character, appearance and setting of the original building.

# 7.08 Impact on neighbours

The site is relatively distant from the nearby properties with Moor House the nearest neighbour located approximately 55m to the north west and Moorhall Cottage 100m to the north west the other side of the Canal.

The extensions are located towards the rear of the building and is separated from the nearby properties by the bulk of the existing building. As such the proposed extension and alterations will not harm the residential amenities of the occupiers of those properties and the proposal would comply with the requirements of policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

# 7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

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

No alteration is proposed to the car parking provision of the site. The Councils standards require public houses/restaurants to provide 1 space per 50sqm of floor space. 14 spaces would be required for the floor area that exists at the site. This scheme provides 47 car parking spaces, 3 of which are designated disabled parking bays. The access to the site remains as existing, and overall, no objection is raised to the car parking provision of the site.

# 7.11 Urban design, access and security

See section 7.07 'Impact on character and appearance of the area'.

7.12 Disabled access

Level access is provided throughout the building and the extensions have been constructed in accordance with the relevant Building Regulations. Disabled car parking is also provided adjacent to the entrance. Given such, no objection is raised to the scheme in this regard.

# 7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

# 7.14 Trees, Landscaping and Ecology

No information has been submitted within this application to ascertain whether trees or other landscape features of merit have been affected by the extensions. From visiting the site, it is apparent that at least one tree shown on plan in the car park, is no longer present on site.

Had the scheme been found acceptable in all other respects, a condition would have been recommended on any consent to ensure the provision of new/replacement tree and hedge planting around the site perimeter fence and between the car bays.

# 7.15 Sustainable waste management

Not applicable to the consideration of this application.

# 7.16 Renewable energy / Sustainability

Not applicable to the consideration of this application.

# 7.17 Flooding or Drainage Issues

The site lies in flood zone 2 and there is also historic flooding in Moorhall Road in 2014.

A flood risk assessment has been submitted however this is limited and there is no detailed assessment of the risk to the site by obtaining flood levels. Also flood resistant construction methods are proposed, however these are not detailed. Had the scheme been found acceptable in all other respects, a condition would have been added to any consent requiring the details of the flood resistant construction measures to be submitted to the Council, in addition to the flood evacuation plan.

# 7.18 Noise or Air Quality Issues

Concerns have been raised by residents, in respect of noise disturbance as a result of the proposed extensions and increase in the number of people using the premises. A public house has existed in this location for a number of years, and whilst the extensions would increase the number of people that could visit the premises at any one time, it is not considered that the numbers would be such that would give rise to unacceptable increases in noise disturbance. The premises has been operating with the constructed extensions for a year and the Council is not aware of any noise complaints from residents as a result of this operation.

# 7.19 Comments on Public Consultations

The comments raised through the public consultations have been addressed within the main body of the report.

# 7.20 Planning Obligations

Not applicable to the consideration of this application.

# 7.21 Expediency of enforcement action

An enforcement notice was served on the site on the 30th March 2016, which took effect on the 29th April 2016. This notice sought the removal of the extensions to the rear and side that are the subject of this application. An appeal of this notice has been lodged with the Planning Inspectorate.

# 7.22 Other Issues

There are no other issues for consideration.

# 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 extensions by reason of their unacceptable design, size, scale, siting and form would constitute a disproportionate and incongruous overdevelopment of the site. The extensions fail to relate or respect the existing scale and form of the original building and completely dominate and overwhelm its traditional form and proportions. Given the excessive scale of the extensions, these are considered to erode the openness and character of the Green Belt to an unacceptable degree and detract from the character and setting of the building within the Waterside Conservation Area.

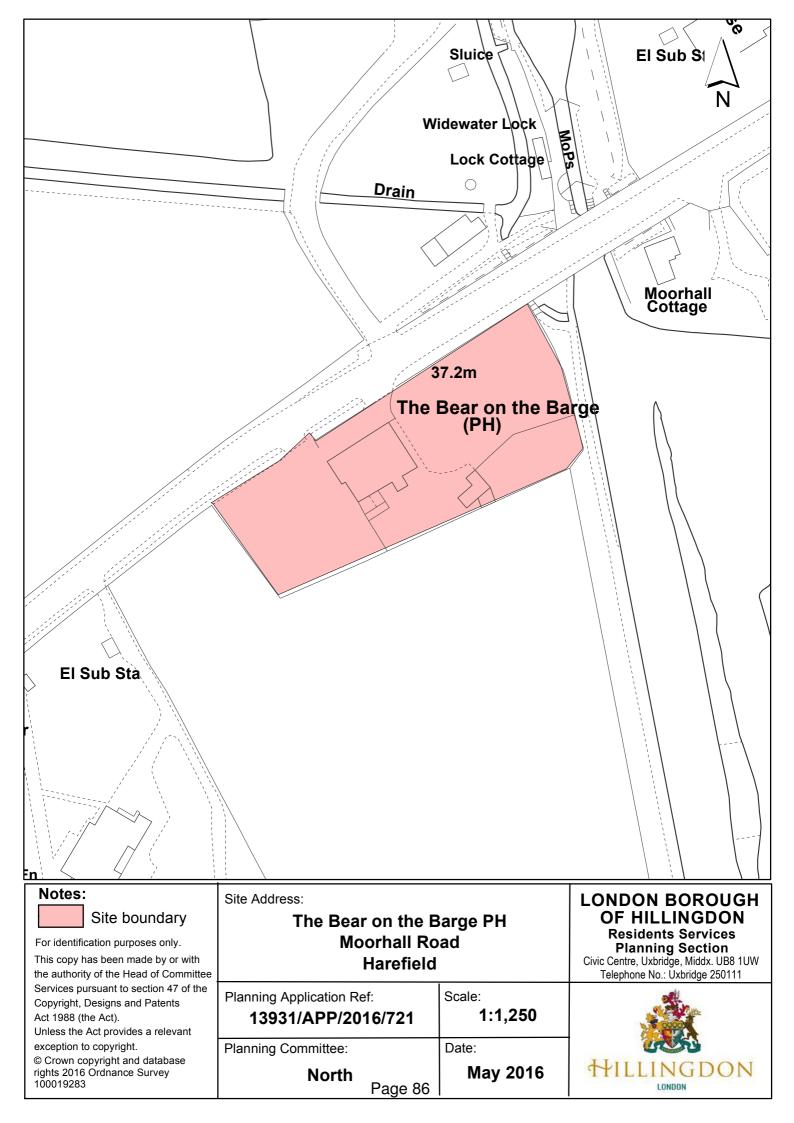
Overall, the extensions fail to comply with the Councils adopted policies and guidance and refusal is recommended.

# **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012). Hillingdon Local Plan Part 2 - Saved Policies The London Plan (2015). National Planning Policy Framework.

Contact Officer: Charlotte Goff

Telephone No: 01895 250230



# Agenda Item 11

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

Address 9 HARVIL ROAD ICKENHAM

**Development:** Erection of a two storey detached building with habitable roofspace to create 6 x 2-bed self contained flats with car parking and gym in a basement area, to involve associated landscaping and boundary treatment and installation of vehicular crossover to side

**LBH Ref Nos:** 52950/APP/2016/540

Drawing Nos: 201510/105 201510/106 201510/103 Rev A Design and Access Statemen 201510/LP/01 201510/101 201510/102 201510/104

 Date Plans Received:
 10/02/2016

 Date Application Valid:
 11/03/2016

Date(s) of Amendment(s):

1. SUMMARY

The application seeks permission for the erection of a two storey building with habitable roof space to include  $6 \times 2$  bed (4 person) self contained flats.

The proposed development by virtue of the design, scale and bulk is considered unacceptable and would be out of keeping with the character and appearance of the street scene and the neighbouring area. Given the close proximity of the extended building along the boundary line with the adjacent property it is also considered the proposal would result in a loss of amenity to the adjoining occupiers. The proposal has also failed to demonstrate that it can provide privacy to the future occupants of the ground floor and first floor flats contrary to the Hillingdon Local Plan (2012) and the London Plan 2015 and is recommended for refusal.

# 2. **RECOMMENDATION**

**REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed development, by reason of its size, scale, bulk, location and design would result in a cramped, unduly intrusive, visually prominent and undesirable form of development, that would fail to harmonise with the existing character of the area. The proposal would therefore be detrimental to the character and appearance of the adjoining properties and the visual amenity of the street scene and the wider area, 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 (2015) and the council's adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts.

# 2 NON2 Non Standard reason for refusal

The proposed building by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 10 Harvil Road, by reason of visual intrusion, overdominance, loss of light and loss of privacy. Therefore the proposal would be contrary to Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

# 3 NON2 Non Standard reason for refusal

The proposed development comprises a communal amenity area, the use of which would lead to an unacceptable level of overlooking, noise and disturbance to the ground floor flats, which both have two bedroom windows facing this area. The proposal would thus, be detrimental to the residential amenity of future occupiers of the ground floor flats, contrary to Policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012).

# 4 NON2 Non Standard reason for refusal

The site is located within Flood Zone 1. The applicant has failed to provide sufficient evidence that the basement proposed would not adversely impact local surface water or contribute to future issues should climate change worsen. The proposal also fails to make adequate provision for the control of surface water to ensure the development does not increase the risk of flooding. The application is therefore found to be contrary to Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies(November 2012) and London Plan (2015) Policy 5.12.

# **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 (2015). 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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

# 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is large rectangular corner plot located at the junction of Harvil Road and Highfield Drive. It comprises a detached bungalow, set back in the plot, with an attached garage to the rear and vehicular access from Highfield Drive.

The area is characterised by a mixture of detached two storey houses and chalet bungalows on large plots of land which are set back from the road frontage and generally maintain an open character and appearance. No. 10 adjacent and no. 8 on the opposite side of the junction are both 2 storey dwellings.

The western boundary abuts the gardens of 13 and 15 Highfeild Drive. To the east are open fields, which is located with the Green Belt. The site is also covered by TPO 620.

# 3.2 **Proposed Scheme**

This application seeks permission for the demolition of the existing detached bungalow and the erection of a two storey building, with habitable roofspace to 6 x 2-bed (4 person) self contained flats, with car parking and a gym in a basement area, to involve associated landscaping and boundary treatment and the installation of vehicular crossover to side

#### 3.3 Relevant Planning History

52950/PRC/2014/128 9 Harvil Road Ickenham

Demolition of existing bungalow and erection of 2 detached dwellings

Decision: 05-02-2015 OBJ

#### Comment on Relevant Planning History

52950/PRC/2014/128 - Objection of the basis of the design which was considered to be visually intrusive and failed to harmonise with the existing streetscene. It was unduly assertive and imposing and unacceptable.

# 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.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.

- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units
- OE8 Development likely to result in increased flood risk due to additional surface water run-off requirement for attenuation measures
- OL5 Development proposals adjacent to the Green Belt
- LPP 3.3 (2015) Increasing housing supply
- LPP 3.8 (2015) Housing Choice
- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

#### 5. Advertisement and Site Notice

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

# 6. Consultations

#### External Consultees

6 neighbours were consulted for a period of 21 days expiring on the 5 April 2016. A site notice was also erected on the telegraph pole to the front of the property expiring on 14 April 2016. 5 responses were received from nearby neighbours raising the following issues:

- Over development
- Out of scale with its surroundings
- Loss of privacy
- Loss of sunlight & over shadowing
- Overbearing
- Bulk and proximity would totally dominate the adjacent property

- Proposal would be very conspicuous compared to other dwellings along Harvil Road. The overall size and extended profile would be readily apparent

- Fails to harmonise with the street scene and local surroundings
- Requirement for new infrastructure
- Increased traffic and parking congestion

- Highfield Road is a private road, the responsibility of the local residents. Unclear who will be responsible for these community activities.

- Disruption from construction traffic
- Loss of a view
- Increased noise from traffic accessing the property adjacent to my property

- The properties in this part of the road are of significant character and the proposed development of flatted accommodation will be out of keeping

- Inadequate parking provision
- Excavation for the underground parking only 2m from our foundations is unacceptable
- Unacceptable impact on our private amenity space

# Officer response:

Issues relating to development on or in close proximity to the boundary are covered within the Party Wall act and are not material planning considerations. Any issues of maintenance of a private road or verge, or access to or over, are civil issues and any subsequent grant of planning approval would not override any rights pertaining to ownership. All other issues are addressed in the report.

# Ickenham Residents Association:

The association object as the proposal fails to harmonise with the street scene. It is much larger in bulk and footprint and its design particularly the crown roof is out of keeping. The proposal would dominate the neighbouring property and have an adverse impact on the neighbouring properties in terms of noise, air and light pollution. The proposal would also result in a loss of privacy and light for no. 10. This will not help existing housing need as these will be Luxury, very expensive, flats.

The appliction has been referred to the committee by the local Ward Councillor.

# Internal Consultees

Access Officer - No response

Highways - No response

Tree/Landscaping - The site lies within the area covered by Tree Preservation Order No. 620. However, there are no protected trees at this address, or which may influence the site. Acceptable subject to condition.

# 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

Given the residential character of the area adjacent to the plot, there is no policy objection to the development of the site to provide additional residential accommodation, subject to an appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The site has a Public Transport Accessibility Level (PTAL) of 1b (very poor). The London Plan (2015) range for sites with a PTAL of 0 to 1 in an urban area is 35-65 units per hectare. Based on a total site area of 0.1197ha the site would have a residential density of 50 units per hectare, which is within this range.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

# 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

An area of Green Belt is located to the west of the site, on the opposite side of the road. Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not allow developments adjacent to or conspicuous from the green belt that would injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

The proposed development sits within the line of existing residential units facing Harvil Road, which are primarily larger detached two storey dwellings. It is not considered the two storey building would result in a significant visual impact on the adjacent Green Belt. The proposed scheme therefore complies with Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# 7.07 Impact on the character & appearance of the area

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. Policy BE15 allows proposed extensions to existing buildings where they harmonise with the scale, form, architectural composition and proportions of the original building. BE19 ensures new development complements or improves the amenity and character of the area. The NPPF (2011) also notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The proposed main body of the building measures 17m in width, 12.55m in depth and has a large crown roof of 8.8m in height, set back from the boundary with no. 10 by 1m and 1.25m from the boundary with Highfield Drive. To the rear the proposal also includes a single storey element of 3m in depth with a mono pitched roof of 3.65m in height and a centrally positioned further single storey element which measures 9.1m in depth by 8.6m wide with an overall height of 4.85m, including solid screens to the roof terrace along the northern side and rear facing elevations. To the front the proposal incorporates a first floor balcony above the main entrance and a centrally positioned dormer window. This is a substantial building extending across virtually the whole width and deep into the plot. The overall scale and massing on a prominent corner position is considered overbearing and visually intrusive.

It is noted that in 2012 a planning permission for a replacement dwelling at no. 12 was refused. This was slightly smaller than the building proposed here. At appeal, in consideration of that proposal, the Inspector advised 'There is considerable variety in the design, height and general appearance of the dwellings along Harvil Road. Even so, by reason of its significantly greater bulk and scale, the proposed dwelling would stand out very conspicuously compared to the others. Its significantly greater overall size and the extended profile of the roof would be readily apparent. This would create incongruous and unduly assertive development within this established residential area. The adverse visual impact would be emphasised in particular by the greater height to the eaves than the neighbouring two-storey property to the south and by the bulk of the roof incorporating an extensive crown element, untypical of others in the road. The unduly imposing visual impact of the dwelling would not be adequately mitigated by the fact that it would be set well back into the plot from

the road frontage. Its greater overall size and bulk than any of the neighbouring dwellings would still be readily apparent, including in longer range views from the east, beyond intervening open Green Belt land, from the junction of Swakeleys Road with Breakspear Road.'

Therefore given the scale and design of the building set within a prominent corner position, it is considered that the proposal is unacceptable and would harm to the character and appearance of the streetscene and the wider area. As such the proposal fail to comply with Part 1 Policy BE1 and Part 2 Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

#### 7.08 Impact on neighbours

Policy OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook of sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.

It is noted that the existing bungalow is set deep in the plot with the front elevation facing Harvil Road, level with the rear elevation of the adjacent property no.10. It extends 19.25m in depth, set back 1.45m from the northern boundary. The proposed building has been moved forward within the plot more in line with others facing Harvil Road. It would be situated approximately 66m from the property to the rear no. 15 Highfield Drive and 21.5m from no. 8 Harvil Road, separated by Highfield Drive. Therefore it is not considered the proposed building would result in a significant loss of amenity to those properties. However the proposed building is a substantial structure, which would be close to the boundary with no. 10. There it would project 2m beyond the front elevation of that property and 6.8m (4m deep at two storey level) beyond the rear elevation.

It is noted that the rear projection would be less deep than the existing bungalow, however any overshadowing currently experienced by no. 10 is mitigated by the presence of the side southerly facing secondary windows to habitable rooms that currently benefit from an open outlook over the front garden of the existing dwelling. It is noted that the existing boundary treatment between the two properties consists of a post and wire fence with a rose hedge, which is not as dense as other hedges and has breaks in allowing light and views through. The proposal includes a bedroom window for flat 1 in the side elevation which would be situated just 2m from the side window and private amenity space of no.10. It is appreciated that a 2m high fence could be erected along this boundary to help prevent the loss of privacy, however this would be just 1m from the aforementioned side windows and could further exacerbate the sense of enclosure to that property. There are other side windows which are proposed to serve kitchen areas, which as non habitable rooms could be

conditioned to be obscure glazed and fixed shut. In view of the potential impact on the adjacent property the proposal is considered unacceptable and fails to comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

# 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposed flats have a floor areas of upwards of 87.6sqm against a requirement of 70sqm plus 2sqm of built in storage, based on a 2 bedroom 4 person property, which meets the minimum requirement.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

The accompanying plans indicate a separate area for cycle storage and bin storage adjacent to the rear vehicle access.

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

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of the development and the availability of and opportunities for public transport. The site has a poor PTAL rating and would require the provision of 1.5 car parking spaces plus 1 cycle space per unit. The supporting plans identify a basement car parking area, which can provide 13 car spaces and a separate cycle store for 6 bicycles. Therefore, the proposals are considered to be compliant to the Council's policies AM7 and AM14 of the Council's Local Plan Part 2.

# 7.11 Urban design, access and security

The Council's HDAS guidelines require a minimum of 25sq.m for a two bedroom flat. This would give an overall requirement of 150sqm. The proposal is set in a large plot which provides well in excess of this requirement and also a roof terrace with access for flats 4 and 5 and a front balcony including general access. However no details have been submitted for private patio/garden areas particularly adjacent to the windows of habitable rooms for the ground floor flats and also for the roof terrace, raising concerns over the level of privacy for the occupiers of those units. It is therefore considered the proposal is contrary to policy BS24 of the Hillingdon Local Plan (November 2012).

# 7.12 Disabled access

The Access Officer has not raised any concerns with relation to this application

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

Not relevant to this application.

#### 7.14 Trees, Landscaping and Ecology

Adopted Local Plan, Policy BE1 seeks high quality design of the built and external environment. 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 site lies within the area covered by Tree Preservation Order No. 620. However, there are no protected trees at this address, or which may influence the site. The Tree/Landscape Officer has advised that a detailed landscape design is required to make the site both attractive and usable. The submission of these details could be conditioned if all other aspects were acceptable.

#### 7.15 Sustainable waste management

Not relevant to this application.

#### 7.16 Renewable energy / Sustainability

Not relevant to this application.

