



HILLINGDON  
LONDON



## North Planning Committee

**Date:** TUESDAY, 2 JUNE 2009  
**Time:** 7.00 PM  
**Venue:** CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

### Councillors on the Committee

Eddie Lavery (Chairman)  
Alan Kauffman (Vice-Chairman)  
David Allam  
Anita MacDonald  
Michael Markham  
Carol Melvin  
David Payne

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further information.**

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This Agenda is available online at:

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INVESTOR IN PEOPLE

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# Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 Matter that have been notified in advance or urgent
- 4 To sign and receive the minutes of the meeting held on 30 April 2009 (to follow)
- 5 To confirm that the items of business marked Part 1 will be considered in public, and items marked Part 2 are considered in private

## Housekeeping Rules Updated 21May09

### PART 1 - MEMBERS, PUBLIC AND PRESS

- 6 41 Rusdene Road, Eastcote - 51162/APP/2009/466  
Erection of a five bedroom detached house with integral garage (amendment to 51162/APP/1999/2320 dated 7th July 2000 - Erection of a five bedroom house) (Retrospective Application)  
**RECOMMENDATION: Approval**
- 7 33 Parkfield Road, Ickenham - 40891/APP/2009/280  
Two storey 3 bed detached dwelling with associated parking, installation of new vehicular crossover (involving demolition of existing dwelling)  
**RECOMMENDATION: Approval**
- 8 54 Hallowell Road, Northwood - 16791/APP/2009/237  
Renovation and extension of existing youth club, to provide new accessible recreational spaces and facilities, including lounge, kitchen and cafe area, and to upgrade the existing facilities, including hall, dance studio, multi-media room and classrooms  
**RECOMMENDATION: Approval**

### NON-MAJOR - WITHOUT PETITION

- 9 10 Meadow Close, Ruislip - 19443/APP/2009/553  
Raising of eaves height, raising of dormer window to front, creation of new dormer window to rear, insertion of 3 roof lights, part single storey side extension to form chimney, new canopy to front. (Resubmission of 19443/APP/2008/2000)  
**RECOMMENDATION: Approval**
- 10 Highway verge near junction of Breakspear Road & Fine Bush Lane, Breakspear Road, Ruislip - 65930/APP/2009/915

Installation of a 11.5m high imitation telegraph pole mobile phone mast and ancillary equipment cabinet (Consultation Under Schedule 2, Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended))

**RECOMMENDATION: Delegated powers subject to no further objections being received**

## **PART 2 - MEMBERS ONLY**

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

## **ENFORCEMENT**

- 11** 23A Eastbury Road, Northwood - ENF/225/07  
To consider the expediency of Enforcement Action
- 12** Any Items transferred from Part 1
- 13** Any Other Business in Part 2.

## **PLANS FOR NORTH PLANNING COMMITTEE - 2 JUNE 2009**

## Report of the Corporate Director of Planning & Community Services

**Address** 41 RUSHDENE ROAD EASTCOTE

**Development:** ERECTION OF A FIVE BEDROOM DETACHED HOUSE WITH INTEGRAL GARAGE (AMENDMENT TO 51162/APP/1999/2320 DATED 7TH JULY 2000 ERECTION OF A FIVE BEDROOM HOUSE) (RETROSPECTIVE APPLICATION)

**LBH Ref Nos:** 51162/APP/2009/466

**Drawing Nos:** Design and Access Statement  
TSG/41RR/CF02/A  
TSG/41RR/CF01  
TSG/41RR/CF03  
TSG/41RR/CF04  
TSG/41RR/CF05  
TSG/41RR/CF06  
TSG/41RR/CF07  
TSG/41RR/CF08  
TSG/41RR/CF09  
TSG/41RR/CF10

**Date Plans Received:** 09/03/2009      **Date(s) of Amendment(s):** 07/04/2009  
**Date Application Valid:** 07/04/2009      05/05/2009  
07/05/2009

### 1. SUMMARY

Retrospective planning permission is sought to erect a two storey, 5 bedroom detached house (referred to as 41 Rushdene Road), with integral garage and dormer window to the rear. The site has a complex planning history with planning permission originally being granted for a detached house in July 2000. Since this approval there have been four further submissions for a detached house on the site, all of which were refused, with three dismissed at appeal.

Work commenced on the building of a detached house on 26th May 2005, just before the expiry of the five-year period of planning permission (51162/APP/1999/2320). However, in July 2006 it was brought to the attention of the authority that the development was not being built in accordance with the approved plans.

A further application was received (51162/APP/2007/2544) which sought to regularise the house as built, and whilst the siting of the house in relation to the boundaries of the application site and its overall dimensions had been altered from the approved scheme, it was not considered to materially impact on the street scene or adjoining occupiers in terms of the Council's policies. However, this application was refused due to the size and appearance of the porch, conservatory, rooflights to the ground floor side element, window to the dormer, and side window facing no 43. An appeal was lodged (14th August 2008) against this decision, and was subsequently dismissed (26th January 2009), in relation to the rear dormer window and conservatory.

Whilst this appeal was being considered an enforcement notice was served (17th October 2008) which required the conservatory to be demolished, the side window to be

fixed shut (facing No 43), and the window in the dormer to be reduced. This notice has now been fully complied with.

Despite compliance with the enforcement notice, the dwelling as constructed does not actually have planning permission as it does not comply with the plans that were granted permission. As such, the applicant is now seeking retrospective planning permission to regularise the situation. The dwelling as it currently stands, and following the appeal decision on application reference 51162/APP/2007/2544, is not considered to impact on the street scene or the adjoining occupiers and, subject to the appropriate conditions, the application is recommended for approval.

## 2. **RECOMMENDATION**

**APPROVAL** subject to the following:

### **1 T8 Time Limit - full planning application 3 years**

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 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **3 MRD4 Single Dwellings Occupation**

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

#### REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **4 RPD1 No Additional Windows or Doors**

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

#### REASON

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

**5 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The first floor and roof light window(s) facing Nos. 39 and 43 Rushdene Road shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level and shall remain so for so long as the development remains in existence.

**REASON**

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

**6 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to the dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 RPD9 Enlargement to Houses - Roof Additions/Alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed without the prior written consent of the Local Planning Authority.

**REASON**

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 M6 Boundary Fencing - retention**

A 1.8 metre high close boarded fence or imperforate wall shall be maintained on the boundary with No 39 and 43 Rushdene Road for the full depth of the development hereby approved, and shall be permanently retained for so long as the development remains in existence.

**REASON**

To safeguard the privacy and amenity of neighbouring occupiers in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 H7 Parking Arrangements (Residential)**

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

## REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

### **10 RCU3 Loss of Garage(s) to Living Accommodation (Not Garage**

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

## REASON

To ensure that adequate off-street parking to serve the development is provided and retained, in accordance with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **11 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place 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 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

## REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **12 TL5 Landscaping Scheme - (full apps where details are reserved)**

Within one month of the date of this permission a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.



The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures).

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **13 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within six months of the date of approval of the landscaping details as required by condition 12.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Residential Layouts Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

### **3 I1 Building to Approved Drawing**

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

### **4 I2 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.

### **5 I3 Building Regulations - Demolition and Building Works**

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

### **6 I5 Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control

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

## **7            16                    Property Rights/Rights of Light**

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

## **8            115                    Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works 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 or Bank 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.