#### 7.17 Flooding or Drainage Issues

The site is within flood zone 1, however the applicant has failed to provide sufficient evidence that the basement will not effect local surface water or contribute to future issues should climate change worsen. Nor have they submitted a suitable scheme for the control of surface water. This could be overcome if the applicants submit suitable ground investigations to understand what the risk is to the site and if it is found at risk, suitable mitigation proposed and appropriate sustainable drainage system controlling water on the site.

Given the scale of the basement and its proximity to the side boundaries, officers consider that there is a risk of the applicant not being able to provide an acceptable scheme without altering the layout of the development. It is therefore considered that this should also constitute a refusal reason.

# 7.18 Noise or Air Quality Issues

Not relevant to this application.

#### 7.19 Comments on Public Consultations

The issues raised have been addressed appropriately in the report.

#### 7.20 Planning Obligations

Based on the information before officers at this stage the scheme would be liable for payments under the Community Infrastructure Levy.

# 7.21 Expediency of enforcement action

Not relevant 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

#### 10. CONCLUSION

The application seeks planning permission for the demolition of the existing bungalow and the erection of a two storey building with habitable roofspace to provide 6 x two bed flats, with basement parking beneath and the installation of 1 x vehicular crossover.

The proposal is considered to have a negative impact upon the visual amenity of the site and the surrounding area and would not result in a loss of residential amenity to

neighbouring occupiers It is also considered that the proposal fails to demonstrate that it can provide a satisfactory level of residential amenity to future occupiers.

The size and scale of the basement are such that officers have concerns regarding drainage implications and no ground investigations have occurred.

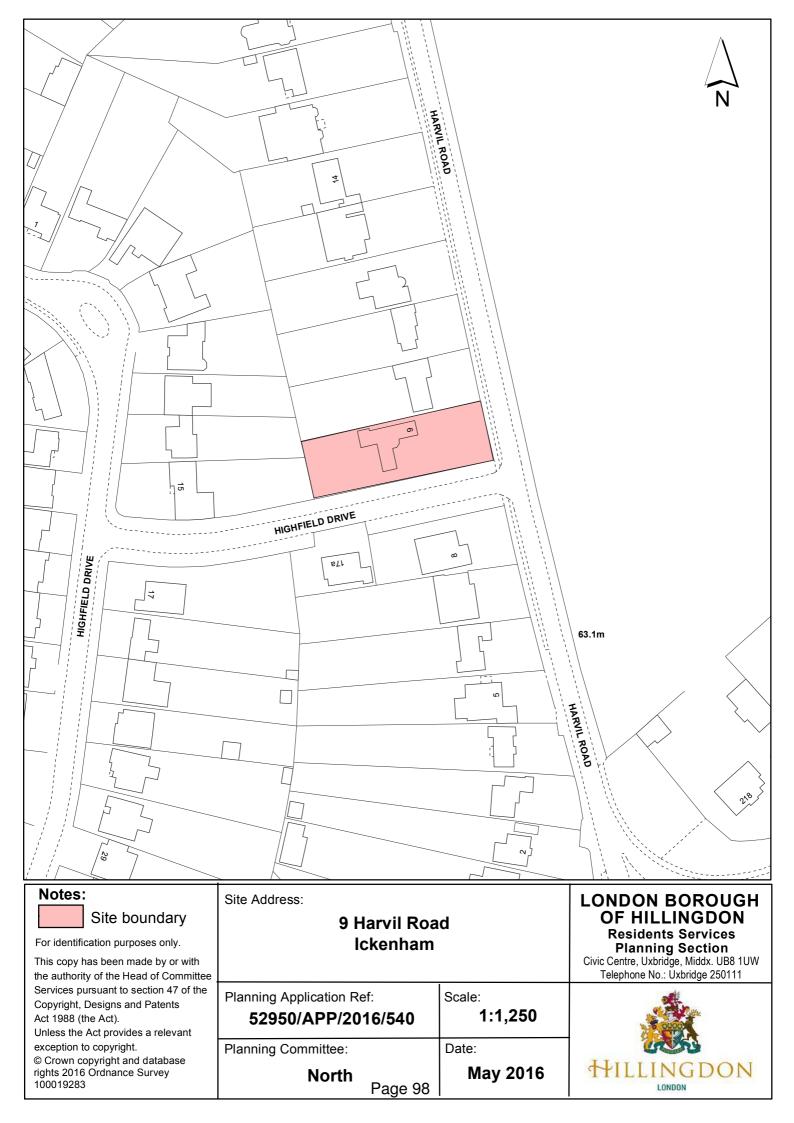
As such the application is recommended for refusal.

# **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2015)
Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Liz Arnold

**Telephone No:** 01895 250230



# Agenda Item 12

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

Address THE WATER TOWER FIELD, DUCKS HILL FARM DUCKS HILL ROAD NORTHWOOD

**Development:** Replacement of existing 20m telecoms mast with 27.5 metre high mast to allow for site sharing, and associated cabinet and apparatus.

**LBH Ref Nos:** 60901/APP/2016/691

Drawing Nos: 301 400 401 rev A 300 201 200 Site Specific Supplementary Information Declaration of Conformity 100

 Date Plans Received:
 19/02/2016

 Date Application Valid:
 19/02/2016

Date(s) of Amendment(s):

1. SUMMARY

This application seeks consent for the replacement of the existing 20m high mast with one that is 27.5 metres in height and relocated 12 metres north of its existing location. The replacement mast will allow all four telecoms operators to share one site.

The proposed replacement mast and associated cabinets/apparatus has been designed and located to have a minimal visual impact on its surroundings and would be largely screened from public areas and is a significant distance from any major residential areas. Tree screening around the site and the Water Tower Field, would reduce the visual impact the proposal would have on the wider Countryside Conservation Area. It is considered that the applicant has demonstrated an appropriate case of very special circumstances to justify the enlargement of the mast in this Green Belt location.

Subject to conditions to ensure that the mast and all equipment is painted in a dark colour and permanently retained as such, the proposal is recommended for approval.

#### 2. RECOMMENDATION

# **APPROVAL** subject to the following:

# 1 COM3 Time Limit

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

REASON

2

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

# COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [301; 400; 401 rev A; 201] 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 (2015).

# 3 COM7 Equipment colour

Prior to the installation of the mast and its associated cabinet/apparatus and fencing, details shall be submitted to and approved in writing with the Local Planning Authority of the proposed colour for these. The mast, cabinet, fencing and apparatus shall thereby be finished and retained in this approved colour unless otherwise agreed in writing with the Local Planning Authority.

# REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy OI1, OL15 and BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

# 4 NONSC Removal

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

# REASON

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

# **INFORMATIVES**

# 1 I52 Compulsory Informative (1)

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

# 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.

BE37	Telecommunications developments - siting and design
BE38	Retention of topographical and landscape features and provision of
	new planting and landscaping in development proposals.
NPPF5	NPPF - Supporting high quality communication infrastructure
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL15	Protection of Countryside Conservation Areas

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is located in the northern half of a privately owned field, belonging to Ducks Hill Farm, on the western side of Ducks Hill Road. The mast would be located to the west of a row of mature trees, running north to south through the middle of the field. There is open land to the west of the site and to the east of the trees up to Ducks Hill Road, on the side of which is woodland. Access to the site would be from Ducks Hill Road via a proposed extension of an existing farm track. The nearest residential property is approximately 60m away to the north. The site falls within the Green Belt and Countryside Conservation Area as designated by the Local Plan.

The existing site consists of a 20m high mast incorporating three antennas. Two equipment cabinets are located adjacent to the mast

# 3.2 Proposed Scheme

This application seeks consent for the refurbishment of the existing telecommunications installation. At present there is a mast that is 20m high and cabinets. The cabinets are all to remain on the site, however the existing mast is to be removed and replaced with a mast 27.5 metres in height. The proposed mast will be located approximately 12 metres north of its existing location, and consist of 9No. antennas on the proposed lower antenna (21.9-23.9m from the ground level) and the existing 6No. antennas relocated above on the pole (25.5m - 27.5m from ground level).

One additional cabinet is proposed and the existing fencing around the site will be extended to enclose the mast and support poles and ladders extended accordingly.

The site is to be used by all four telecoms operators.

# 3.3 Relevant Planning History

60901/APP/2005/1902 The Water Tower Field, South Of Ducks Hill Grange Ducks Hill Road INSTALLATION OF A 17.5 METRE HIGH MONOPOLE MOBILE PHONE MAST, GROUND BASED EQUIPMENT CABINET, FENCED COMPOUND AND ANCILLARY DEVELOPMENT

Decision: 25-08-2005 Refused Appeal: 15-02-2006 Dismissed

60901/APP/2006/167 The Water Tower Field, Ducks Hill Farm Ducks Hill Road Northwood INSTALLATION OF 20 METRE HIGH MONOPOLE MOBILE PHONE MAST, GROUND BASED EQUIPMENT CABINETS, FENCED COMPOUND AND ANCILLARY DEVELOPMENT.

Decision: 23-03-2006 Approved

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

The most relevant planning history for this site is listed below.

In respect of application 60901/APP/2005/1902, this application refused consent, and the application dismissed on appeal, for the erection of a 17.5m high mast with three antennas. The development was proposed within the north east corner of the Water Tower Field adjacent to Ducks Hill Road. Officers considered that the proposed installation would be clearly visible from Ducks Hill Road and could be more sensitively sited in order to reduce its visual impact. The application was refused due to its inappropriate siting and Green Belt location. The decision was appealed and dismissed, and the Inspector was not satisfied that all possible solutions had been fully investigated, including the possible siting of the installation further to the west.

A further application was submitted to the Council (60901/APP/2006/167), which granted consent for a 20m mast, two equipment cabinets and close boarded fence enclosing the compound. The mast proposed within this application was located approximately 45 metres to the west of the 2005 scheme and accessed via a small track from Ducks Hill Road. It was considered that whilst the scheme presented inappropriate development within the Green Belt, that its location behind a row of mature trees, and general low visual impact, and there being no other suitable sites within the surrounding area provided sufficient reasons to justify an exception to Green Belt policy.

#### 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.HE1	(2012) Heritage	
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains	
Part 2 Policies:		
AM7	Consideration of traffic generated by proposed developments.	
BE13	New development must harmonise with the existing street scene.	
BE37	Telecommunications developments - siting and design	
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.	
NPPF5	NPPF - Supporting high quality communication infrastructure	
OL1	Green Belt - acceptable open land uses and restrictions on new development	

OL15 Protection of Countryside Conservation Areas

# 5. Advertisement and Site Notice

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

#### 6. Consultations

#### **External Consultees**

4 residents and Northwood Residents Association have been notified of the application and no comments received from this consultation.

#### **Internal Consultees**

None.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The application has been assessed principally against the National Planning Policy Framework (NPPF) and Saved Policy BE37 of the Unitary Development Plan. The NPPF stresses the importance of high quality communications infrastructure and the role it plays in supporting sustainable economic growth. It goes on to advise that the aim should be to keep the numbers of radio and telecommunications masts and sites to a minimum, consistent with the efficient operation of the network and that existing masts and sites should be used unless there is a demonstrable need for a new site. Saved Policy BE37, amongst other criteria, advises of the desirability of operators to share existing facilities.

At present the site is occupied by H3G and EE. It is proposed to upgrade the existing telecommunications apparatus and also allow for both Vodafone and Telefonica, to occupy the site also. This proposal will therefore allow all four of the key telecoms operators to occupy the site so as to avoid the addition of further masts in the area. Government guidance supports the avoidance of proliferation of sites and the sharing of masts between operators. Given the existence of the existing telecommunications equipment on this location, there is no objection, in principle, to the continued use of this site for telecommunications equipment.

#### 7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

Policy OL15 of the Hillingdon Local Plan: Part One - Saved policies states that the LPA will seek to protect the landscape of Countryside Conservation Areas from development and/or activities that would detract from the special character of these landscapes.

The proposed installation has been designed and located to have minimal visual impact on its surroundings. The site would be well screened from public areas and is a significant distance away from any major residential areas. Tree screening around the site and the Water Tower Field would reduce any visual impact the proposal would have on the wider Countryside Conservation Area. The existing mast and associated fencing is finished in brown so as enable it to blend with the surrounding landscape. No detail has been provided of the colour of this mast and a condition is recommended on any consent requiring details of the proposed colour of the mast, ladders, cabinets and fencing.

On balance, it is considered that given the established use of this piece of land for telecommunications, the minimal visual impact and lack of more appropriate alternative sites, and proposed sharing of the mast between four operators, are sufficient reasons to justify an exception to policy OL15.

#### 7.04 Airport safeguarding

The overall height of the mast is such that it would not give rise to any airport safeguarding issues.

#### 7.05 Impact on the green belt

The NPPF seeks to protect Green Belt land from unacceptable development. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any application within the Green Belt, substantial weight should be given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Policy OL1 of the Hillingdon Local Plan: Part Two - Saved policies states that within the Green Belt, the following open land uses will be acceptable:

(i) agriculture, horticulture, forestry and nature conservation;

(ii) open air recreational facilities;

(iii) cemeteries.

The LPA will not grant planning permission for new buildings or for changes of existing land and buildings, other than for the purposes essential for and associated with the users specified at (i), (ii), (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the green belt.

In relation to the proposed application, paragraph 89 of the NPPF includes a list of developments that would be acceptable within the Green Belt. Telecommunication developments are not included within this list, and therefore the proposed installation represents inappropriate development within the Green Belt. It is therefore necessary for the applicant to demonstrate that very special circumstances apply if an exception is to be made to established Green Belt policy.

Paragraph 43 of the NPPF identifies the need to "keep the number of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network". In doing so, Central Government encourages the use of existing masts, buildings and other structures unless the need for a new site can be justified. Where such new sites are required, its is suggested that, where appropriate, equipment should be sympathetically designed and camouflaged.

At present, there is an existing 20m high mast and cabinets, which are used by H3G and EE. When application 60901/APP/2006/167 was considered, it was concluded that whilst the installation would represent inappropriate development within the Green Belt, the need to provide coverage to the residential area to the north east of the site and lack of alternative available sites, provided very special circumstances to justify an exception to Green Belt policy.

The operators Vodafone and Telefonica require a mast within the area, in order to provide and upgrade their coverage. When searching for a site suitable for both operators, the sequential approach outlined within the NPPF was followed by the applicant. This requires

the applicants to always firstly look at sharing any existing telecommunication structures within the area, secondly, consideration should then be given to utilising any suitable existing structures or buildings and thirdly, sites for freestanding ground based installations should then be investigated.

In line with paragraph 43 of the NPPF and Policy BE37, the applicants have reviewed all options available. There are no large buildings or other existing masts (with the exception of the one identified) within the applicant's search area suitable for telecommunications. The majority of the land surrounding the residential areas of Northwood to the north east, where the coverage is required, is designated as an Area of Special Local Character and is visually sensitive. This area does not contain appropriate buildings where antennas could be located and a streetworks pole is likely to be harmful to its character and appearance. Furthermore, any installation would be in close proximity to many residents. The applicants concluded that whilst the existing site is located within the Green Belt, the least harmful solution would be to utilise and enlarge this site, in order to avoid the addition of further masts/cabinets within the area.

The proposed location of the mast is in a similar location to that permitted within application 60901/APP/2006/167. The installation would be behind a row of mature trees, the tallest of which are comparable to the height of the existing 20m high installation. At present these trees go some way to screen the development from the surrounding area and it is not proposed to remove any of this coverage within this application. It is noted that the installation has increased in height by 7.5 metres, moved slightly in its siting, and the size of the enclosure and number of cabinets has increased. Notwithstanding this, given that this is an established telecommunications site within the Green Belt being enlarged to allow for sharing between 4 operators, the increase in the height and scale of the operations on this site is not considered to erode the openness and character of the area to an unacceptable degree.

Given the lack of availability of alternative appropriate sites to house the two additional operators, Vodafone and Telefonica, the scheme being an upgrade to existing apparatus that will allow all four operators to share the same facility, and provide much needed coverage to the residential area, is considered very special circumstances to justify an exception to Green Belt policy.

# 7.07 Impact on the character & appearance of the area

Sections 7.03 and 7.05 of the report have addressed the impact of the development on the character and appearance of the area.

# 7.08 Impact on neighbours

The nearest residential property is approximately 60 metres to the north of the site. It is considered that whilst part of the mast would be visible from the surrounding area that the surrounding trees would screen a substantial amount of the mast the nearby properties, 1 and 2 Ducks Hill Grange. Whilst the increased height of the mast would be visible within the wider area, it is considered that the vegetation surrounding the site would obscure views of the mast. Further, given that a mast has existing in this location for 10 years, the retention of such, albeit in an enlarged form, would not appear as an incongruous addition to the surrounding residents. Overall, the development is not considered to have a detrimental visual impact on the amenities of the surrounding residential occupiers.

#### 7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

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

The site is served by an established track, accessed from Ducks Hill Road. No alteration is proposed to this access route and given such, the proposal is not considered to have a detrimental impact on highway or pedestrian safety within the surrounding area.

### 7.11 Urban design, access and security

See sections 7.03 and 7.05.

# 7.12 Disabled access

Not applicable to the consideration of this application.

## 7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

### 7.14 Trees, Landscaping and Ecology

The scheme involving the replacement of one mast with another and the provision of a replacement cabinet is not considered to have any lasting adverse impact upon any trees, landscaping or existing hedging.

# 7.15 Sustainable waste management

Not applicable to the consideration of this application.

### 7.16 Renewable energy / Sustainability

There are no renewable energy or sustainability issues associated with this application.

### 7.17 Flooding or Drainage Issues

There are no flooding or drainage issues associated with this application.

#### 7.18 Noise or Air Quality Issues

There are no noise or air quality issues associated with this application.

# 7.19 Comments on Public Consultations

No comments were received from the public consultation.

#### 7.20 Planning Obligations

Not applicable to the consideration of this application.

# 7.21 Expediency of enforcement action

Not applicable to the consideration of this application.

#### 7.22 Other Issues

Health:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commissions for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

#### 8. Observations of the Borough Solicitor

#### 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 the consideration of this application.

#### 10. CONCLUSION

The proposed replacement mast and associated cabinets/apparatus has been designed and located to have a minimal visual impact on its surroundings and would be largely screened from public areas and is a significant distance from any major residential areas. Tree screening around the site and the Water Tower Field, would reduce the visual impact the proposal would have on the wider Countryside Conservation Area. It is considered that the applicant has demonstrated an appropriate case of very special circumstances to justify the

enlargement of the mast in this Green Belt location.

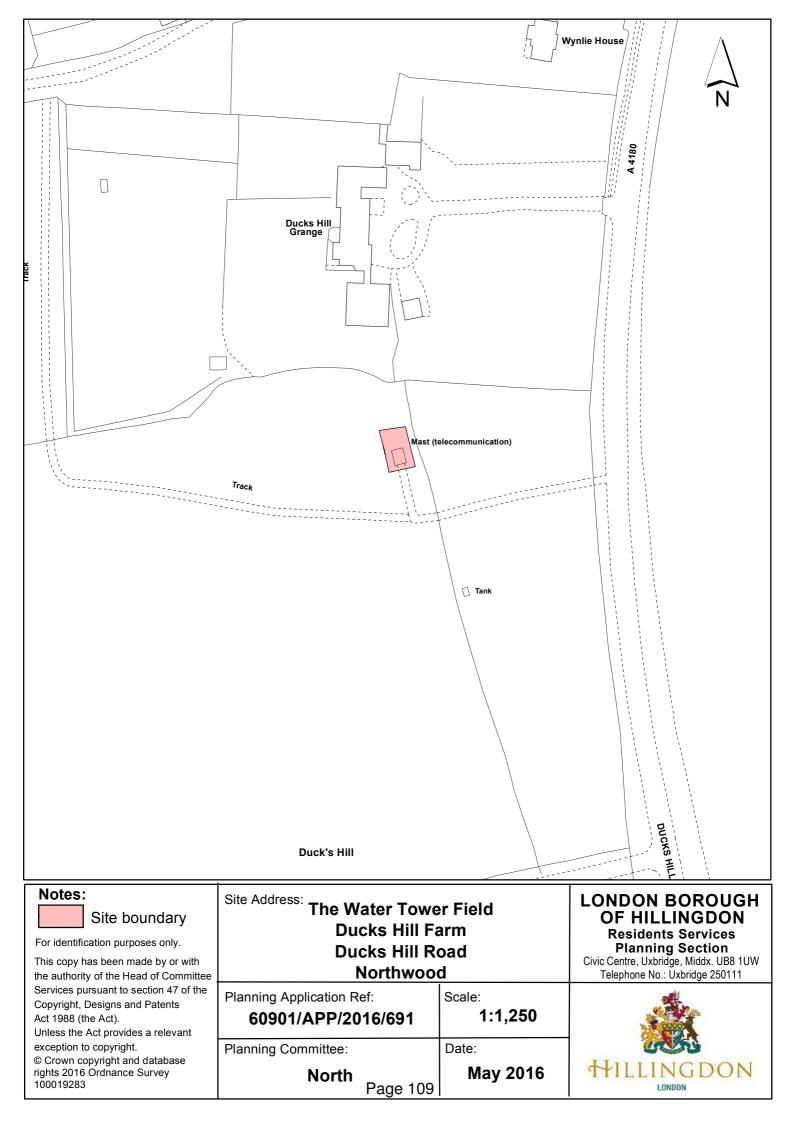
Subject to conditions to ensure that the mast and all equipment is painted in a dark colour and permanently retained as such, the proposal is recommended for approval.

### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) National Planning Policy Framework (March 2012) Chapter 5

Contact Officer: Charlotte Goff

**Telephone No:** 01895 250230



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Agenda Annex

# Plans for North Applications Planning Committee

# Tuesday 31st May 2016





www.hillingdon.gov.uk

Page 111

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

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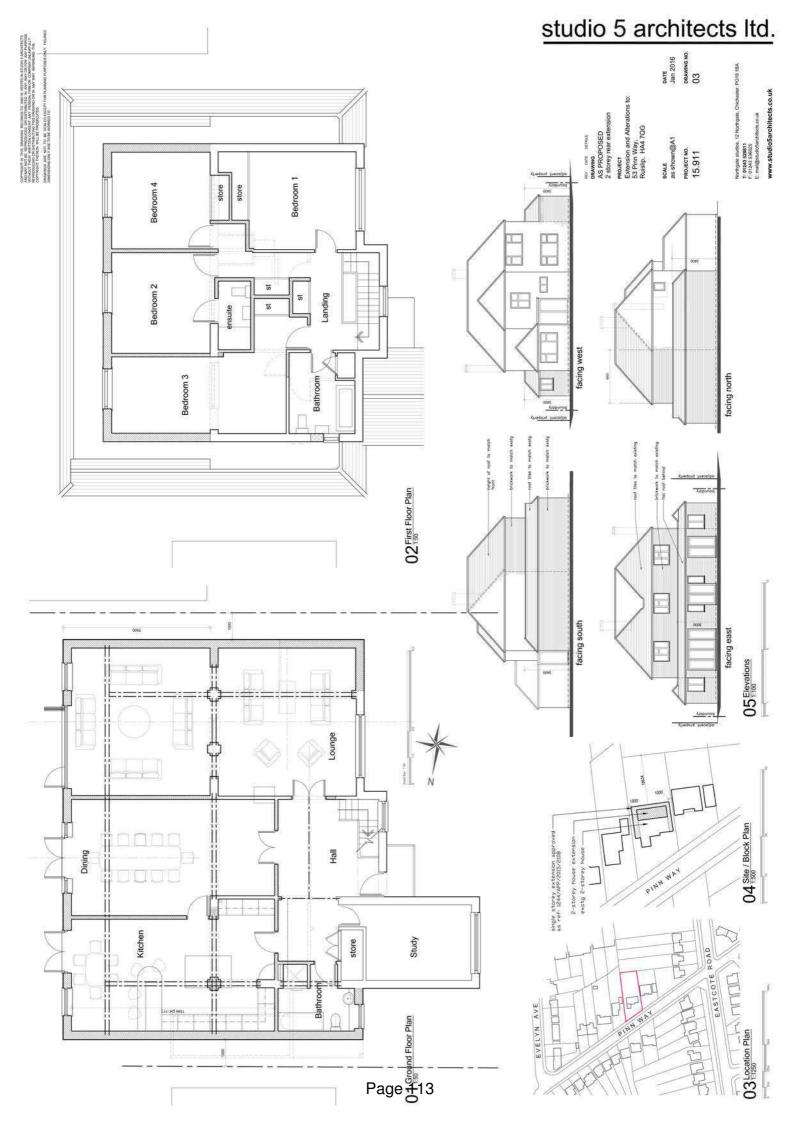
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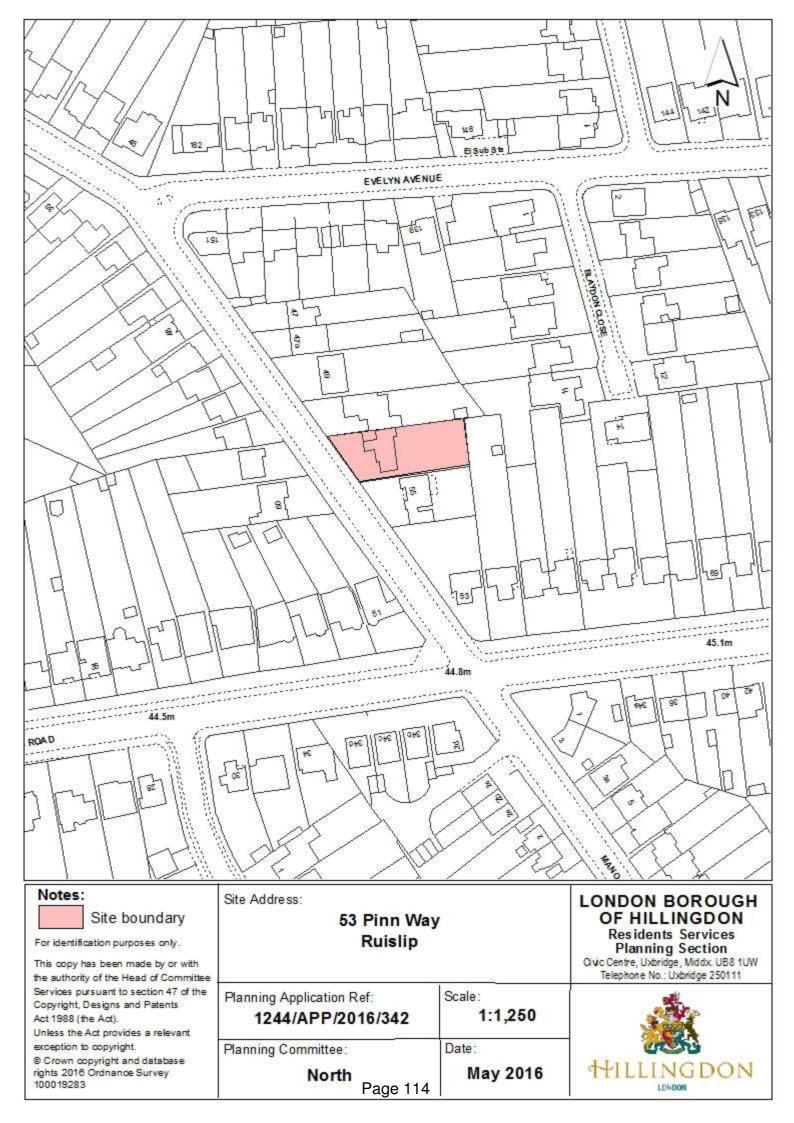
**LBH Ref Nos:** 1244/APP/2016/342

 Date Plans Received:
 28/01/2016

 Date Application Valid:
 10/02/2016

Date(s) of Amendment(s):





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

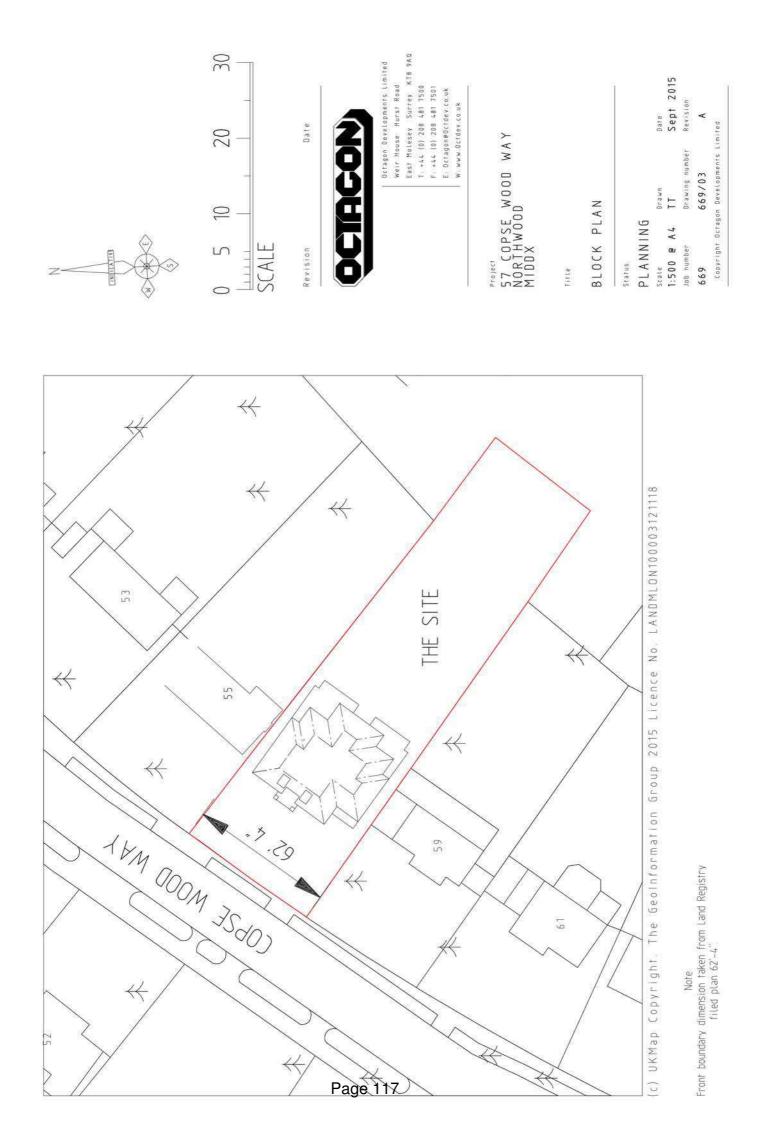
Address 57 COPSE WOOD WAY NORTHWOOD

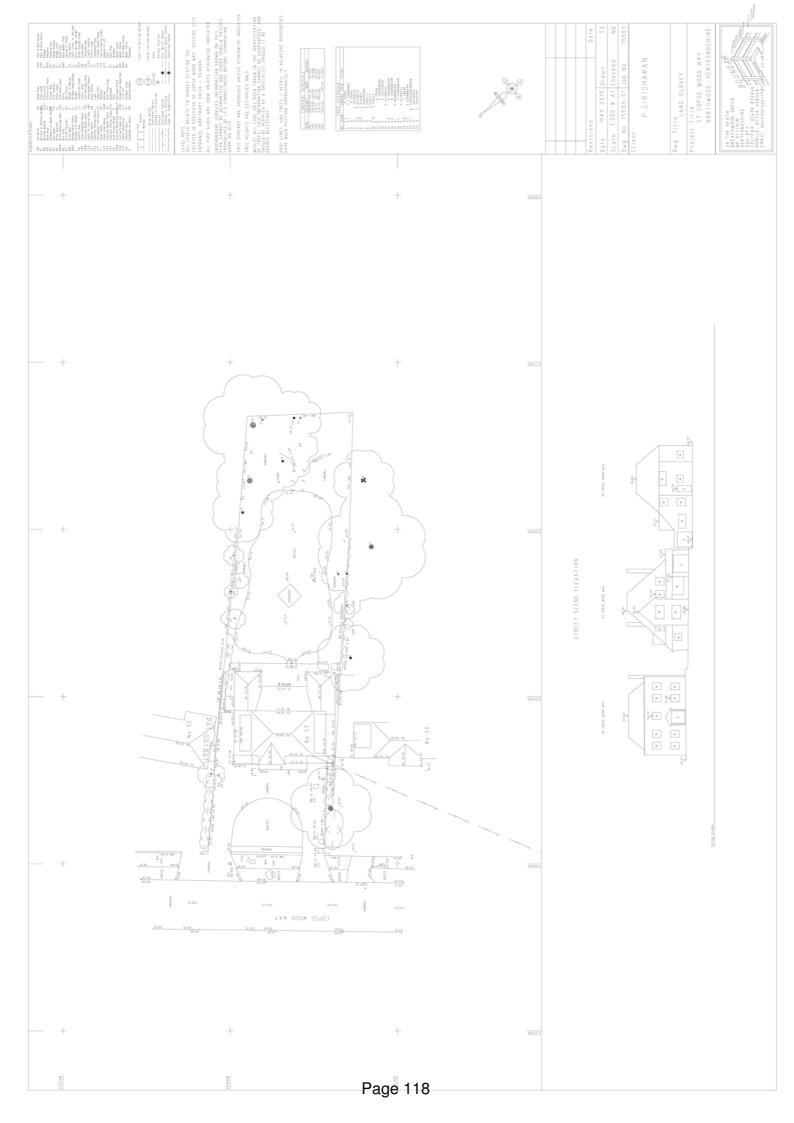
- **Development:** Two storey, 5-bedroom, detached dwelling with habitable roofspace to include 2 front dormers, 1 rear dormer, integral garage, parking and amenity space involving demolition of existing detached dwelling
- LBH Ref Nos: 24862/APP/2015/3571

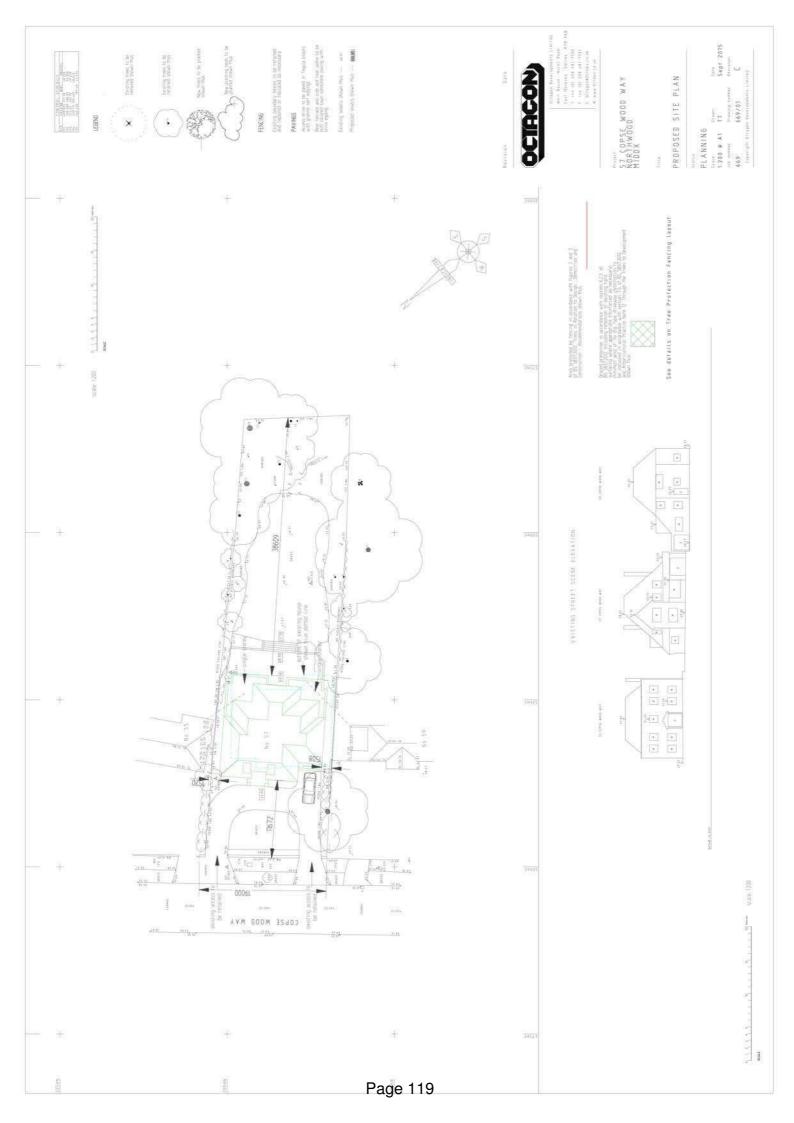
Date Plans Received:	24/09/2015
Date Application Valid:	05/10/2015

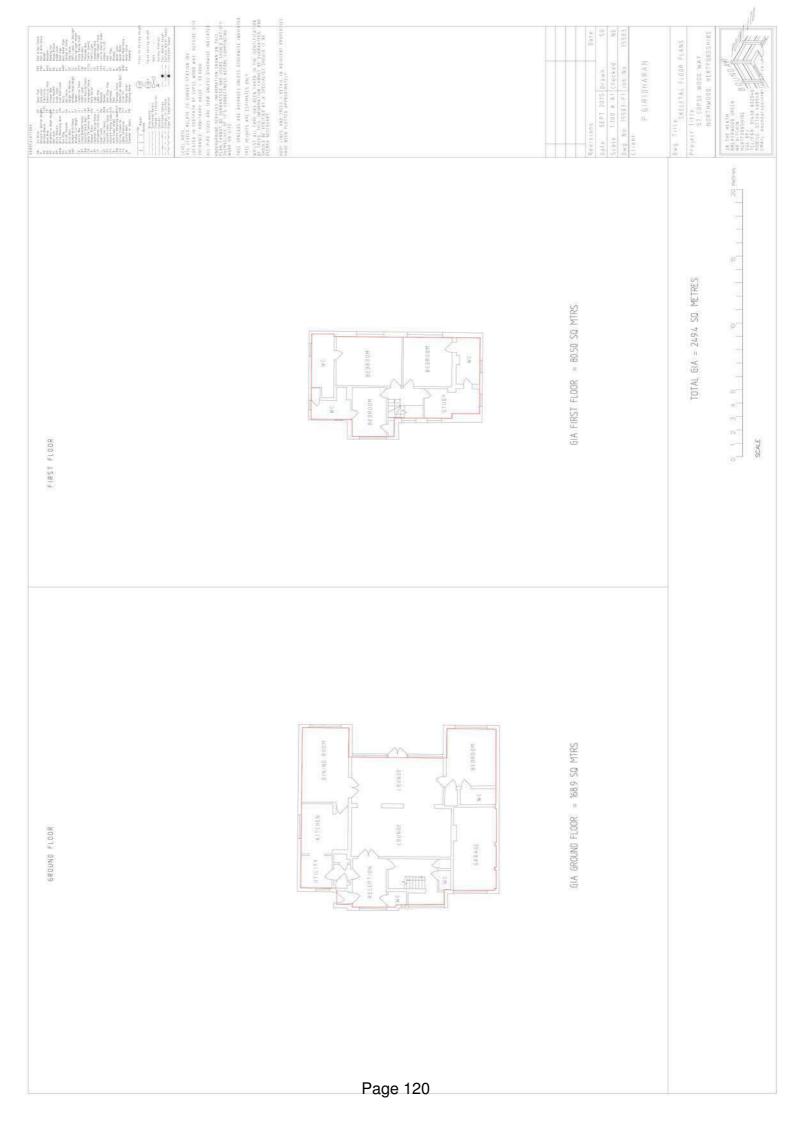
Date(s) of Amendment(s): 05/10/2015 24/09/2015