## **9**

The installation or alterations of any crossovers must be undertaken at the expense of the applicant.

### **3.            CONSIDERATIONS**

#### **3.1            Site and Locality**

The site is situated on the east side of Rushdene Road (formally land between Nos. 39 and 43) and comprises a partially completed, substantial two storey detached property with a hipped roof, front projecting gable and to the front a single integral garage. There is a beech tree covered by TPO No 614 situated in the front garden, set 1m back from the public footway. The property is a newly constructed infill plot in a street characterised mainly by semi-detached properties. The dwelling is within a developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Polices September 2007).

### 3.2 Proposed Scheme

The application seeks retrospective planning permission to erect a two storey 5-bedroom detached dwelling, with additional accommodation in the roofspace, an integral single garage, rear dormer and front porch. The dwelling is 14.27m deep (not including the porch), 9.5m wide with a hipped roof, 5.3m to the eaves level and 8.6m high to the ridge height. The two storey house is inset by 1m from the boundary with no.39 and 1.5m from the boundary with no.43 at first floor and the single storey side projection (facing no 43) is inset by 0.5m. The rear dormer has a width of 3.15m, maximum depth of 3.8m and height of 2.2m.

### 3.3 Relevant Planning History

51162/99/0399                      Forming Part Of 39 Rushdene Road Eastcote Pinner  
Erection of a five-bedroom detached house

**Decision:** 24-09-1999    Refused

51162/APP/1999/2320      Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM DETACHED HOUSE

**Decision:** 07-07-2000    Approved

51162/APP/2000/1899      Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM DETACHED DWELLINGHOUSE

**Decision:** 02-10-2000    Refused                      **Appeal:** 27-02-2001    Dismissed

51162/APP/2000/620        Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM HOUSE

**Decision:** 07-07-2000    Refused

51162/APP/2001/852        Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM DETACHED HOUSE (INVOLVING GABLE ENDS)

**Decision:** 25-07-2001    Refused                      **Appeal:** 04-12-2001    Dismissed

51162/APP/2002/77         Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM DETACHED DWELLING WITH INTEGRAL GARAGE

**Decision:** 27-05-2004    Refused                      **Appeal:** 18-02-2005    Dismissed

51162/APP/2007/2544      Forming Part Of 39 Rushdene Road Eastcote Pinner  
ERECTION OF A FIVE-BEDROOM DETACHED DWELLING WITH INTEGRAL GARAGE,  
MODIFICATIONS TO PLANNING PERMISSION 51162/APP/1999/2320 DATED 7TH JULY 2001  
(ERECTION OF A FIVE-BEDROOM DETACHED HOUSE) (RETROSPECTIVE APPLICATION)

**Decision:** 11-03-2008 Refused

**Appeal:** 26-01-2009 Dismissed

51162/APP/2007/512 Forming Part Of 39 Rushdene Road Eastcote Pinner

FIVE BEDROOMHOUSE

**Decision:** 05-11-2007 Withdrawn

51162/APP/2008/425 41 Rushdene Road Eastcote

ERECTION OF A REAR CONSERVATORY (RETROSPECTIVE APPLICATION).

**Decision:** 22-04-2008 Refused

51162/APP/2009/467 41 Rushdene Road Eastcote

Rear conservatory and dormer window (Application for a Certificate of Lawfulness for a existing use or operation or activity).

**Decision:** 02-04-2009 Withdrawn

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

Planning application ref 51162/APP/1999/2320 for the erection of a five bedroom detached house on the site was approved by the north committee on the 7th July 2000. This established the principle of a house on the site. The eaves were shown to be 5.4m, with a ridge height of 8.8m and incorporating a rear dormer. The dwelling was shown to be flush with the side boundary (with No 43) at ground floor and set in by 1.5m at first floor. In relation to No.39, the dwelling maintained a 1.5m gap to the boundary for its full height.

Since this approval there have been four further submissions for a detached house on the site, all of which were refused, with three dismissed at appeal:

2000/620 - Refused on the 7th July 2000 by the Planning Committee on the grounds of; overshadowing; loss of light to No 43; and over dominant and being visually obtrusive.

2000/1899 - Refused under delegated powers on the 2nd October 2000 on the grounds of; loss of sunlight to No 39 and over dominance to No 43. An appeal was subsequently dismissed, the inspector stated:

"I consider it unlikely that the mass of the property would increase the overshadowing immediately behind the house to the extent that would justify a refusal of planning permission"

This proposal extended by 5.5m beyond the rear wall of No 43, although the first floor was 1m less, and was inset from the side boundary by 1m. The inspector considered this would have an over dominant impact to No 43, however the inspector did not consider the scheme to be more cramped than the existing approved scheme.

2001/852 - Refused on the 25th February 2001 by the Planning Committee on the grounds of; cramped development in the street scene and the design of the roof would represent a

visually intrusive development. An appeal was subsequently dismissed, the inspector considered that the gable end roof would appear incongruous and unsympathetic and the development would not leave sufficient separation distances between the new house and its neighbours.

2002/77 - Refused on the 27th April 2002 by the Planning Committee on the grounds of; cramped development in relation to No 43; the size and design would result in an incongruous and visually intrusive development and the proposed garage failed to meet the Council's standards. An appeal was subsequently dismissed, the inspector considered that the design of the windows, chimney stacks and external doors when combined with the overall bulk as seen from the street and would not harmonise, compliment or improve the street scene or character of the area.

Work commenced on the building of a detached house on 26th May 2005, just before the expiry of the five-year period of planning permission (51162/APP/1999/2320). However, in July 2006 it was brought to the attention of the authority that the development was not being built in accordance with the approved plans.

A further application was received (51162/APP/2007/2544) which sought to regularise the house as built, and whilst the siting of the house in relation to the boundaries of the application site and its overall dimensions had been altered from the approved scheme, it was not considered to materially impact on the street scene or adjoining occupiers in terms of the Council's policies. However, this application was refused for the following reasons;

- > The front porch and rear conservatory by reason of their siting, size, bulk and design resulted in an overdominant form of development.
- > The rear conservatory, by reason of its overall length and depth would have a material impact on the amenities of the adjoining neighbours.
- > The excessive number of roof lights on the single storey side element would result in an incongruous form of development.
- > The enlarged window to the dormer is out of scale with the windows in the rear elevation of the existing property and would create a greater perception of overlooking of adjoining properties.
- > The side facing window (towards No 43), by reason of its full opening results in overlooking and therefore loss of privacy.

An appeal was lodged (14th August 2008) against this decision, and was subsequently dismissed (26th January 2009), on the following grounds;

- > The enlarged window in the dormer draws attention to this element and gives it significantly greater prominence and as such is over dominant rather than subservient. In addition the increased size of this window results in a greater perception of being overlooked at adjoining properties
- > The conservatory is at odds with the mono pitch roof structure of the rear projection and results in an unsatisfactory and unbalanced appearance. Furthermore, due to the extent of the building in relation to No.43 together, with the extent and height of the conservatory the proposal would have an intrusive impact on the gardens of adjoining properties and as such would cause a significant loss of residential amenity.

With regard to the other issues, the inspector concluded he found no significant harm in respect of the porch or the roof lights to the side, and took the view that the side window could be dealt with by condition.