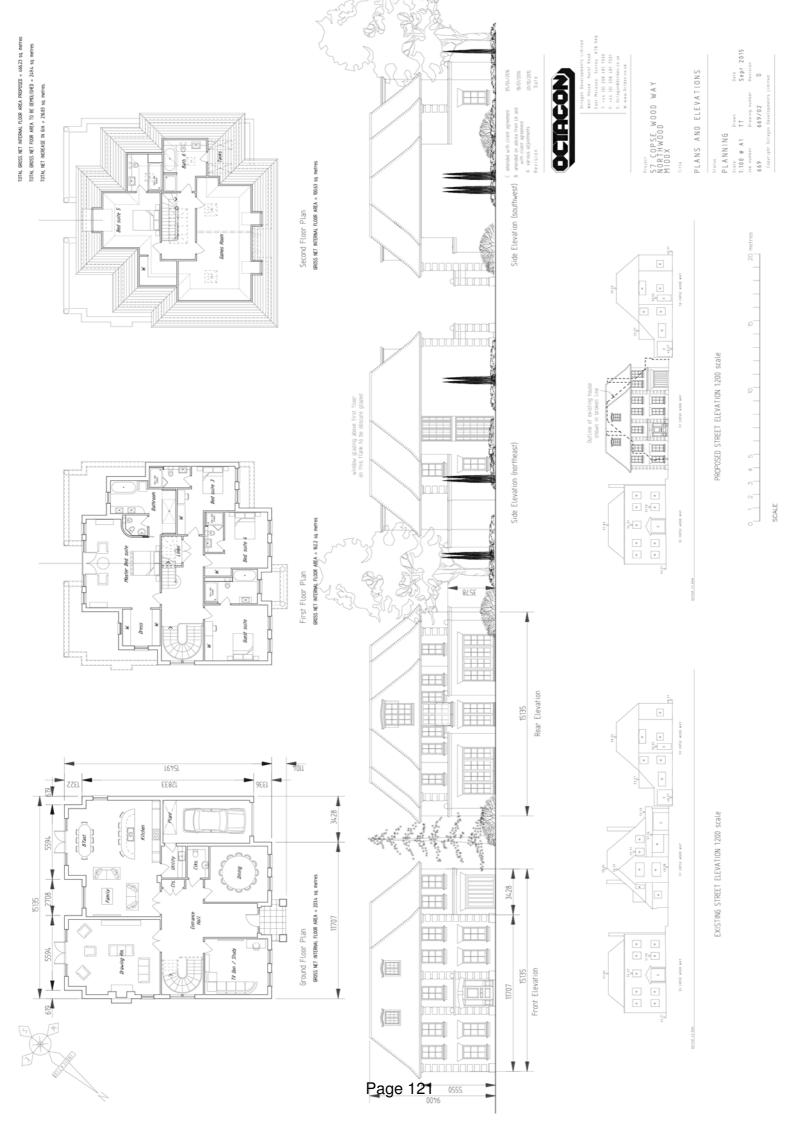
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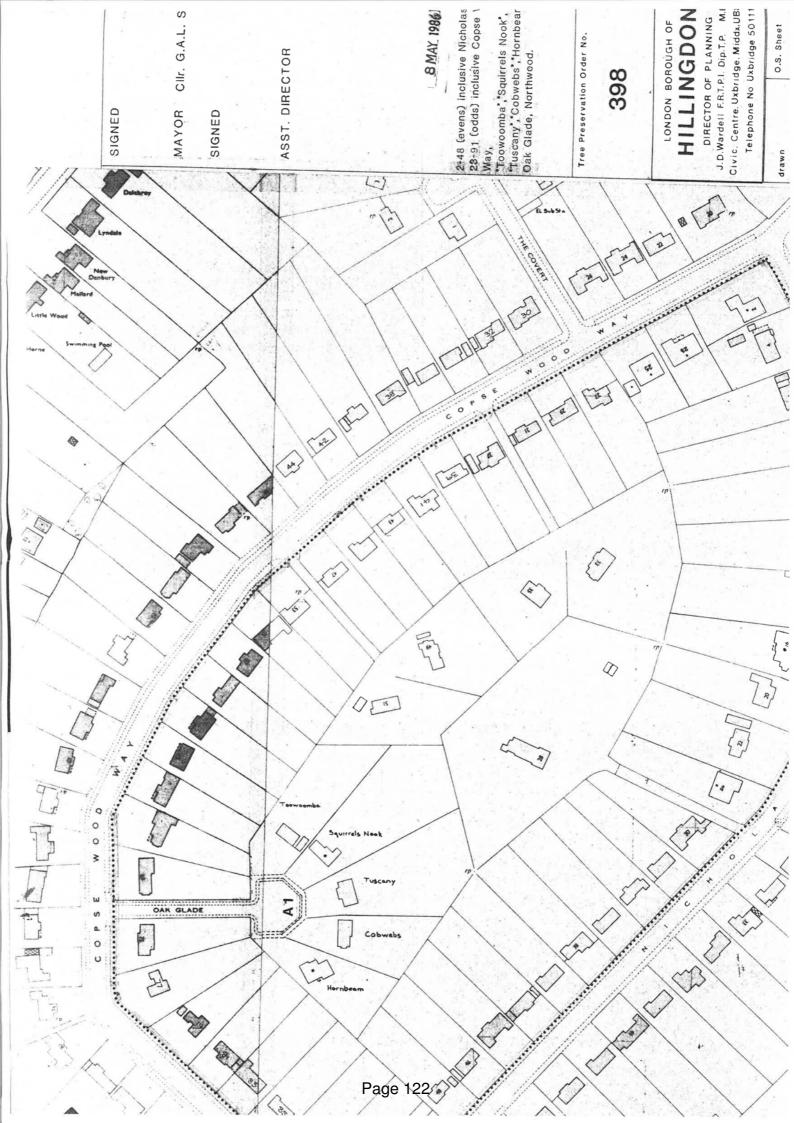




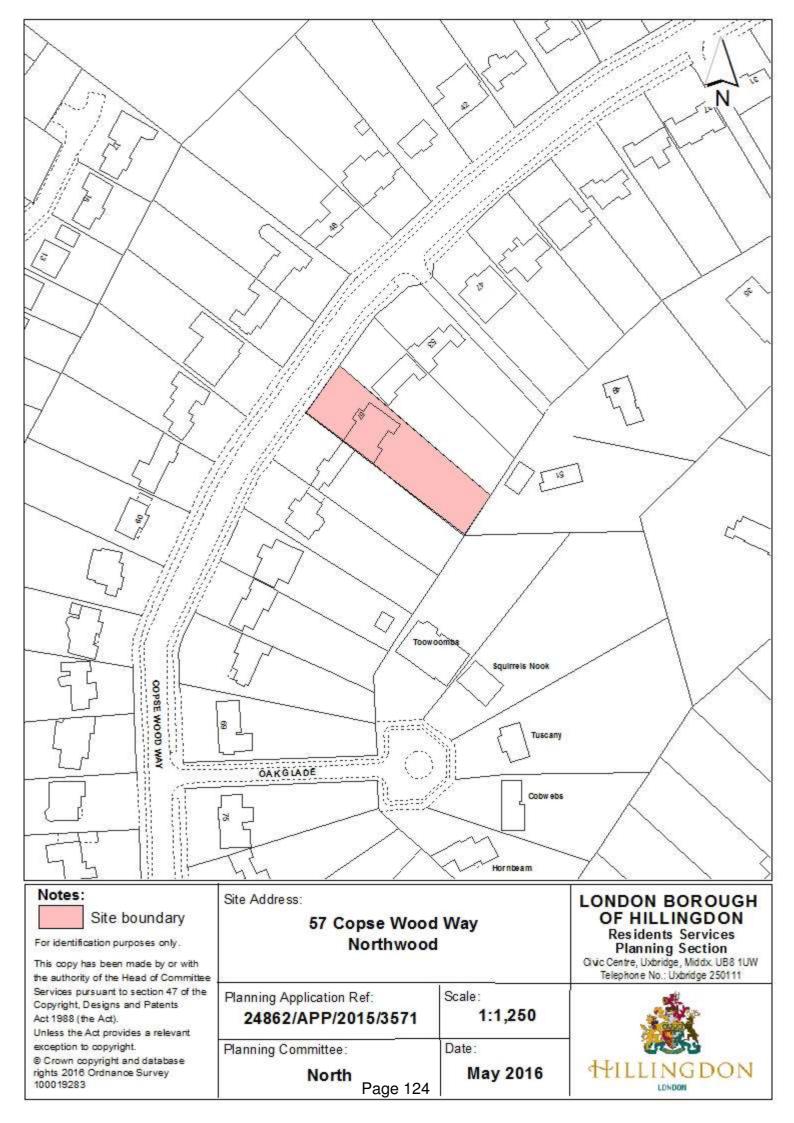












#### Report of the Head of Planning, Sport and Green Spaces

Address 10 JACKETS LANE NORTHWOOD

- **Development:** 3 x two storey, 5-bed detached dwellings with habitable roof space and 1x two storey, 4-bed, detached dwelling with associated parking, amenity space and landscaping with installation of vehicular crossovers and demolition of existing dwelling house.
- LBH Ref Nos: 70543/APP/2016/154

 Date Plans Received:
 14/01/2016

 Date Application Valid:
 21/01/2016

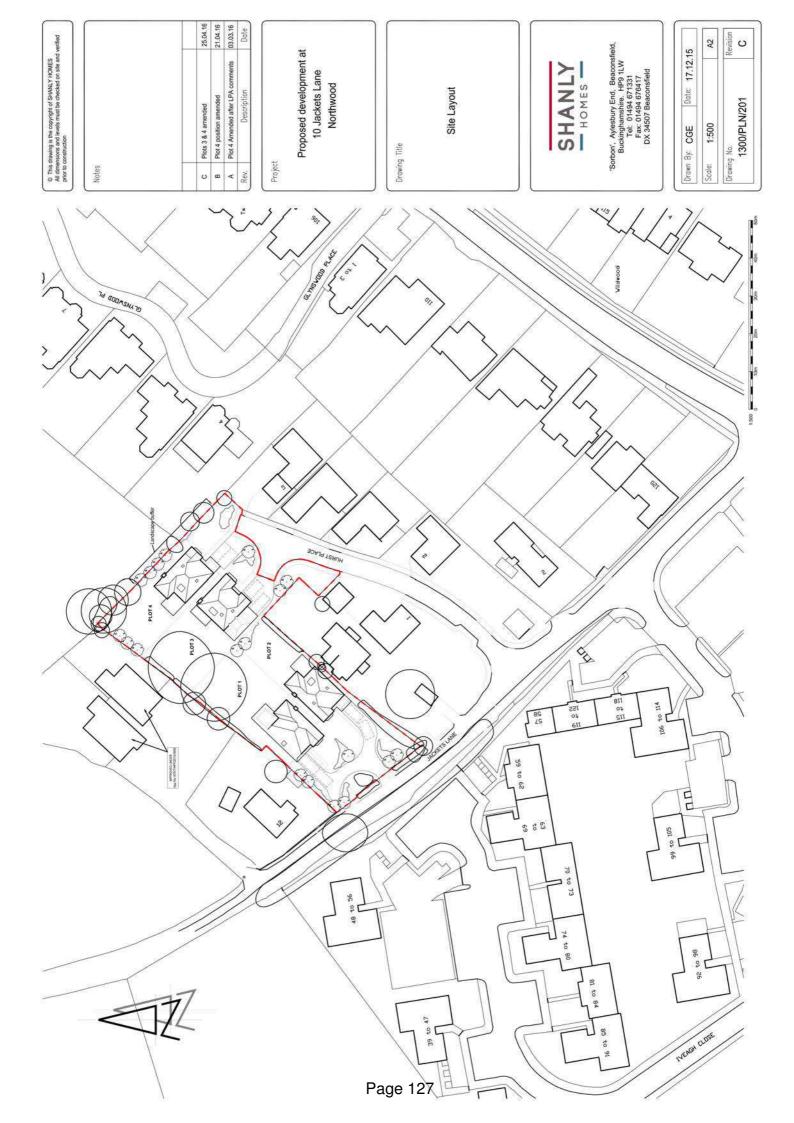
Date(s) of Amendment(s): 09/03/2016 21/01/2016

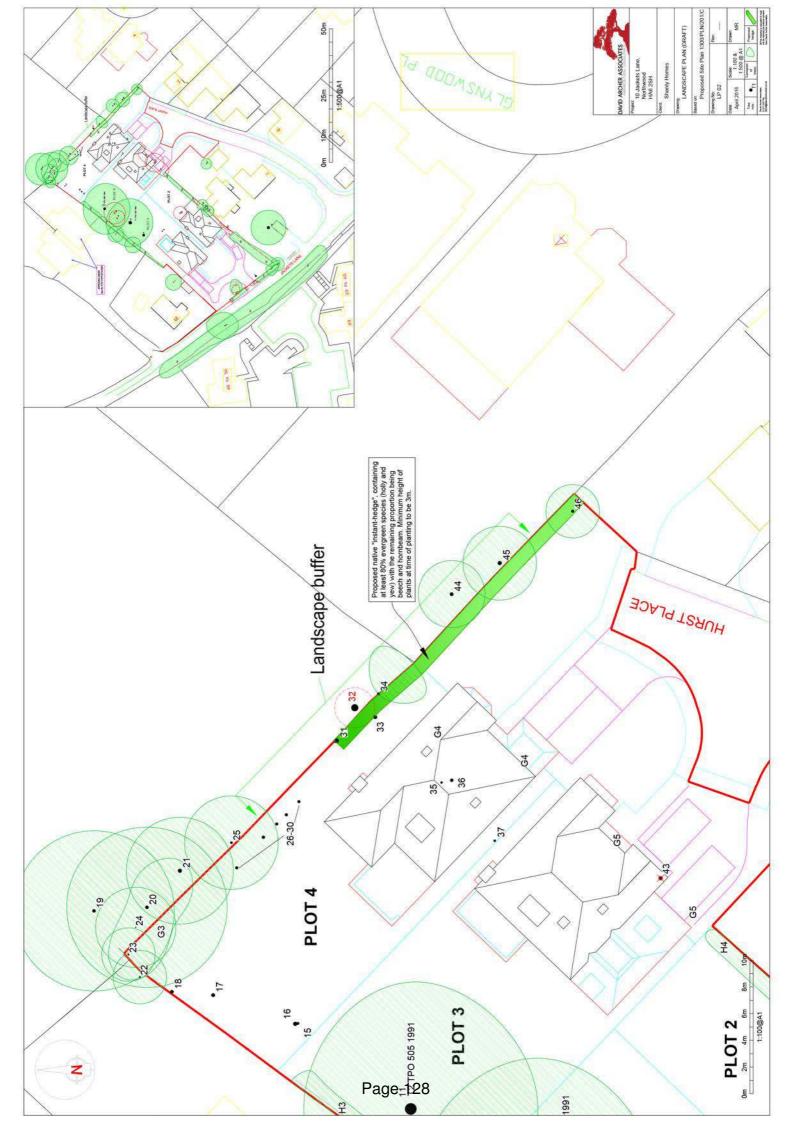
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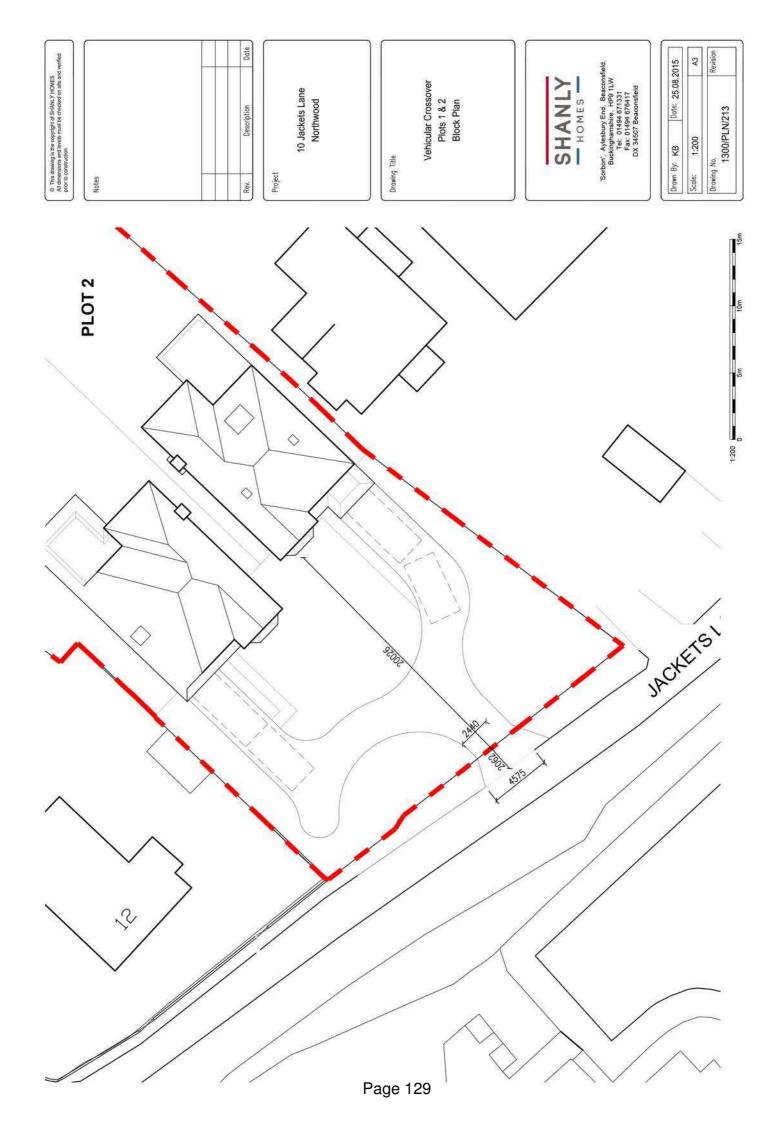




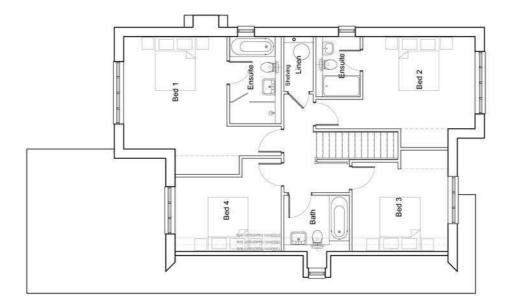
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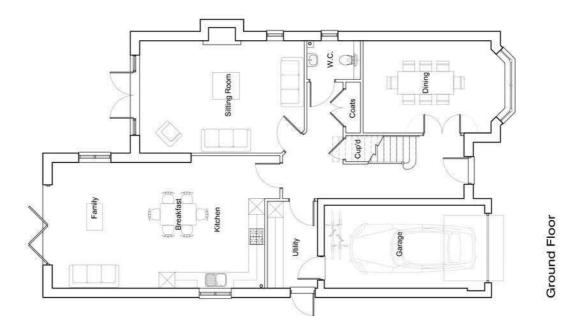






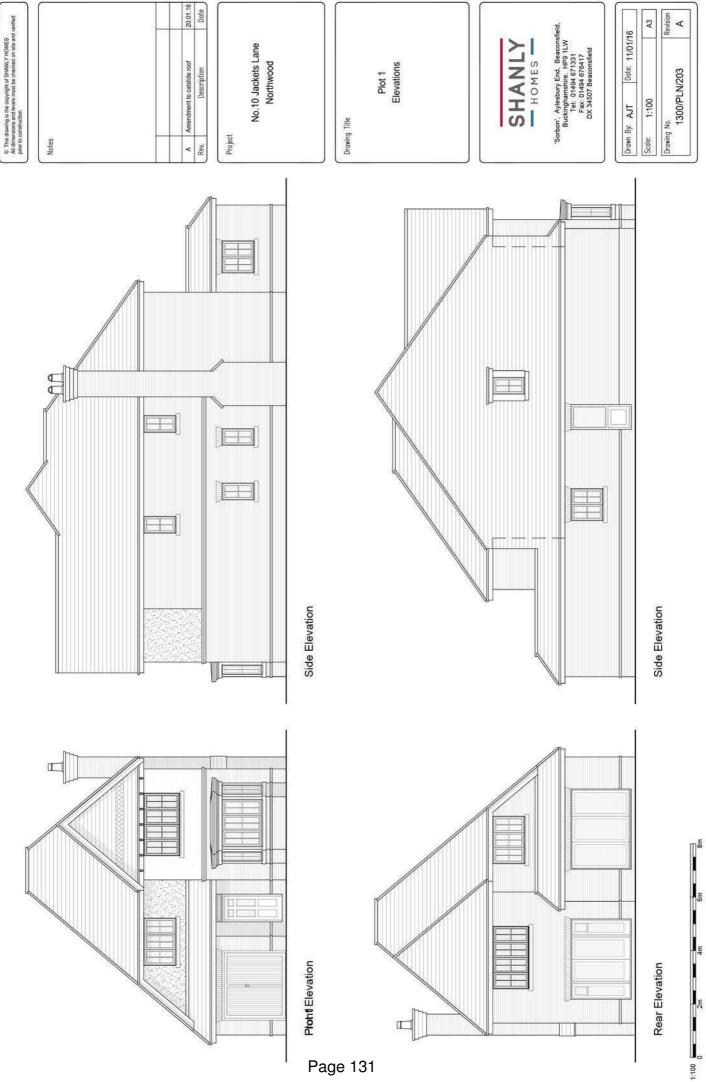
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g is the copyright of SHANLY HOMES and levels must be checked on site an uction	Description	No.10 Jackets Lane Northwood	Floor Plans	HOMES HOMES HOMES HOMES HOMES Tai: 01444 67131 Tai: 01444 67131 DX 34507 Beaconsfield	AJT  Date: 11/01/1	1:100	300/PLN/202
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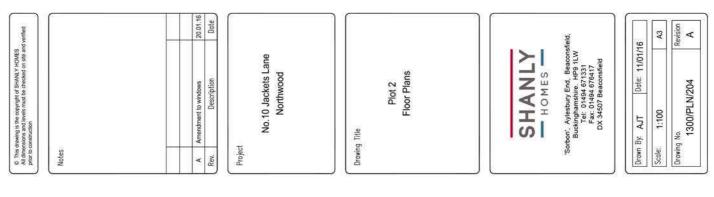


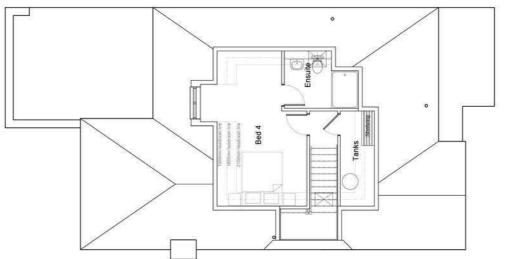
First Floor

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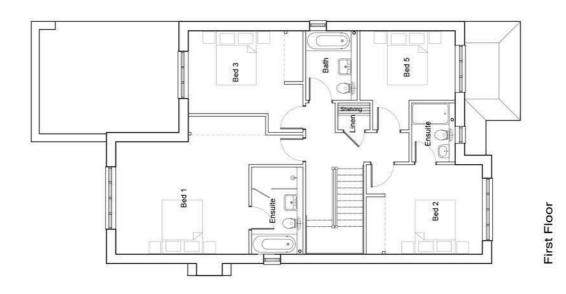


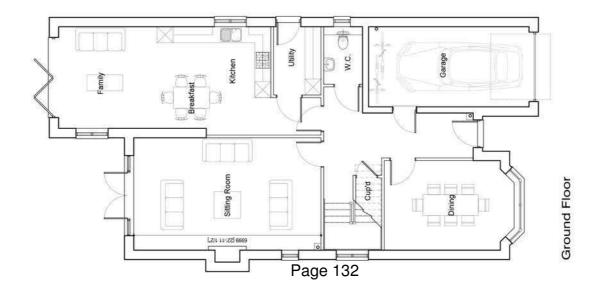
Page 131





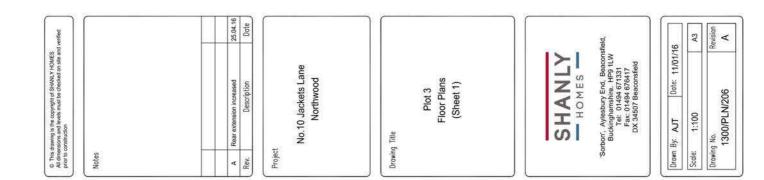
Second Floor

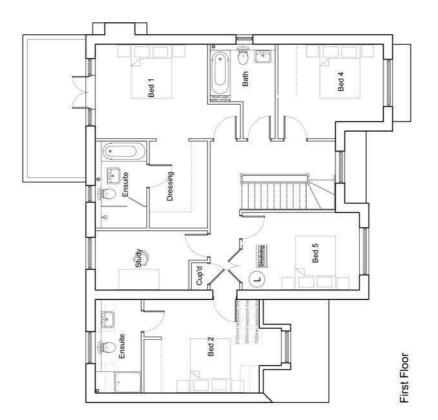


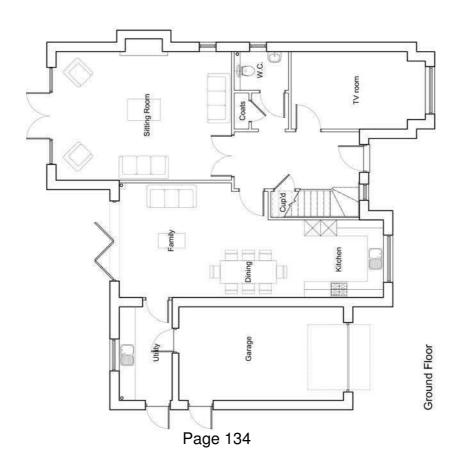




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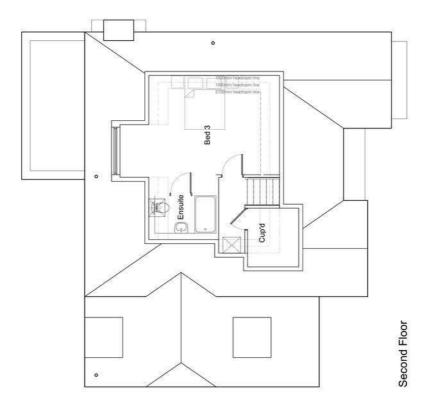




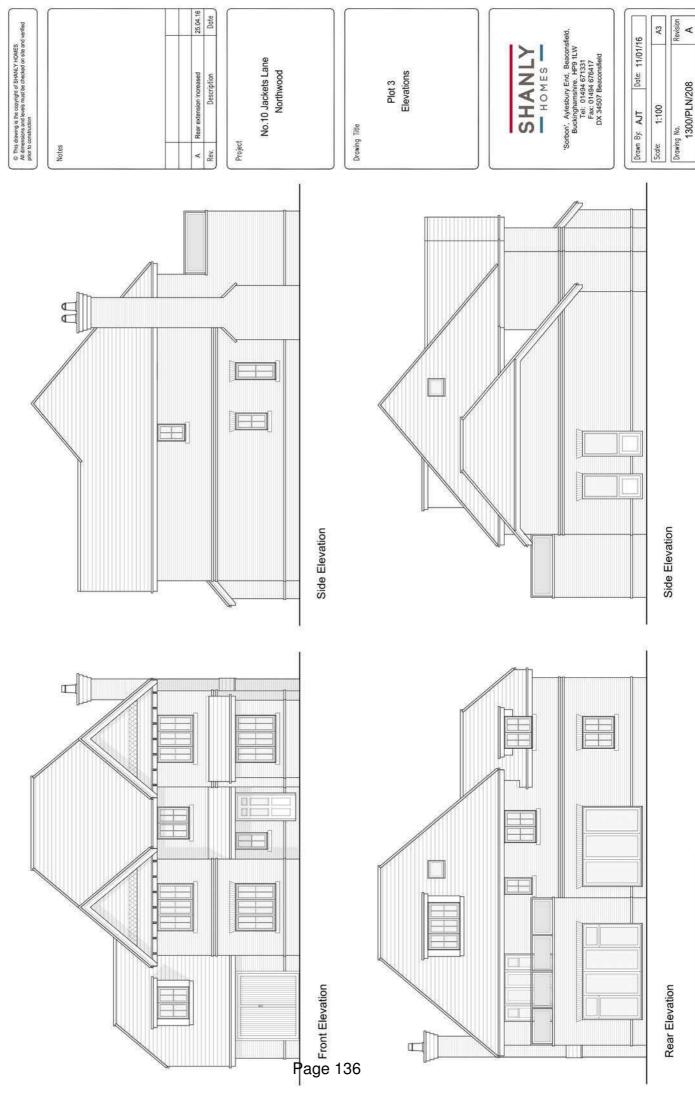


1:100 0 2m 4m 6m 8m

verified	25.04.16 Date			ed c	A3 A3 A3
© This drawing is the copyright of SHWLY HOMES by differences and levels thrust be cheated on sea and prior to construction holtes	A Rear extension increased Rev. Description	Project No.10 Jackets Lane Northwood	Drowing Title Plot 3 Floor Plans (Sheet 2)	Sorbon: Aylestury End, Beaconsfit Eax: 01494 67131 Fax: 01494 67131 Fax: 01494 67417 DX 34507 Beaconsfield	Drawn By, AJT Date: 11/01/16 Scale: 1:100 R Drawing No. 1300/PLN/207 R

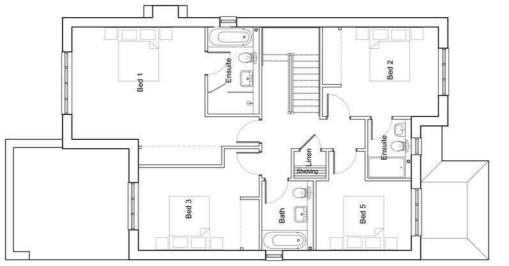


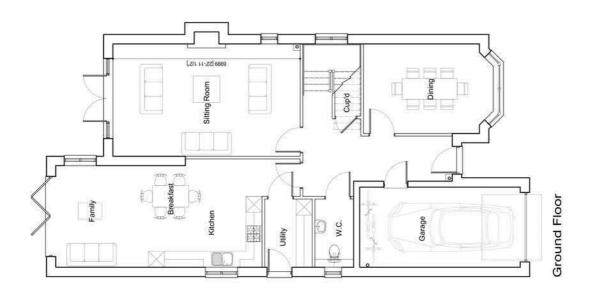
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Averified	22.04.16 03.03.16 Date			ye ye	6 Revision
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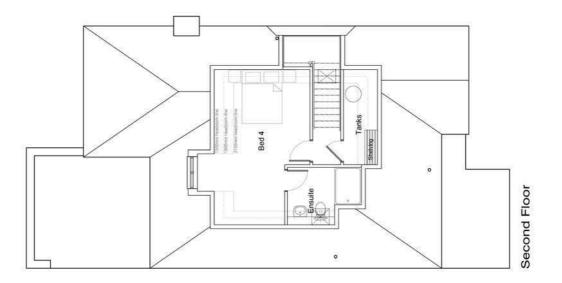




vertied		03.03.16	Date	
This drawing is the copyright of SH4M&Y HOMES All dramations and isvels must be checked on site and verified phor to construction		Plot amended due to LPA comments	Description	No.10 Jackets Lane Northwood
© This of the prior to o	Notes	<	Rev.	Project

		) [	
Drawing Title	Plot 4 Floor Plans (Sheet 2)	SHANLY HOMES	Sorbon', Aylesbury End, Beaconsteld, Buckinghanshire, HP9 1LV Teis, 01449 67331 Fax: 01434 676417 DX 34507 Beaconsfeld

Drawn By: AJT	AJT	Date: 11/01/16	1/16
Scale:	1:100		A3
Drawing No. 130	No. 1300/PLN/210	210	Revision

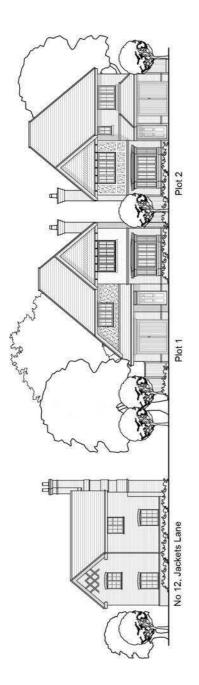


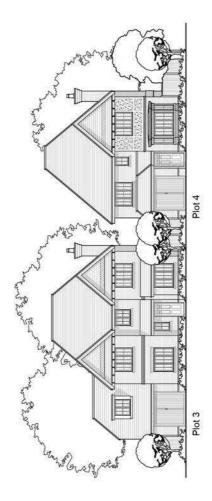




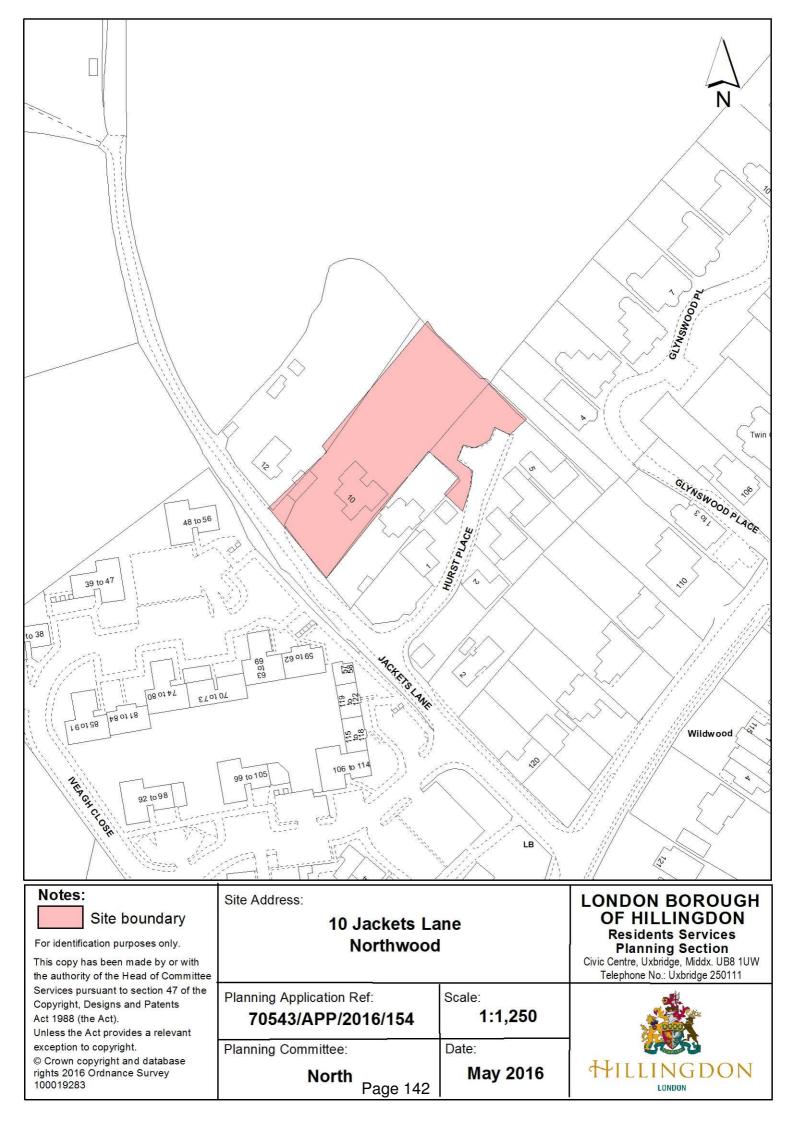


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© This drawing a All dimensions an prior to constructio	Notes	A Plots 3 Rev.	Project	Drawing Title	Seeboor ION	Drown By: A Scole: 1 Drowing No. 1300









Address 186 FIELD END ROAD EASTCOTE PINNER

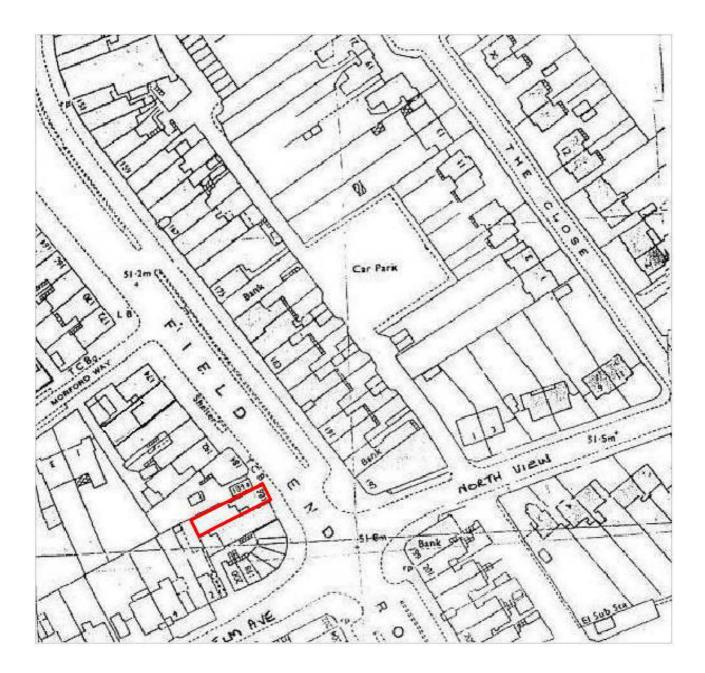
- **Development:** Demolition of existing building and erection of new four storey building containing ground floor offices and 3 no. two bedroom, three person flats above.
- LBH Ref Nos: 2294/APP/2016/410

 Date Plans Received:
 02/02/2016

 Date Application Valid:
 10/02/2016

Date(s) of Amendment(s):

North Planning Committee - Tuesday 31st May 2016 PART 1 - MEMBERS, PUBLIC & PRESS