Whilst this appeal was being considered an enforcement notice was served (17th October

2008), which required the conservatory to be demolished, the side window(facing No 43) to be fixed shut and the window in the dormer to be reduced. This notice has now been complied with.

#### **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:

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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Residential Layouts Residential Extensions

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

#### **5. Advertisement and Site Notice**

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

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

#### **6. Consultations**

##### **External Consultees**

28 neighbours consulted and a petition of 20 signatures and 9 responses have been received that make the following comments:

1. The overall height of the conservatory is higher than my property, the house and conservatory extends approx. 27 ft from my lounge. Even with the amended roof it will not alter the overall size of this dominant and oppressive building;
2. All my privacy has been taken away at ground level and the conservatory base is 2ft higher than

my property, overlooking my lounge/kitchen/patio and conservatory, unless this is altered it will be like living in a goldfish bowl;

3. I have had 3 years of continuous harassment from the applicant needing to access my property to complete building works. I am concerned this will continue in future to maintain his property;
4. The size of the construction will have a negative impact on the natural sunlight received on my home and surrounding garden;
5. The current application still represents an over development of the site, some of the more intrusive features have now been toned down but the conservatory is still very large and the dormer window still overlooks adjoining property;
6. The conservatory is still the same depth as the existing, and simply changing the roof line does not alter the underlying fact that it extends way beyond the rear wall of the house;
7. The previous appeal decision should be taken into account;
8. The reduction in width of the dormer window is welcomed, however, the changes to the internal layout will mean this would no longer be for a stairwell but now a habitable room, this increases the perception of overlooking of adjoining properties;
9. In the approved plans the second floor bedroom only had roof lights which did not overlook adjoining property, now the amended room layout means this room would overlook, however, this could be overcome by a condition requiring the dormer to be non opening and obscure glazed. We would therefore ask that the revised dormer is rejected, or if approved conditioned as mentioned previously;
10. The deviation from the original plans is an absolute disgrace. On the exterior every elevation varies in size, style and the numbers of windows to that approved. The roof is wider and the front porch extends in front of the building line. The whole appearance is out of keeping with the surrounding properties. Internally, all three floors have been modified, including the positions of the staircases;
11. The owner has shown a total disregard and contempt for the planning approval process;
12. Since the construction differs so greatly from the approved plans and is not too far advanced for anything other than minor alterations, I request the council orders the demolition and rebuilding to the approved plans, otherwise this will set a precedent for others to follow. However, if it is granted then permitted development rights should be removed;
13. I share a fence with the above property and I am the person directly affected by the antics of the applicant and the authority's inability to contain them. The applicant is a property developer with various properties. He has no interest in the aesthetic value of the surroundings, only to maximize his profits;
14. This monstrosity he is building, leads to overlooking of my living room, by virtue of its height;
15. There are no doors or windows in the ground floor rear elevation which suggests further alterations are planned;
16. Due to the size and number of rooms, it suggests this property will probably be converted into a multi occupancy/residential home in the near future, affecting my residential amenities;
17. The road is characterised by semi-detached houses of 3 bedrooms and a few smaller bungalows. The loss of visual amenity created by such an intrusive detached block is significant. It towers above surrounding properties, is wider, further forward, with totally unsympathetic elevations, detail, fenestration, roofline/structure and materials;
18. We all know, that if permission is granted, the first thing that would be added would be a massive conservatory, followed by a garden development;
19. Would any of you fancy living next door to this illegal development, not to mention the years of continuous noise, work, debris, dust and rubbish.
20. The Council has powers under sections 94-96 of the Town & Country Planning Act 1990 to issue a completion notice in respect of uncompleted developments. Also the Council, as billing authority for council tax, has the powers to issue a Completion Notice for Council tax purposes if the building could be completed and ready for occupation within 3 months. The Council should use one or both of these powers.

Officer comments:



Whilst the conservatory has now been removed these comments/objections are still considered to be relevant with regard to the determination and whether permitted development rights should be controlled. Points 3, 11, and 19 are not material considerations in the determination of this application. With regard to point 20 there is such a thing as completion notices but these are only justified in cases where the uncompleted development is adversely affecting the area and members would need to be convinced that this applies with Rushdene Road. Furthermore, there is no planning permission for the house as built therefore it would be difficult to enforce such a notice. The remaining points are addressed in the full report.

Eastcote Residents Association were consulted and have commented as follows:

1. The resultant building extends significantly beyond the rear elevations of the adjoining dwellings, and I note the conservatory is seen from No.43 and its garden.
2. The extent of the development and the height of the conservatory is over intrusive, causing a loss of residential amenity;
3. Although the roof shape has been altered (conservatory), the height is still the same. The significant projection of the conservatory has been built up to the level of the ground floor (of the dwelling) which gives it greater prominence;
4. It also appears that the fenestration of the rear of the building is to be changed;
5. It is considered there is very little change in the over dominance of the proposal and the application should be refused;
6. The residents have been harassed by this developer for 10 years, submitting 13 applications, and all that has been achieved is an unfinished dwelling and a street scene that resembles a slum;
7. Recently residents had to contact the skip hire company to remove a skip that had been in the front garden for about a year because it was attracting rats;
8. Building works started in June 2005, with residents subjected to constant construction work, which is still continuing, how can this be allowed?;
9. The building has not been built in accordance with the approved plans and is therefore unauthorized and does not benefit from permitted development rights;
10. As the July 2000 application has now expired, the current application should be treated as purely retrospective, without referring to the 2000 approval, and the current guidance should be used;
11. The dwelling by its height, size and bulk is detrimental to the street scene, and the closeness to No.43 is un-neighbourly and the application should be refused and action taken to remove this building;

Comments on the submitted drawings:

- a) Drawing 1 gives an incorrect position of the house in relation to the boundary with number 43 Rushdene Road. There is a small gap of a few centimetres at the front of the dwelling diminishing to no gap at all at the rear of the building;
- b) The distance from number 39 Rushdene Road is only 1 metre, the developer has removed the garage belonging to 39, and removed the side access;
- c) The height to the ridge of this dwelling is 1-2 metres higher than the adjacent buildings;
- d) The building line is at least 2 metres beyond the existing building line of the original houses;
- e) There is a very large gable over the front bedroom, whereas elsewhere in the area a hipped roof is used;
- f) Drawing 5 the ground floor plan, shows the footprint for a conservatory. This conservatory was considered unacceptable by the Planning Inspectorate, and its removal was authorised;
- g) The developer has submitted 17 pages of additional information, which appears to deal only with the amount of windows to be installed in the dormer. Originally 4 windows were installed, latterly reduced to 2 windows. The roof benefits from several roof lights. Therefore, 2 windows in the dormer which are larger than the other windows on the 1st floor should be sufficient to allow enough natural light and ventilation;
- h) There are four shower rooms and one bathroom in this house. This leads one to believe that it is not destined to be a family home, but a house of multiple occupancy.
- i) If this application should be permitted we would ask that Permitted Development Rights are

withdrawn from the site. If they are retained the developer will then erect the conservatory as shown on the ground floor plan, although no details of elevations are given. The number of windows in the dormer will be increased and a gym, open to the public, built in the garden. This has been mentioned in previous applications by the developer, Section 106 payments could also be requested as according to drawing 5 the front reception room is classed as a bedroom therefore this is a six bedroom dwelling.

**Officer Comments:**

Whilst the conservatory has now been removed these comments/objections are still considered to be relevant with regard to the determination and whether permitted development rights should be controlled. Point (h) is not a material consideration in the determination of this application and the remaining points are addressed in the full report.

Ward Councillor has requested that the application be referred to the North Planning Committee.

**Internal Consultees**

Tree/Landscape Officer

The Beech pollard at the front of the site is protected by TPO 614 and is retained on site (as required under the previous approval). There is scope for landscaping of the front garden/space. The scheme is acceptable subject to conditions TL2, TL5 and TL6.

**7. MAIN PLANNING ISSUES**

**7.01 The principle of the development**

The site is located in a developed area, wholly residential in nature. The principle of residential development is therefore acceptable subject to compliance with the policies and standards as set out in the UDP Saved Policies September 2007 and the Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.

The principle of the erection of a five bedroom house was established by the approval of application reference 51162/APP/1999/2320.

A further application, reference 51162/APP/2007/2544, was refused on the basis of the size, bulk and design of the porch and conservatory, the excessive number of rooflights along the single storey side element, the enlarged window area to the rear dormer, and the side facing first floor window (towards No 43). It was not refused on the principle of the development or the overall size, scale, bulk or design of the property. This refusal, thus, established that other than the elements mentioned, the remaining elements of the scheme were considered acceptable. The reasons for refusal were tested at appeal and the inspector considered no undue harm resulted from the porch or the rooflights to the side, therefore also establishing the principle of these two elements.

**7.02 Density of the proposed development**

The scheme would have a residential density which would not exceed the minimum requirements of the London Plan's recommended guidelines having regard to the sites Public Transport Accessibility Level (PTAL) score of 1 (which suggests a level of 150-200 hrpha, 30-50 units per hectare). Furthermore, it would be compatible with the density of the surrounding residential development and as such, the proposal is considered to comply with Policy 4B.3 of the London Plan.

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

N/A to this application

### **7.04 Airport safeguarding**

N/A to this application

### **7.05 Impact on the green belt**

N/A to this application

### **7.06 Environmental Impact**

N/A to this application

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

Policy BE13 of the Adopted Hillingdon UDP (Saved Polices, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states that the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area. Section 4.10 of the SPD explains careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings.

The dwelling as constructed has been the subject of a retrospective application (2007/2544), this application was refused due to the size bulk and design of the porch and conservatory, the excessive number of rooflights along the single storey side element, the enlarged window area to the rear dormer, and due to the fact the side facing first floor window fully opened (towards No 43). This established the remaining elements of the scheme to be acceptable. Members also considered the changes from the approved scheme when considering the application for the retention of the dwelling under application reference 2007/2544 at the North Planning Committee Meeting of the 11th March 2008. The report to this committee commented

"The set back of the two-storey house from the street scene has not changed from the previously approved scheme. The two storey element which has been built is only 0.12m deeper and 0.15m wider than the approved scheme and the overall height of the building has been reduced by 0.5m. The siting of the house in relation to the boundaries of the application site and its overall dimensions has not therefore substantially changed from the approved scheme. Furthermore, the relationship of the built single storey side projection to No.43 is considered to represent an improvement on the approved scheme.

The flank wall of this element has now been inset by 500mm from the side boundary with this property and the gable end roof has been changed to a hipped roof. The alterations to the roof lights above the two-storey house, ground and first floor rear elevation and flank elevation facing 39 Rushdene Road are also considered to be minor alterations, which do not significantly affect the character and appearance of the house."

All of the changes explained above were considered to be acceptable by members and the application was only refused on the basis of the elements of the scheme mentioned in the above paragraph. subsequently, these reasons for refusal were tested at appeal and the inspector considered no undue harm resulted from the porch or the rooflights to the single storey side element, therefore also establishing the principle of these further two elements.

The Inspector commented:

"Whilst I have found no significant harm in respect of the porch or the roof lights along the single storey side projection, I have found that in respect of the dormer and conservatory the development would have significant harm to the amenity and character of the area and to living conditions of the adjoining properties."

The conservatory has now been removed from the scheme and the fenestration of the dormer window has been reduced by 50% and would now be in line with that approved in 2000. As such, it is considered that the design of the proposed dwelling would not cause undue harm to the character or visual amenities of the area and would comply with policies BE13 and BE19 of the UDP (Saved Policies September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

### **7.08 Impact on neighbours**

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination, and 15m will be the minimum acceptable distance. This proposal would comply with this advice as the depth of the rear garden would be in excess of 28m.

The two storey house, which has been built, largely replicates the depth and relationship of the two storey development that was allowed in 2000 and does not project beyond the 45 degree line taken from the mid-point of the windows of the adjoining properties (No.s 39 and 43) at first floor level. Taking into consideration to dimensions of the approved scheme, it is considered that the bulk and mass of the development that has now been constructed has not resulted in a form of development which would have a harmful impact on the amenities of the adjoining occupiers.

With regard to the conservatory that had been constructed to the rear of the dwelling, and that was considered in the 2009 appeal decision. The inspector commented:

"The rear ground floor elevation of No 41 extends a significant amount beyond that of the ground floor elevation of No 43 and the conservatory extends some 3.7m beyond that. The resultant building extends significantly beyond the rear elevations of the adjoining dwellings and I noted that the conservatory is readily seen from the house at No 43 and more particularly the garden. I have formed the view that the extent of the development and the height of the conservatory result in an over-intrusive impact on the gardens of the adjoining property and cause a significant loss of residential amenity."

This element has been removed from the scheme under consideration and the conservatory has been demolished. As such, due to the negative impact any further additions would have to neighbouring properties it is considered that if members wish to approve the application a condition is added removing permitted development rights in relation to extensions to the proposed dwelling.

Therefore, subject to condition the proposal would comply with policies BE20 and BE21 of the UDP (Saved Policies September 2007) and the SPD HDAS: Residential Extensions.

With regard to loss of privacy, the SPD HDAS:Residential Layouts, section 4.12, states adequate distances should be maintained to any area from which overlooking may occur, as a guide, the distance should not be less than 21m between facing habitable room windows, the properties situated to the rear of the development would be over 50m away and it is therefore not considered that a material loss of privacy would arise.

With regard to the fenestration of the dormer window, the Inspector in the 2009 appeal decision, considered that the size of the window in the dormer led to a greater perception of being overlooked and that the change in the internal layout and the size of the window together with the height of the dormer above ground floor level gave rise to a significantly increased sense of overlooking of adjoining properties. This window has now been reduced in size by 50% and would conform with the size of the window shown in the development that was allowed in 2000.

In relation to the side facing windows at first floor level and those in the roof slopes, these would be either secondary windows to rooms or serve bathrooms. Therefore a condition requiring these openings to be obscure glazed and non opening below top vent is recommended to avoid any overlooking concerns. Furthermore, if an approval were considered appropriate a further condition could be attached to restrict the insertion of any additional openings to avoid any future overlooking concerns, and as such no material loss of privacy would arise. Therefore the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007) and the SPD HDAS: New Residential Layouts: Section 4.12.