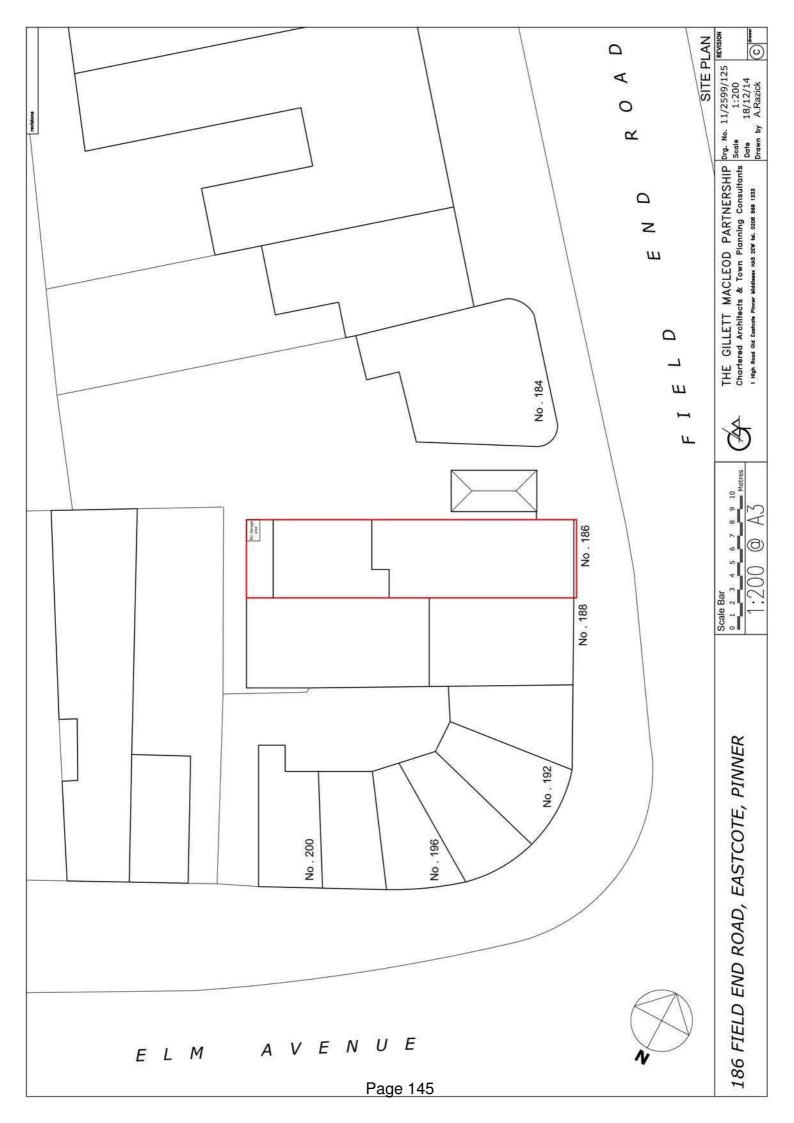


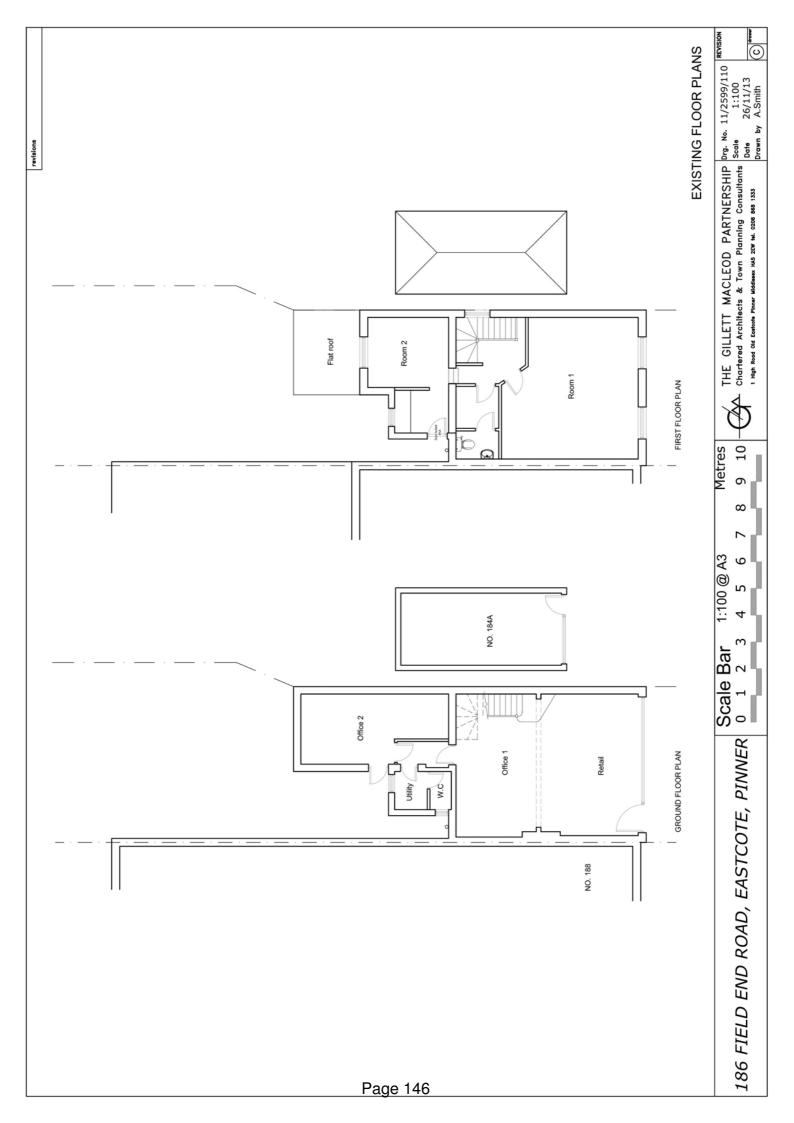
# LOCATION PLAN

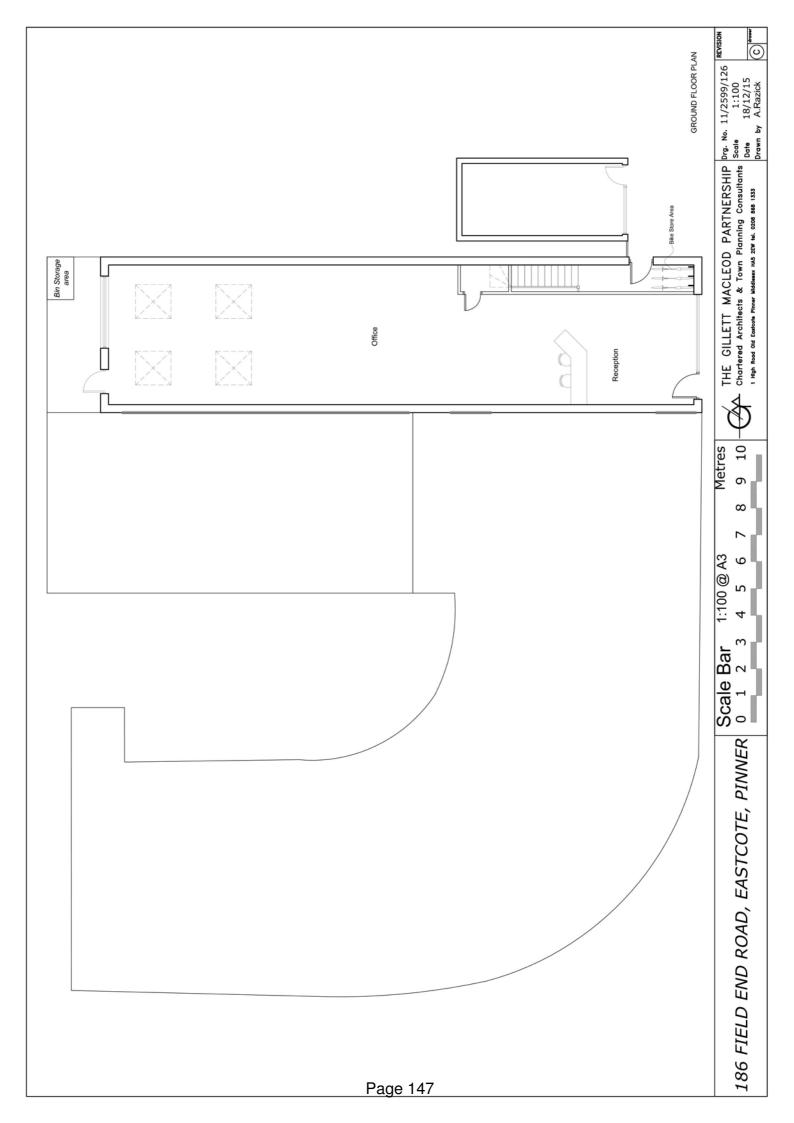


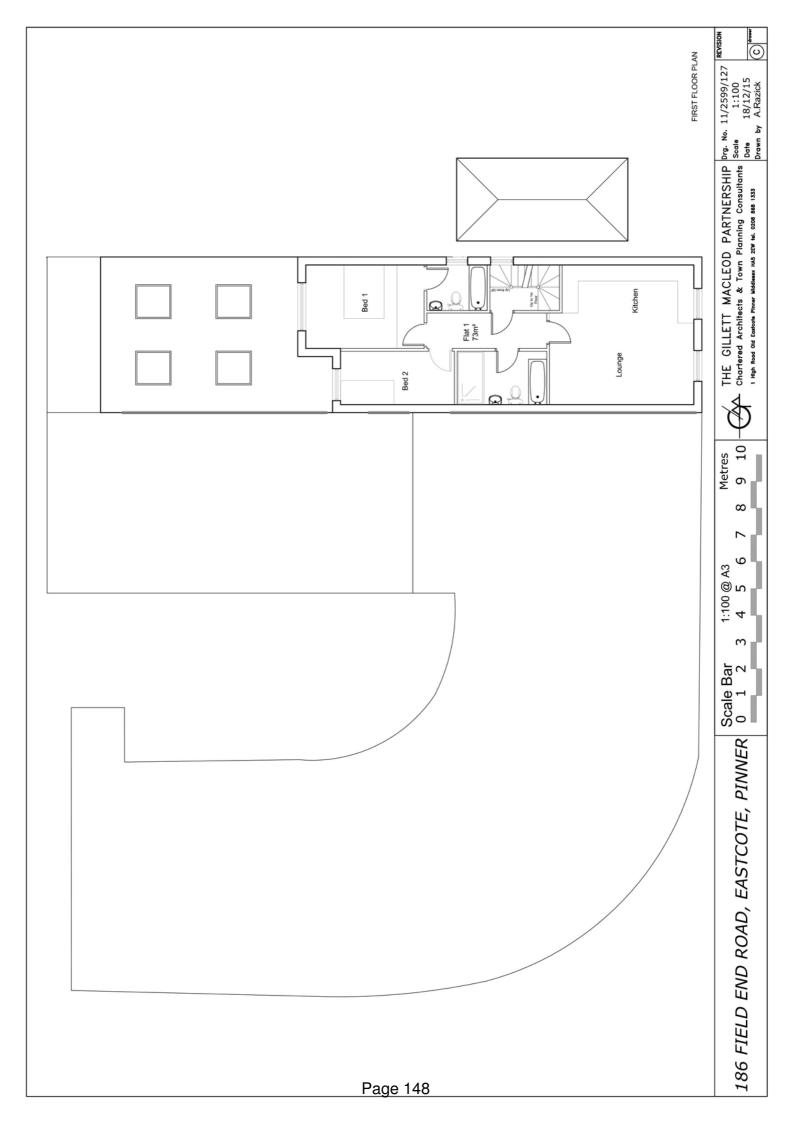
ADDRESS 186 FIELD END ROAD EASTCOTE PINNER HA5 1RF

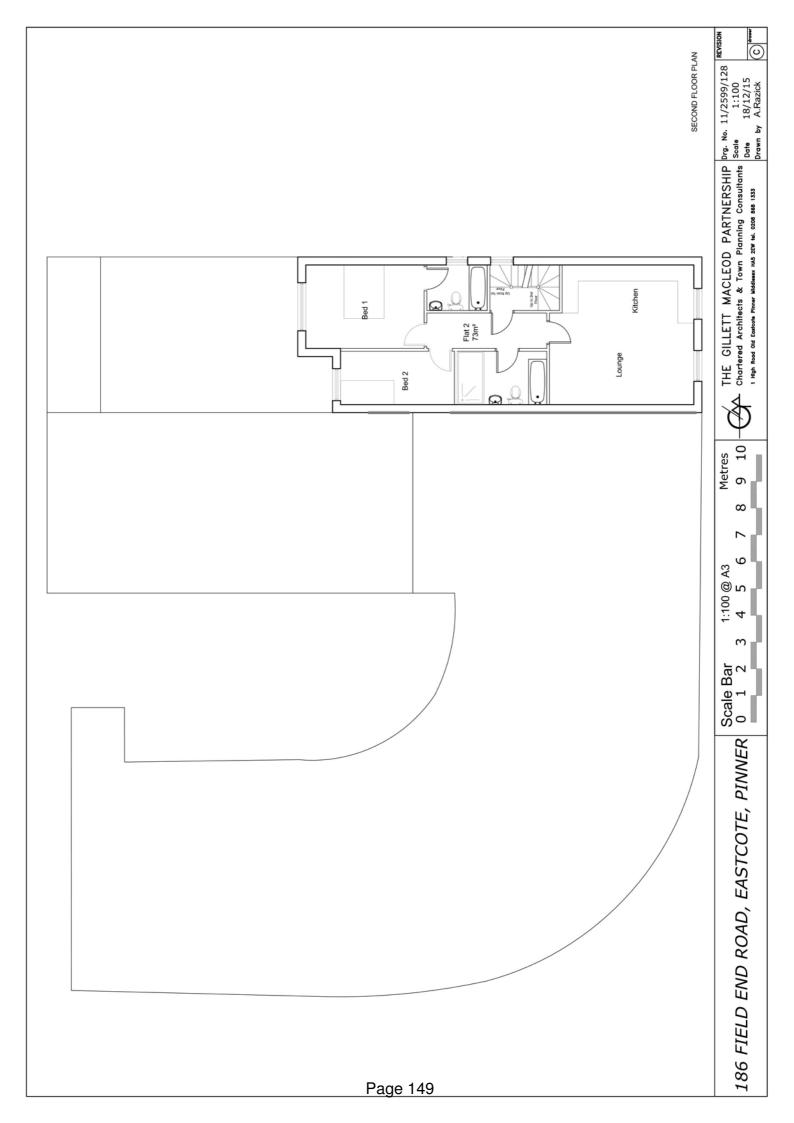
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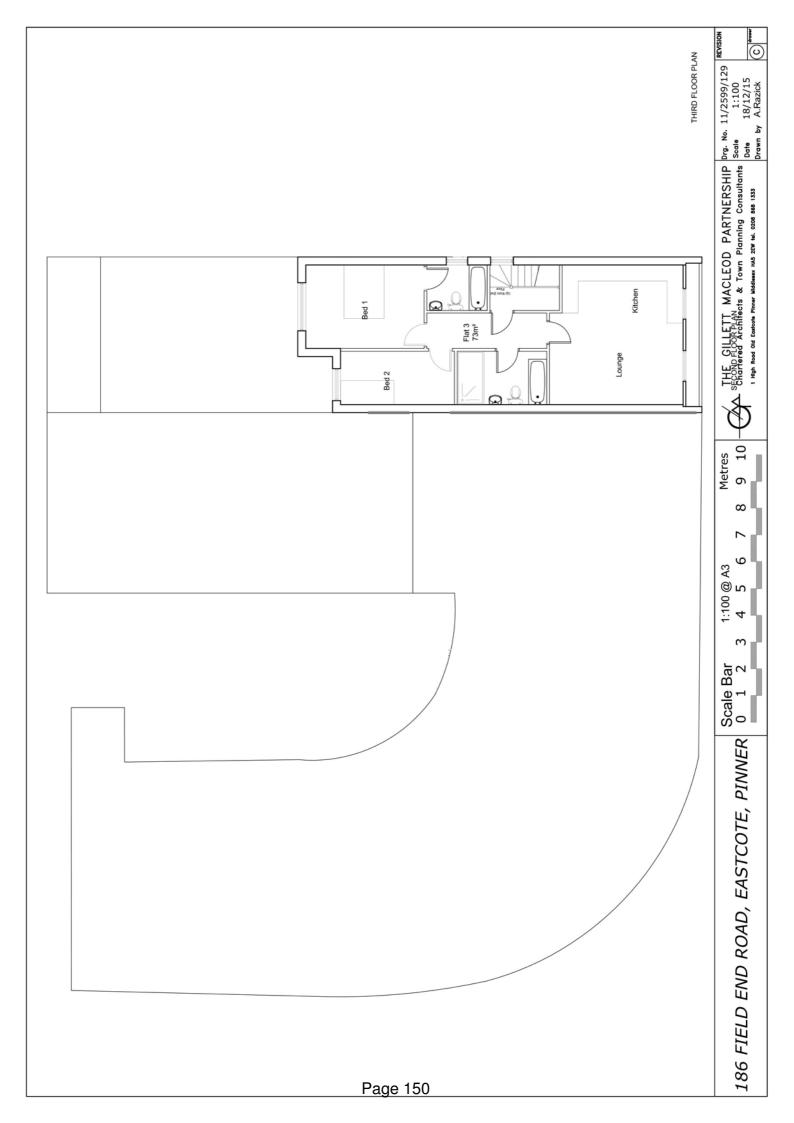