#### **7.09 Living conditions for future occupiers**

Section 4.7 of the SPD HDAS: Residential Layouts, states careful consideration should be given to the design of the internal layout and that satisfactory indoor living space and amenities should be provided. The proposed internal floor space for the new dwelling would be over 200m<sup>2</sup> (not including the integral garage). The SPD states the minimum amount of floor space required for a 5-bedroom three storey house would be 108m<sup>2</sup> and therefore the proposal would comply with this advice.

With regard to the size of the garden, the SDP, Section 4.15, states that a 4+ bed house should have a minimum garden space of 100m<sup>2</sup>, and the development would comply with this advice, with a rear usable garden area of over 100m<sup>2</sup> for the proposed new dwelling. Therefore the proposal would comply with this advice and with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007).

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

The internal width of the garage at 2.8m wide does not conform with the 3m width guideline, but a 2.75m wide integral garage has been previously approved in July 2000 (51162/APP/1999/2320) and was also considered acceptable by an Inspector in 2000 (51162/APP/2000/1899). Furthermore this was not raised as a reason for refusal in 2007 (51162/APP/2007/2544). As such, it is not considered that a reason for refusal could be justified on this ground.

#### **7.11 Urban design, access and security**

As above

#### **7.12 Disabled access**

Disabled access will be provided at ground floor via a level threshold and there would be a wheelchair accessible WC at ground floor. This is considered to satisfy Lifetimes Homes

standards. Therefore the proposal would comply with Policy 3A.4 of the London Plan and the Council's HDAS: 'Accessible Hillingdon'

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

N/A to this application

#### **7.14 Trees, Landscaping and Ecology**

The Council's Trees and Landscape Section raise no objection to the proposal subject to conditions TL2, TL5 and TL6 and, in tree preservation and landscape terms, the proposal complies with policy BE38 of the Hillingdon Unitary Development Plan (Saved Polices, September 2007).

#### **7.15 Sustainable waste management**

The proposal concerns a single family dwelling, hence a communal bin storage facility does not need to be provided.

#### **7.16 Renewable energy / Sustainability**

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 HDAS: Residential Layouts: Section 4.9 states and Policy 4A.3 of the London Plan (2008).

#### **7.17 Flooding or Drainage Issues**

N/A to this application

#### **7.18 Noise or Air Quality Issues**

N/A to this application

#### **7.19 Comments on Public Consultations**

See Section 6.1

#### **7.20 Planning Obligations**

This is a retrospective application following an appeal decision dated 26th January 2009. The current application seeks to receive a formal consent for the house as constructed. No planning obligations were requested on the previous applications and therefore it is not considered appropriate to pursue any new requests under the current scheme.

#### **7.21 Expediency of enforcement action**

n/a

#### **7.22 Other Issues**

None

### **8. Observations of the Borough Solicitor**

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

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

specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

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

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

## **10. CONCLUSION**

The proposal seeks retrospective consent for the dwelling as constructed.

Planning permission was refused under application No 51162/APP/2007/2544, which sought to regularise the house as built, and whilst the siting of the house in relation to the boundaries of the application site and its overall dimensions had been altered from the approved scheme, it was not considered to materially impact on the street scene or adjoining occupiers in terms of the Council's policies. However, this application was refused due to the size and appearance of the porch, conservatory, rooflights to the ground floor side element, window to the dormer, and side window facing no 43. An appeal was lodged (14th August 2008) against this decision, and was subsequently dismissed (26th January 2009), in relation to the rear dormer window and conservatory.

Whilst this appeal was being considered an enforcement notice was served (17th October 2008) which required the conservatory to be demolished, the side window to be fixed shut (facing No 43), and the window in the dormer to be reduced. This notice has now been fully complied with.

Despite compliance with the enforcement notice, the dwelling as constructed does not actually have planning permission as it does not comply with the plans that were granted permission. As such, the applicant is now seeking retrospective planning permission to regularise the situation. The dwelling as it currently stands, and following the appeal decision on application reference 51162/APP/2007/2544, is not considered to impact on the street scene or the adjoining occupiers and, subject to the appropriate conditions, the

application is recommended for approval.

## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Polices September 2007

HDAS: Residential Layouts: July 2006

HDAS: Residential extensions: July 2006

HDAS: Accessible Hillingdon: July 2006

The London Plan (2008)

Appeal decision in relation to application reference 51162/APP/2007/2544


**Contact Officer:** Catherine Hems

**Telephone No:** 01895 250230





**Notes**

 Site boundary

For identification purposes only.

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Site Address

**41 Rushdene Road  
Eastcote**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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

Planning Application Ref:  
**51162/APP/2009/466**

Scale  
**1:1,250**

Planning Committee  
**North** Page 21

Date  
**May 2009**



**HILLINGDON**  
LONDON

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## Report of the Corporate Director of Planning & Community Services

**Address** 33 PARKFIELD ROAD ICKENHAM

**Development:** Two storey 3 bed detached dwelling with associated parking, installation of new vehicular crossover (involving demolition of existing dwelling)

**LBH Ref Nos:** 40891/APP/2009/280

**Drawing Nos:** 09/2494/4  
Design and Access Statement  
Site Location Plan at Scale 1:125C  
09/2494/1a  
09/2494/2a  
09/2494/3b  
D0709

**Date Plans Received:** 12/02/2009      **Date(s) of Amendment(s):** 06/04/0009  
**Date Application Valid:** 02/03/2009      12/02/2009  
06/04/2009

### 1. SUMMARY

Policy BE13 of the Adopted Hillingdon UDP (Saved Polices, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states that the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The proposal is for a detached property set adjacent to the existing properties in the street. It is considered that the bulk and design of the proposal would not result in a dominant or discordant feature in the street scene or the wider area, or that it would result in an undue impact on adjoining occupiers.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 T8 Time Limit - full planning application 3 years

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 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**3 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

**REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 OM2 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 known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

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

**5 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 31a and 35 Parkfield Road.

**REASON**

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

**6 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The windows, including roof windows, facing 31a and 35 Parkfield Road shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

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

**7 RPD5 Restrictions on Erection of Extensions and Outbuildings**

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

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 RPD9 Enlargement to Houses - Roof Additions/Alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed without the prior written consent of the Local Planning Authority.

REASON

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007)

**9 OM5 Provision of Bin Stores**

No development shall take place until details of facilities to be provided for the covered, secure and screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**10 M6 Boundary Fencing - retention**

A 1.8 metre high close boarded fence or imperforate wall shall be maintained on the boundary with 35 Parkfield Road for the full depth of the development hereby approved, and shall be permanently retained for so long as the development remains in existence.

REASON

To safeguard the privacy and amenity of neighbouring occupiers in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**11 H7 Parking Arrangements (Residential)**

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed with porous materials prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**12 H17 Washing of Construction Vehicles**

Provision shall be made within the site to 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.

**REASON**

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policy AM7 of the Hillingdon Unitary Development Plan.

**13 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

**REASON**

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**14 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place 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 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

**REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

**15 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, 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. 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:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. 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 to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**16 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Hard surfacing materials proposed,
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures).

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**17 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

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



BE38	new planting and landscaping in development proposals.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Residential Layouts Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4A.7	Renewable Energy
LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.

### **3            I1                    Building to Approved Drawing**

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

### **4            I2                    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.

### **5            I3                    Building Regulations - Demolition and Building Works**

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

### **6            I5                    Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

### **7            I6                    Property Rights/Rights of Light**

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

## **8 115 Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works 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 or Bank 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.