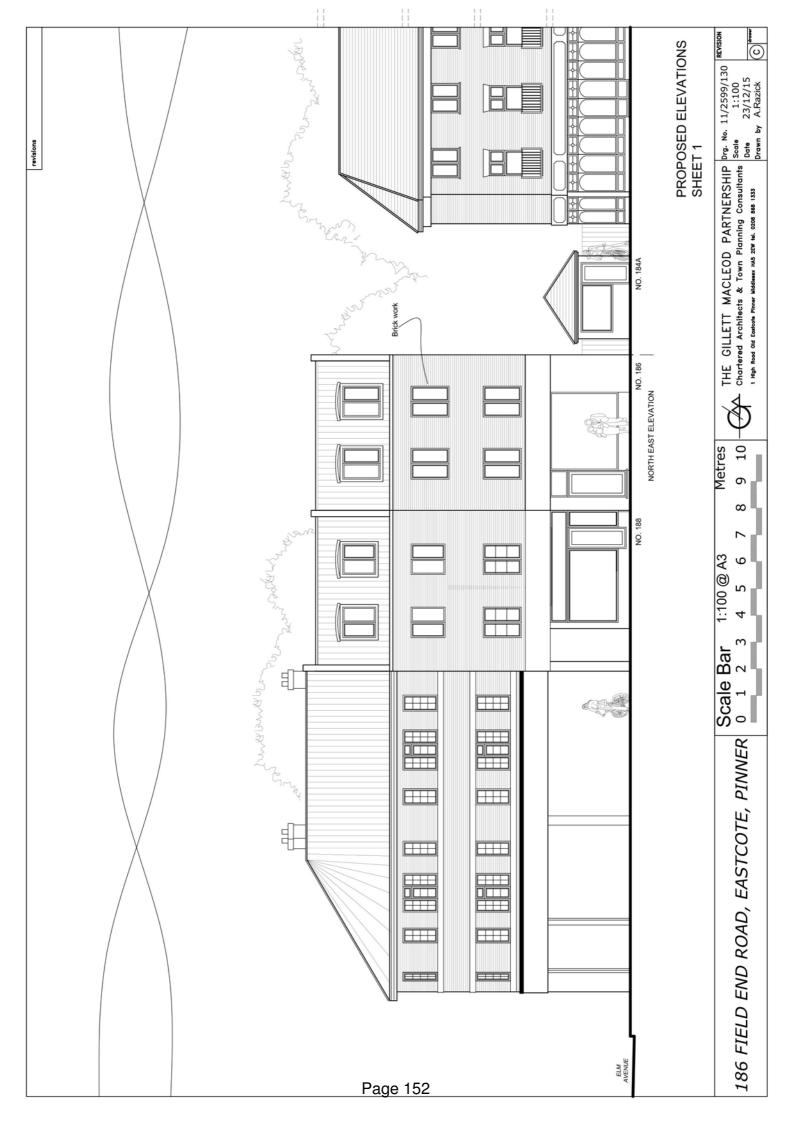




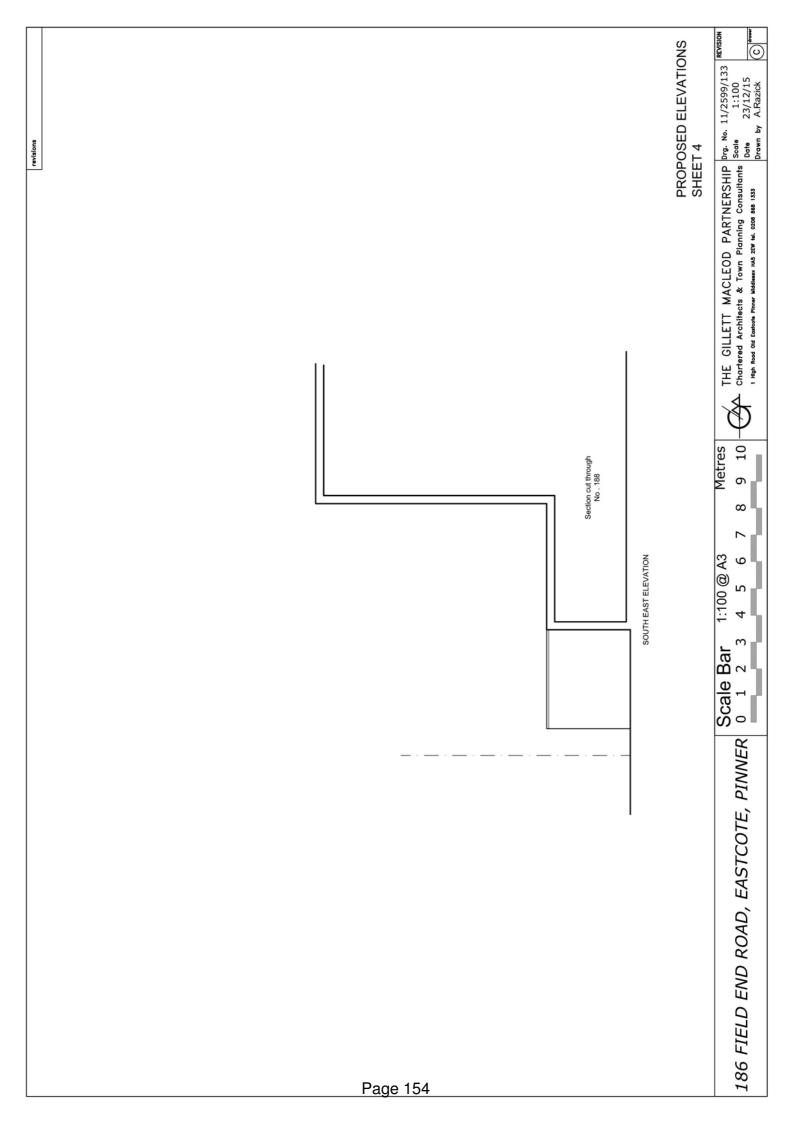


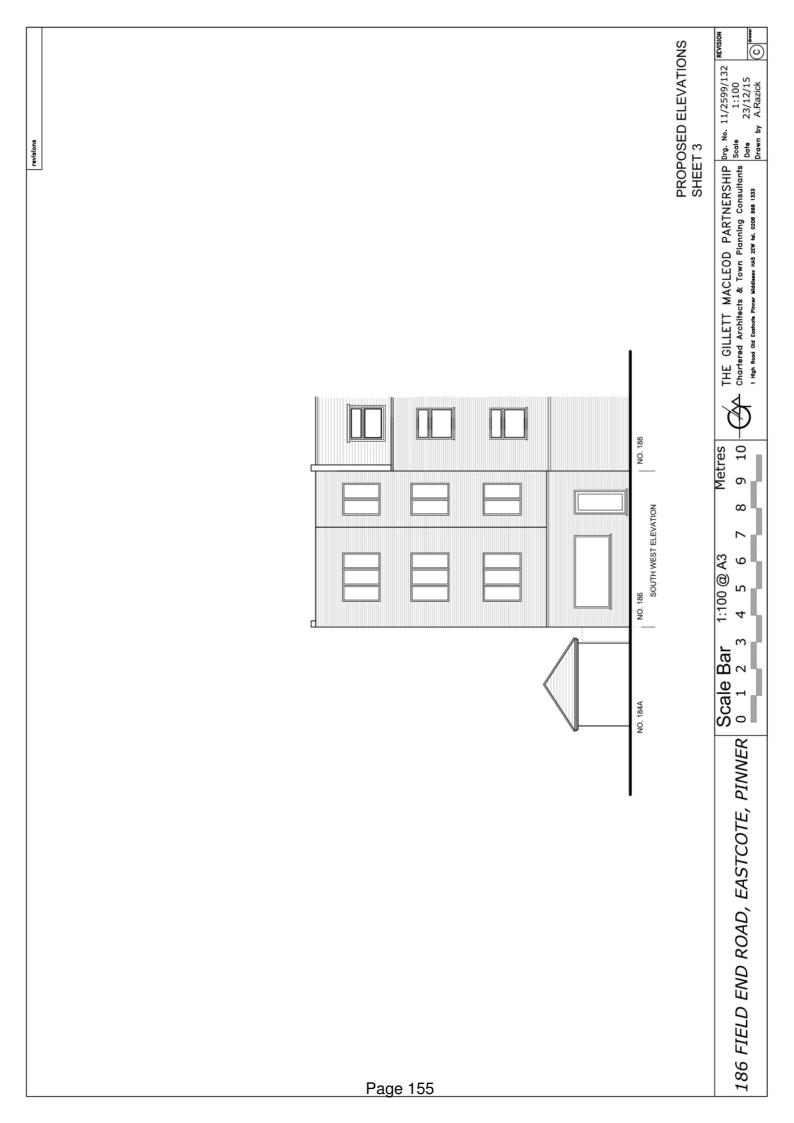


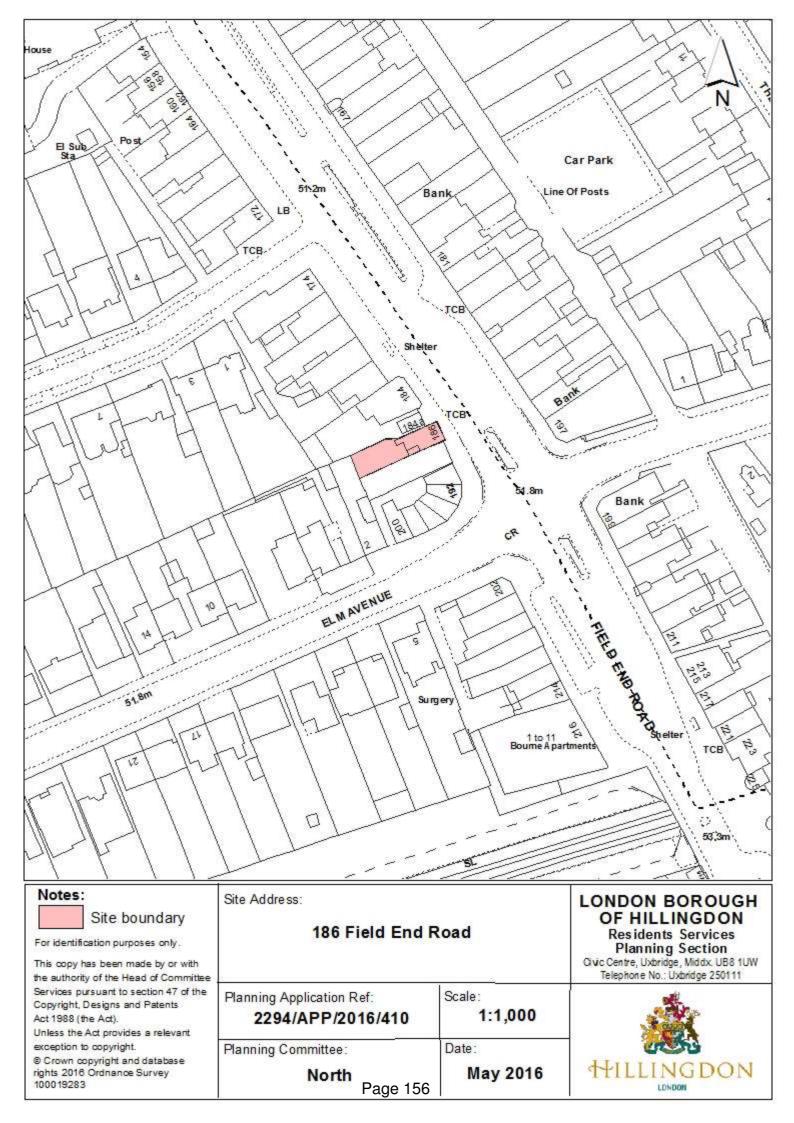




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Page 153	







Address THE BEAR ON THE BARGE PH MOORHALL ROAD HAREFIELD

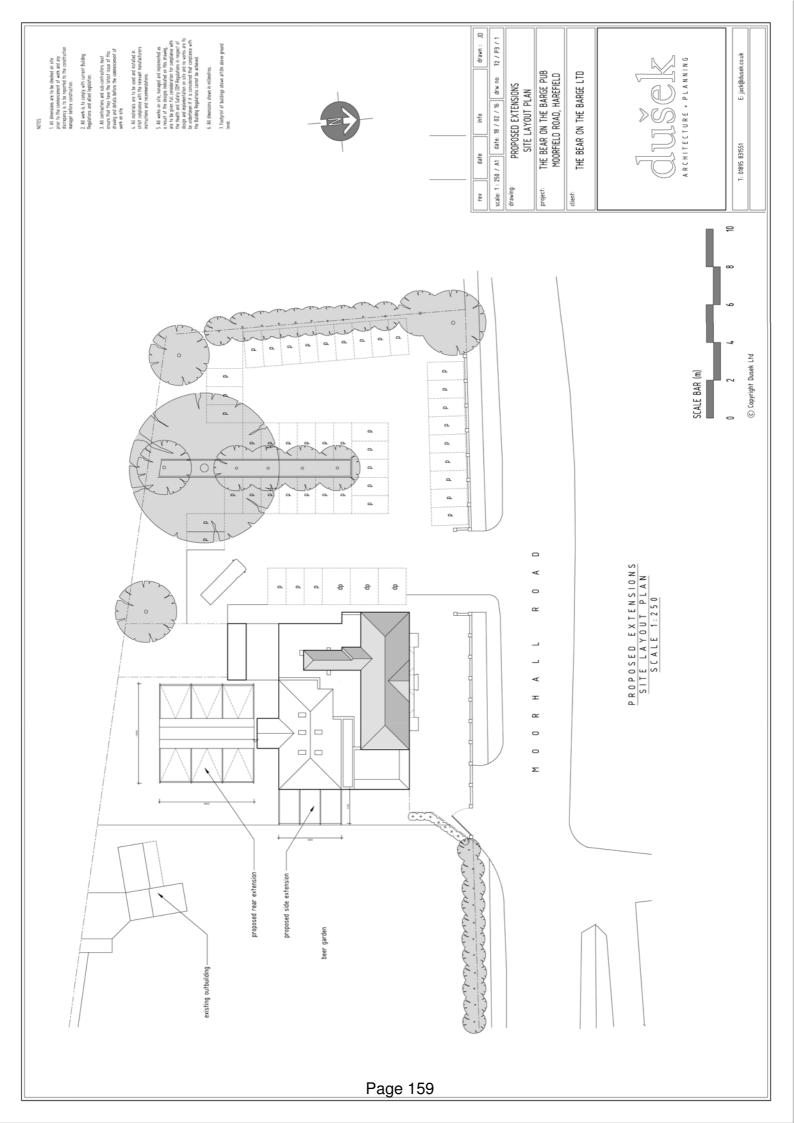
**Development:** RETROSPECTIVE APPLICATION FOR THE RETENTION OF 2no SINGLE STOREY STRUCTURES TO REAR AND SIDE OF THE EXISTING BUILDIN(

LBH Ref Nos: 13931/APP/2016/721

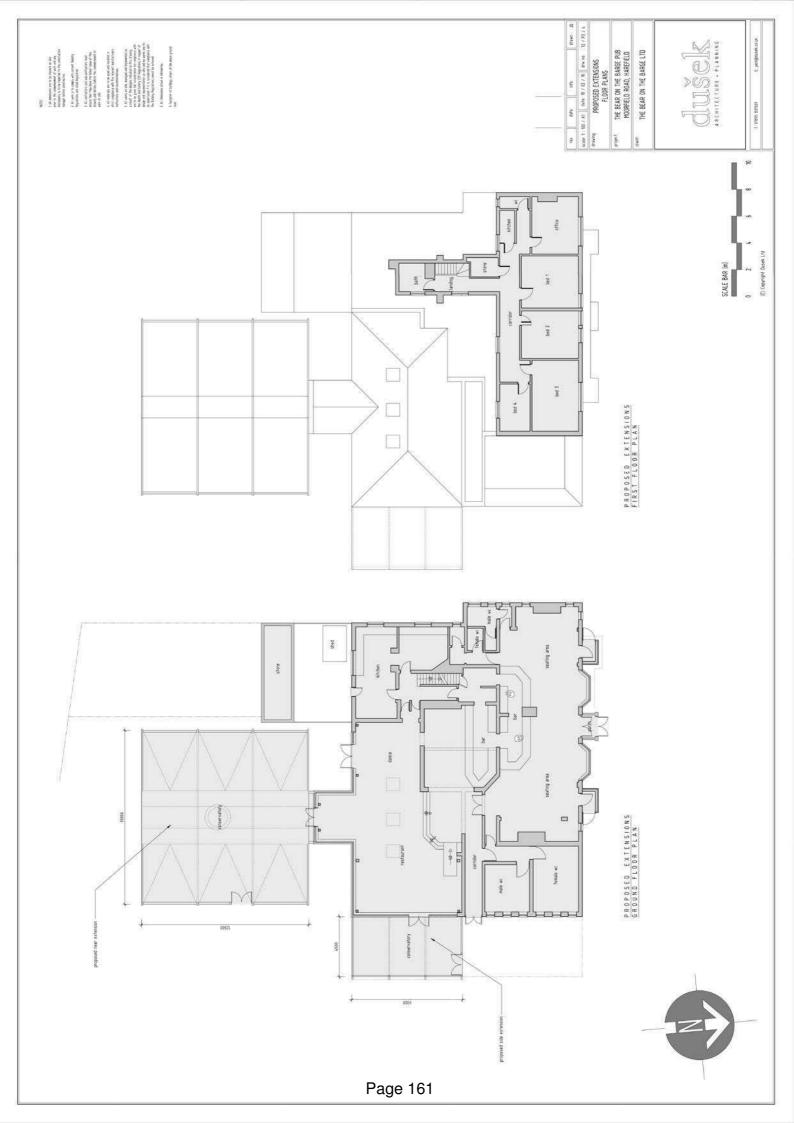
Date Plans Received:	22/02/2016
Date Application Valid:	03/03/2016

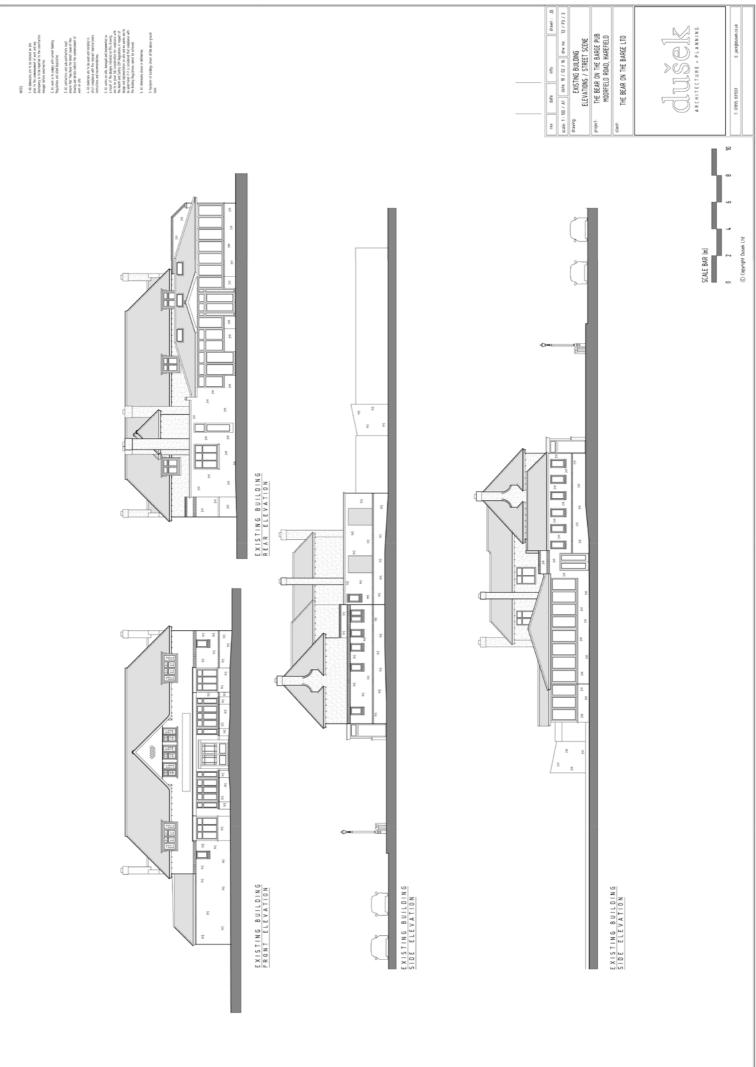
Date(s) of Amendment(s):

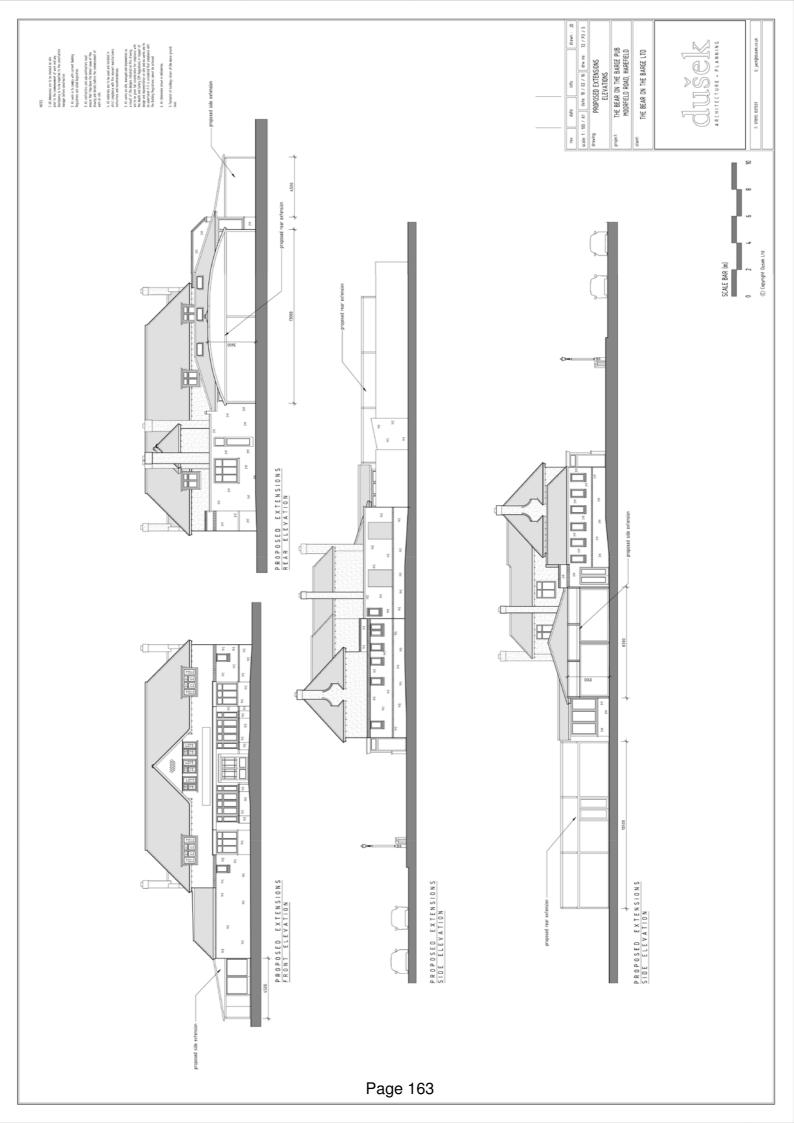


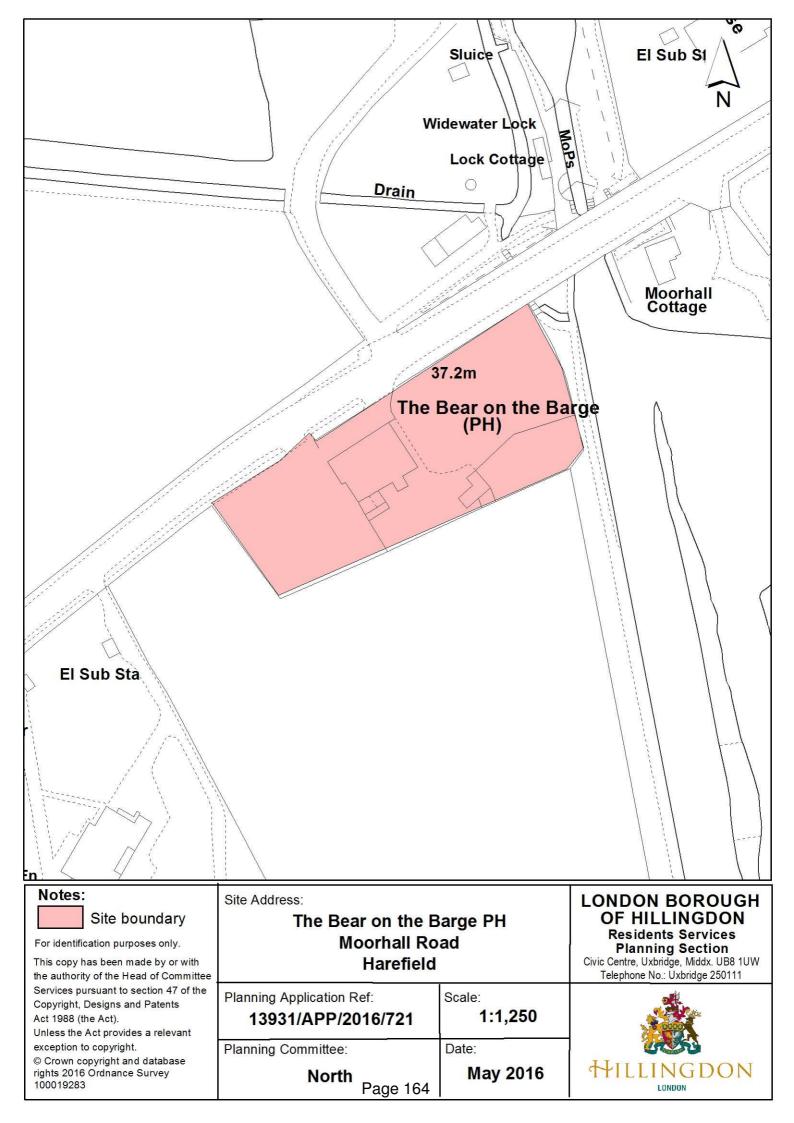










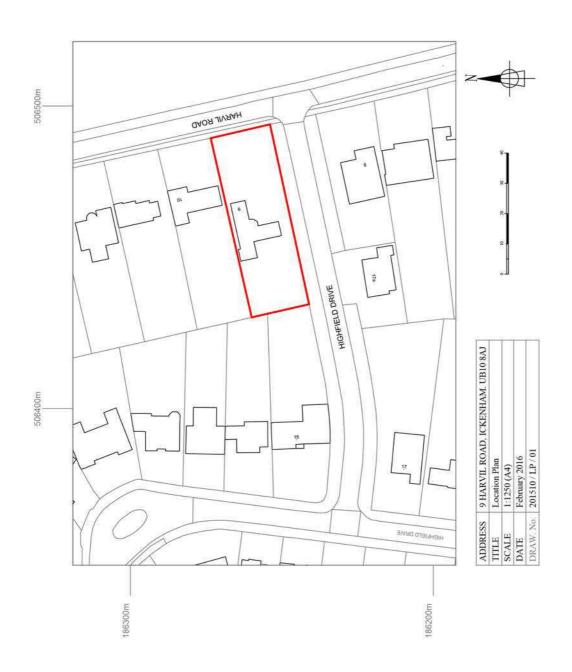


Address 9 HARVIL ROAD ICKENHAM

- **Development:** Erection of a two storey detached building with habitable roofspace to create 6 x 2-bed self contained flats with car parking and gym in a basement area, to involve associated landscaping and boundary treatment and installation of vehicular crossover to side
- LBH Ref Nos: 52950/APP/2016/540

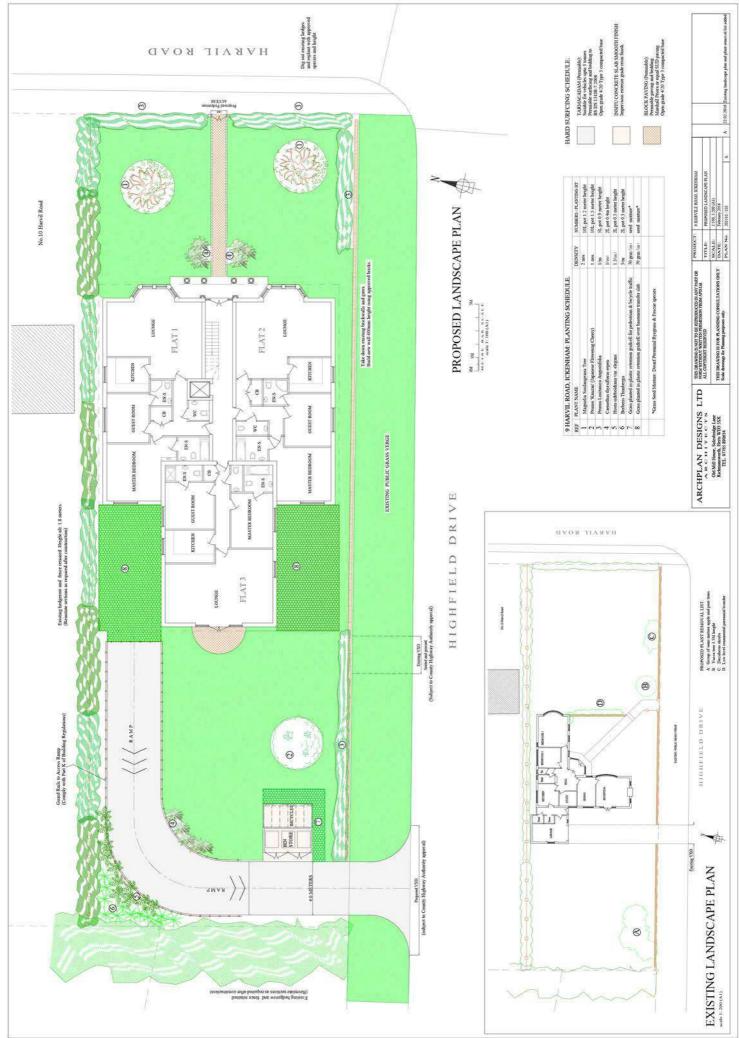
Date Plans Received:	10/02/2016		
Date Application Valid:	11/03/2016		

Date(s) of Amendment(s):

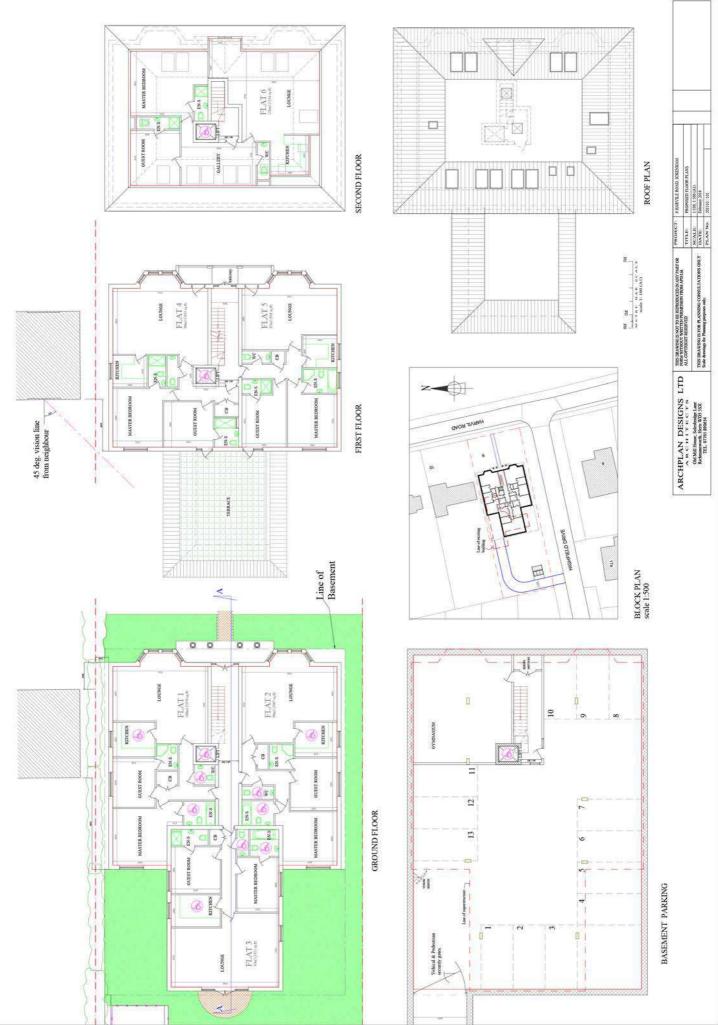




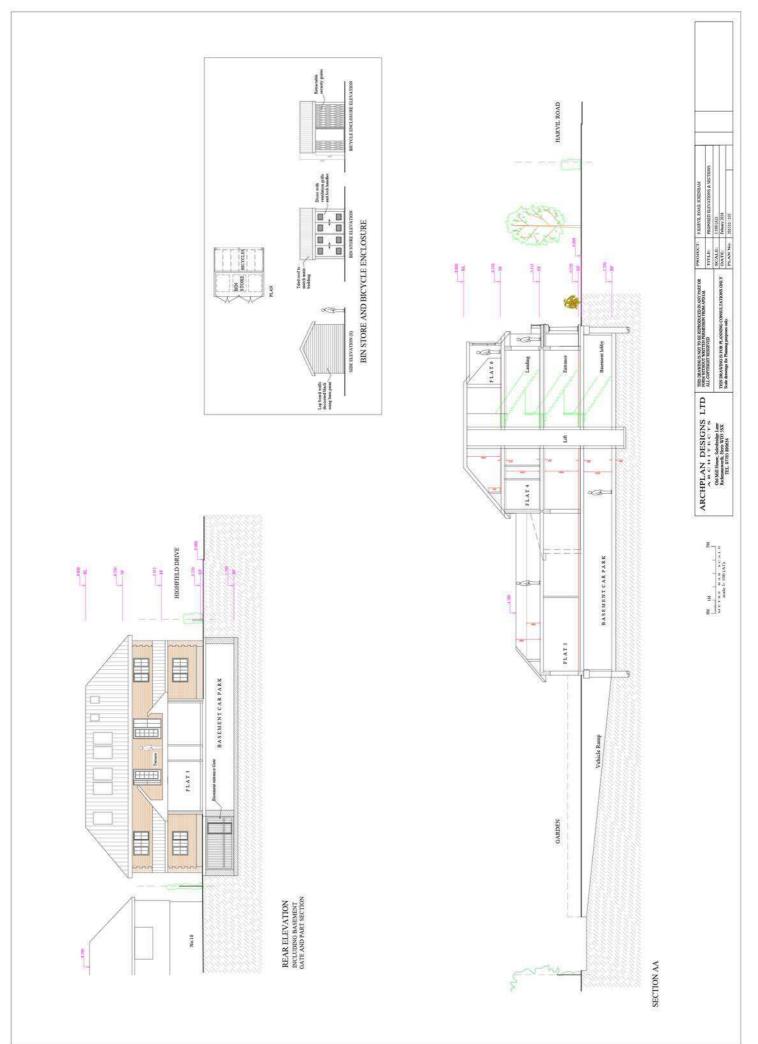
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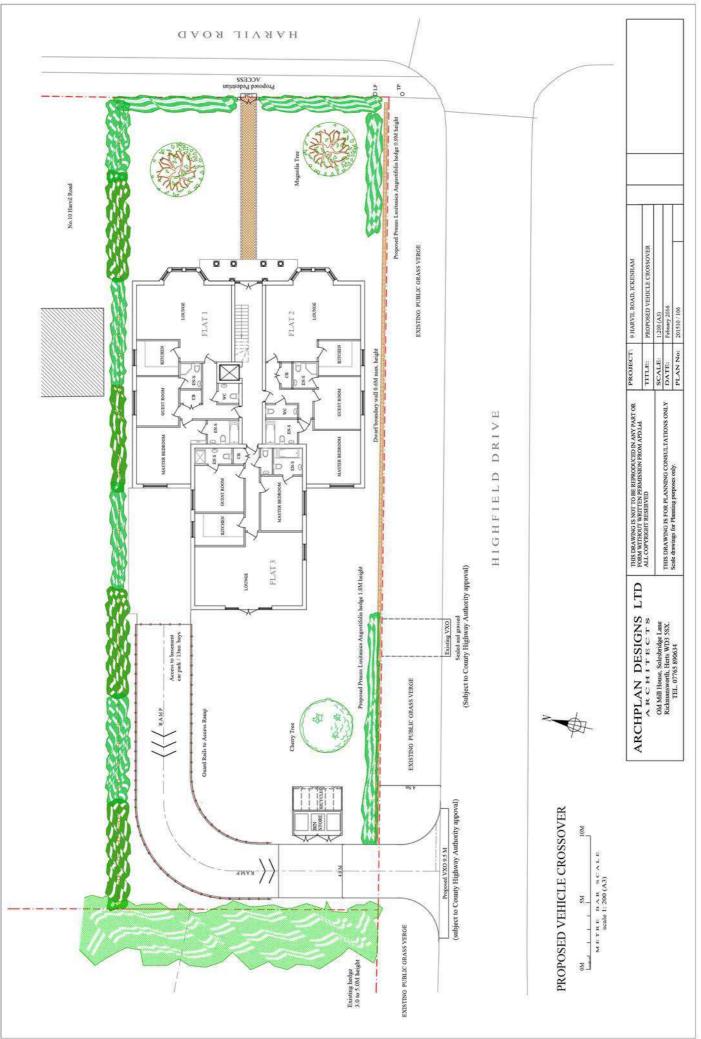


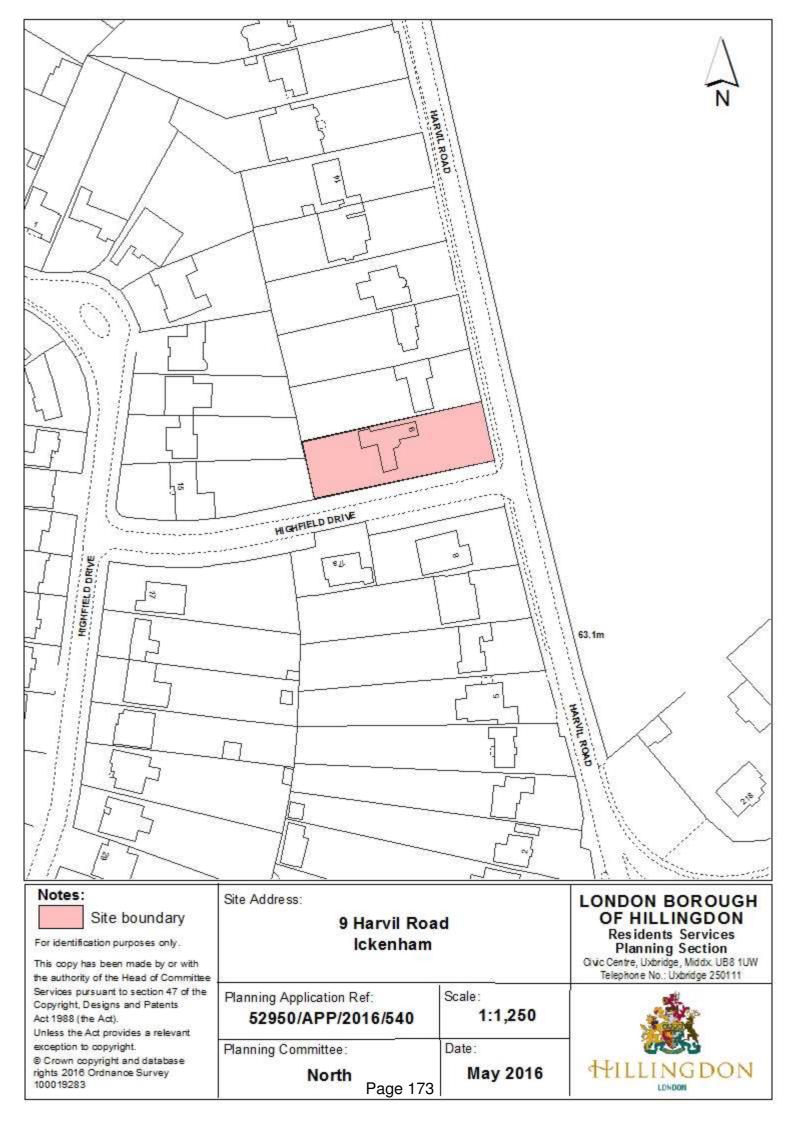
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- Address THE WATER TOWER FIELD, DUCKS HILL FARM DUCKS HILL ROAD NORTHWOOD
- **Development:** Replacement of existing 20m telecoms mast with 27.5 metre high mast to allow for site sharing, and associated cabinet and apparatus.
- LBH Ref Nos: 60901/APP/2016/691

Date Plans Received:	19/02/2016		
Date Application Valid:	19/02/2016		

Date(s) of Amendment(s):