## **9**

The installation/ or alterations of any crossovers must be undertaken at the expense of the applicant.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises a detached bungalow on the south west side of Parkfield Road. The property has a hipped roof with a detached flat roof garage to the side (on the north west boundary). To the south east of the site are two detached dwellings of a similar size and design as the proposal. To the northwest, is no.35, which comprises a bungalow. The road is characterised by detached properties, mainly bungalows, although there are two storey developments visible within the street scene. The site is within a 'developed area' as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

#### **3.2 Proposed Scheme**

The application seeks planning permission to erect a two storey 3-bedroom detached dwelling with an integral single garage. The building would follow the building line of the road and would be 10.6m wide (including chimney) and a maximum of 15.5m deep. There

would be catslide roofs to the front and rear, two storey forward and rear facing gables, and the first floor accommodation would be within the roofspace. The maximum height to the ridge would be 6.7m.

### 3.3 Relevant Planning History

40891/83/0714                      33 Parkfield Road Ickenham

Single-storey side extension; demolition of existing kitchen and alts. to front bay window.

**Decision:** 14-06-1983    Approved

#### Comment on Relevant Planning History

None

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- |          |   |
|----------|---|
| BE13     | New development must harmonise with the existing street scene.  |
| BE15     | Alterations and extensions to existing buildings  |
| BE19     | New development must improve or complement the character of the area.   |
| BE20     | Daylight and sunlight considerations.   |
| BE21     | Siting, bulk and proximity of new buildings/extensions.   |
| BE22     | Residential extensions/buildings of two or more storeys.  |
| BE23     | Requires the provision of adequate amenity space.   |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.  |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| AM7      | Consideration of traffic generated by proposed developments.  |
| AM14     | New development and car parking standards.  |
| HDAS     | Residential Layouts<br>Residential Extensions   |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction.  |
| LPP 4A.7 | Renewable Energy  |
| LPP 4B.1 | London Plan Policy 4B.1 - Design principles for a compact city.   |
| LPP 4B.5 | London Plan Policy 4B.5 - Creating an inclusive environment.  |

## **5. Advertisement and Site Notice**

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

13 adjoining occupiers were consulted and a petition with 32 signatures and 5 letters have been received making the following comments:

1. I object to the workshop building half way down the garden next to my boundary fence, this will dominate the sky line. Our garden is predominantly lawn. The fact is compounded by the inclusion of toilet facilities, just the other side of the fence, not ideal on a sunny afternoon;

2. This application would be an over development of the site, it would be overbearing, over dominant, and would not be in-keeping with the street scene as the vast majority of properties are bungalows;

3. There would be large-scale disruption, caused by the building works directly opposite my bungalow;

4. The plans and statements contain significant errors/inaccuracies and inconsistencies which would make any approval 'in accordance with the plans' very difficult to enforce;

5. The existing street pattern maintains above average gaps between dwellings, and respects eave heights of the neighbouring original bungalows;

6. During the building of Nos. 31a and 31b, the Councillors visited and expressed they had been 'misled' by reports that these were chalet bungalows, and the development should not have been approved as they did not fit with the street scene;

7. Nos.31a and 31b were also built forward of the building line of the street, however it was argued that they followed the bend in the road, however, no.33 is beyond the apex of the bend and therefore should line up with the post bend properties, ie no.35, and in my opinion the forward position in the design on this corner together with the skewed siting of the building does not give confidence that this will not occur;

8. I attach extracts from the residential layouts SPG, which do not appear to be followed in this application, ie the effect of loss of light to the side habitable room of No.35 (25 degree BRE requirement) and the currently un-shaded patio area of that property;

9. The proposal does not appear to be in line with the Governments policy and sustainable communities, due to the reduction in passive solar heat, increased electric light usage, and waste of resources used to demolish a house bought unsuitable for your needs;

10. The depth of the building has taken building lines from extended properties, hence removing the permitted development rights for similar proposals;

11. I believe the outbuilding should follow the limitations of the recent regulations regarding the same;

12. There will be significant loss of light to our side facing habitable room which only has one window;

13. No mention is made of the side extension to the left side of our property, built in the 1970's and is 0.89m from the boundary fence;

14. The plans show a chimney that would protrude into the 1m gap from the fence and when combined with our extension result in a terracing affect, with the gap being much smaller than the desired 2m;

15. There are windows shown either side of the chimney, these windows will directly face into the window of my lounge and will overlook the seating area of my patio, causing loss of privacy;

16. Our Sky/TV dish is mounted on our flank wall facing No.33, this alignment is over the existing property, if the detached house is built, the dish would face a brick wall and I have been informed by an aerial installer that this would result in a 'no signal';

17. The proposed house would cast a shadow over a large portion of my garden and seating area until late morning. Also the rear window at 1st floor would overlook this area and privacy is one of the reasons my wife and I moved here;

18. I am concerned about the damage that could be caused to my house by this development due to the minimal footings used for our property, and the subsidence that could be caused;

Officer comments - With regard to points 1 & 11, the outbuilding has been removed from the scheme. In relation to point 3 it is inevitable that there would be some disruption during any building works and these issues would be dealt with under environmental health or health and safety legislation. With regard to point 4, amended and corrected plans have been received and new letters were sent to interested parties to notify them of this. With regard to point 13, whilst there is a single storey side extension to No.35, adjoining the site, it does not contain any habitable room windows. Point 16 is a civil matter and not a material consideration in the determination of this application. Point 18 would be dealt with under the party wall act. The remaining points are addressed in the full report.

Oak Avenue and Parkfield Road Residents Association made the following comments:

1. The road consists of mainly bungalows, and to replace this bungalow with a two storey house, adjacent to and virtually identical to two houses already adversely criticised by Cllr. Members of the North Planning Committee is unacceptable;

2. The resulting affect of these three dwellings in this road would be extremely detrimental to the street scene. The new dwelling would be overbearing and invade the privacy of adjacent occupiers;

3. The garage with toilet to be built halfway up the garden would be unseemly and out of keeping with other constructions in the near vicinity;

4. You will be aware as a result of objections made to the houses at No 31 and 31a, Councillors made a site visit and reported back to say there was such an adverse impact on the street scene that permission should never have been granted. We request this mistake is not perpetuated in this case.

Officer comment - With regard to point 3 the proposed outbuilding has been removed from the scheme and the remaining issues are addressed in the main report.

Ickenham Residents Association has been consulted and has commented as follows:

Concerns regarding the detached outbuilding, the building may be positioned within 0.5m of the boundary, and the ridge may exceed 4m in height. There are clear guidelines under outbuildings in

HDAS: Residential Extensions and these should be taken into consideration.

Officer comment - The proposed outbuilding has been removed from the scheme.

The Ward Councillor has requested that the application is reported to the Planning Committee as he is concerned at the loss of single storey dwellings that are needed by disabled people of all ages. In addition the 10% rule of loss of single storey dwellings may be breached and therefore detrimental to the street scene, overdominance and lack of privacy. There is also the requirement for two parking spaces to be maintained.

### **Internal Consultees**

Tree/Landscape Officer

Although there are a few trees on and close to site, there is only one protected Scots Pine (T5 or TPO 514) located in the rear garden of no.35, in proximity of the proposed works. The site frontage is dominated by an ornamental tree, landscaping and some hardstanding. The trees in the rear garden have been shown on the site layout plan but the trees to the front have not.

Appraisal: Although, the trees at the front of the site contribute to the arboreal character of the area, their retention would be desirable but not required as part of this scheme.

In order to safeguard the valuable trees and shrubs of the proposed site during the construction period, it is advisable to place a temporary protective fence to contain the working space close to the building to the front, and across the width of the rear garden, of the site.

Subject to tree protection measures, it is considered that the proposed development would not be detrimental to the health and public amenity value of the valuable trees, hedges and landscaping features on and close to the site.

Overall, the scheme makes provision for the long-term retention of the valuable trees, hedges on and close to the site. Subject to conditions TL1, TL2, TL3, TL5 and TL6, the scheme is acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the Saved policies UDP.

Environmental Protection Unit

No objection subject to a construction site informative added to any permission issued in relation to neighbourly building practices.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site is currently occupied by a residential property in an area which is totally residential in character. The development of a residential dwelling is, thus, acceptable in principle subject to compliance with other policies within the UDP saved policies September 2007.

### **7.02 Density of the proposed development**

The scheme would have a residential density of some 100 hrpha, which is below the minimum requirements of the London Plan's recommended guidelines having regard to the sites Public Transport Accessibility Level (PTAL) score of 2 (which suggests a level of 150-200 hrpha, 30-65 units per hectare). However the proposal would be compatible with the

density of the surrounding residential development and, as such, is considered to comply with Policy 4B.3 of the London Plan.

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

N/A to this application

**7.04 Airport safeguarding**

N/A to this application

**7.05 Impact on the green belt**

N/A to this application

**7.06 Environmental Impact**

N/A to this application

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

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene and BE19 states that the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area. Section 4.10 of the SPD explains careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings.

It is considered that whilst the street contains mainly bungalows, there are two storey dwellings within the street scene and that the replacement of the existing bungalow with a two storey dwelling would not result in a detrimental impact. The proposed dwelling would be 0.75m higher than the existing adjacent bungalow (No 35) and would be 0.25m lower than the adjacent two storey dwelling (No. 31a). The revised plans now show the proposed dwelling moved to the south east boundary of the site (with No 31a) and this has reduced the visual impact of the height differences between the single and two storey developments.

With regard to Policy BE22 of the Hillingdon UDP (Saved Policies, September 2007), two storey buildings should be set in a minimum distance of 1m from the side boundaries and the proposed house would comply with this advice. Section 4.27 of the SPD Residential Extensions states, careful consideration should be given to building lines and these should relate well to the existing street pattern, although in some instances varied building lines can achieve diversity and interest. The main frontage of the building would follow the building line of existing properties in the street. Whilst the bay window would project forward of the building line it is considered that due to its single storey nature it would provide visual interest to the frontage.

On a scheme, to create a two storey property from an existing bungalow, at 58 Parkfield Road, which was granted permission on appeal in August 2008, the Inspector commented as follows in relation to the impact of the proposal on the street scene and the character of the area:

"The proposal is effectively to turn a chalet bungalow into a two storey house. The design of the roof is hipped and rises to a ridge, but the top of the ridge has been cut off to create a

flat top in order to reduce the overall height. The upstairs windows are part contained within the roof which also reduces the height and bulk of the proposal. The proposed house would have the same footprint as the bungalow.

The proposal would be no nearer to its neighbours than the existing bungalow. No 58 is separated from No 60 by a pair of drives which provide access to single garages, there is thus a wide gap on this northern side. To the south, No 58 is close to the boundary with No 56, within half a metre, and No 56 is built right up to the boundary. However, the boundary element of No 56 is a flat roofed garage and to the rear what appears to be a flat roofed extension. The first floor of the proposal would thus rise above the flat roofed garage, some distance from the roof of No 56. I consider there would thus be significant gaps on both sides of the proposal, which would not look cramped nor harm the street scene and so would not undermine policies BE13, BE19 and BE22 of the London Borough of Hillingdon Unitary Development Plan (2007).

The Council accept the road is a mixture of bungalows and two storey houses and the provision of the first floor is not in itself out of place. I would agree and I saw on my site visit that there were a number of taller houses. Some appeared to be purpose built two storey dwellings and others seemed to be conversions of existing bungalows. I do not think the proposed conversion

would be out of place. No 60 to the north has a large roof extension and so would not be excessively dominated by its new larger neighbour. To the south are a number of smaller bungalows, but the juxtaposition of two storey houses with bungalows is not unusual in the road. The design of the proposal itself seems to have been thought through to fit into the streetscene and to minimise the bulk of the resulting building and I do not think the flat roof element would stand out. Taking all these matters together I do not find the proposal to be harmful to the streetscene nor significantly out of character with its neighbours and so is not contrary to policies BE13, BE19 and BE22."

Given the Inspectors comments, the design of the proposed dwelling and its relationship with the adjoining properties and the street scene in general would not cause undue harm to the character or visual amenities of the area and would comply with policies BE13, BE19 and BE22 of the UDP (Saved Policies September 2007) and Policies contained in the HDAS Supplementary Planning Document: Residential Layouts.

## **7.08 Impact on neighbours**

With regard to the impact on the amenities of the adjoining occupiers, Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination, and 15m will be the minimum acceptable distance. This proposal would comply with this advice as the depth of the rear garden would be in excess of 25m. Furthermore, due to the proposed siting of this dwelling, (it uses a similar front and rear building line to the neighbouring properties) it is not considered the proposal would cause an adverse affect by way of loss of outlook to these adjacent properties.

With regard to loss of light to the existing adjacent properties, it is not considered an adverse impact would occur in relation to no 33a, as this property only has a utility door and window in the flank elevation facing the proposal. However, with regard to No.35, this



property has a sitting room and bed room window in the flank elevation facing the site, and whilst the sitting room is a secondary window and therefore this room would still maintain an adequate source of natural light, the bedroom window is the only window serving this room and would be affected by the proposal. The Building Research Establishments report 'Site Layout Planning for Daylight and Sunlight 1991', recommends that suitable daylight to habitable rooms is achieved where a 25 degree vertical angle taken from a point 2m above the floor of the fenestrated elevation is kept unobstructed. Whilst the proposed dwelling would not comply with this advice (the 25 degree plane would be broken at a distance of 6.5m from the affected window by 0.75m of the roof area), it is noted that the existing property currently breaks this plane (at a distance of 7.2m by 0.75m of the roof area), and therefore it is not considered the impact of the new dwelling with regard to this criteria would be materially different from the existing situation enough to warrant the refusal of planning permission on these grounds alone.

The shadow impact of the proposal has been assessed (in relation to the amended plans showing the property situated adjacent No 31b), and whilst the proposed new dwelling would cast a shadow towards the flank wall of the adjacent property, No.35 and the habitable room window contained in this elevation, this shadow would have cleared this window by approximately 10.45am. Furthermore, it is noted the shadow from the existing property (due to its siting closer to the shared boundary), it is estimated would not clear this window until approximately 11.45am and therefore the proposal is considered to result in an improvement in this respect.

Therefore the proposal would comply with policies BE20 and BE21 of the UDP (Saved Policies September 2007) and the SPD HDAS: Residential Extensions.

With regard to loss of privacy, all of the side facing windows at ground floor and in the roof slopes would either be secondary windows to rooms or to serve a bathroom, landing area, or utility room. Therefore it is considered acceptable to condition these openings to be obscure glazed and non opening below top vent to avoid any overlooking concerns. Furthermore, if an approval were considered appropriate a further condition is recommended to restrict the insertion of any additional openings to avoid any future overlooking concerns, and as such no material loss of privacy would arise. Therefore the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007) and the SPD: New Residential Layouts: Section 4.12.

#### **7.09 Living conditions for future occupiers**

Section 4.7 of the SPD: Residential Layouts, states careful consideration should be given to the design of the internal layout, and that satisfactory indoor living space and amenities should be provided. The proposed internal floor space for the new dwelling would be over 150m<sup>2</sup> (not including the integral garage). The SPD states the minimum amount of floor space required for a 3-bedroom two storey house or bungalow would be 81m<sup>2</sup> and therefore the proposal would comply with this advice.

With regard to the size of the garden, the SDP: Residential Layouts: Section 4.15 states that a 3 bed house should have a minimum garden space of 60m<sup>2</sup>, and the development would comply with this advice, with a rear usable garden area over 100m<sup>2</sup> for the proposed new dwelling. Therefore the proposal would comply with this advice and with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007).

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

The proposal shows the provision of a single integral garage together with a further space

on the frontage and therefore the development is considered to comply with the Councils approved car parking standards as 2 spaces would be provided for the dwelling and as such would comply with policies AM7(ii) and AM14 of the Hillingdon Unitary Development Plan (Saved Polices September 2007).

#### **7.11 Urban design, access and security**

As above

#### **7.12 Disabled access**

Disabled access will be provided at ground floor via a level threshold and there would be a wheelchair accessible WC at ground floor. A 1.1m wide staircase would support a future stair lift. This is considered to satisfy Lifetimes Homes standards. Therefore the proposal would comply with Policy 3A.4 of the London Plan and the Council's SPD HDAS: Accessible Hillingdon.

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

N/A to this application

#### **7.14 Trees, Landscaping and Ecology**

The Council's Trees and Landscape Section raise no objection to the proposal and comments that overall, the scheme makes provision for the long-term retention of the valuable trees and hedges on and close to the site. Thus, Subject to conditions the scheme is acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the Hillingdon Unitary Development Plan (Saved Polices, September 2007).

#### **7.15 Sustainable waste management**

The proposal concerns a single family dwelling, hence a communal bin storage facility does not need to be provided.

#### **7.16 Renewable energy / Sustainability**

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 and Policy 4A.3 of the London Plan (2008).

#### **7.17 Flooding or Drainage Issues**

N/A to this application

#### **7.18 Noise or Air Quality Issues**

N/A to this application

#### **7.19 Comments on Public Consultations**

See Section 6.1

#### **7.20 Planning Obligations**

Presently S106 contributions for education are only sought for developments if the net gain of habitable rooms exceeds six. This proposal shows a net gain of 2 rooms and therefore this would not be applicable in this development.

#### **7.21 Expediency of enforcement action**

N/A to this application

#### **7.22 Other Issues**

None

## **8. Observations of the Borough Solicitor**

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

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

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

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

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

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

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

## **10. CONCLUSION**

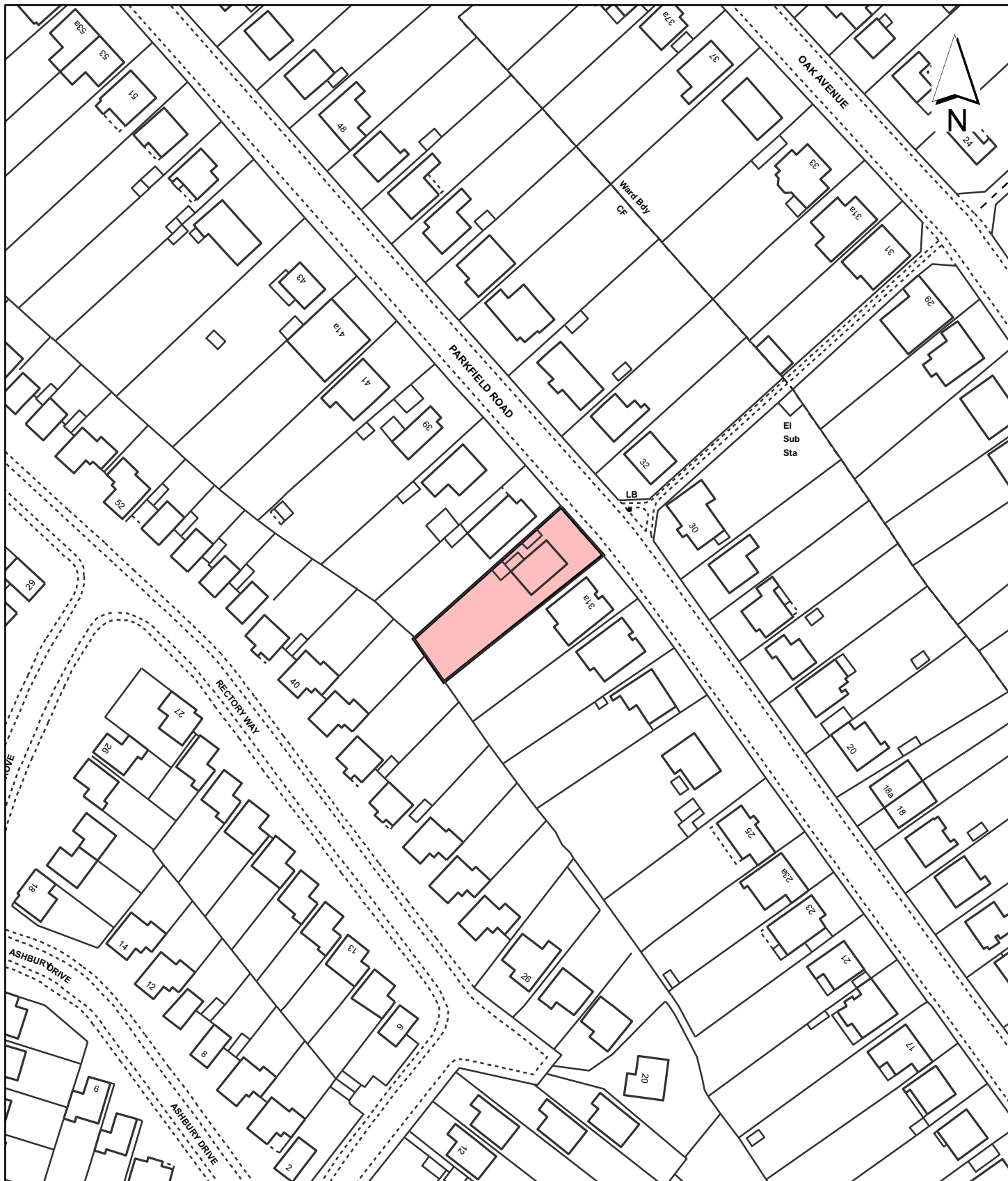
The proposal is to replace an existing bungalow with a two storey dwelling. Whilst it is accepted that the majority of the properties in the road are bungalows, a number of these have now had loft conversions involving dormer windows and other roof additions, furthermore it is noted there are two storey properties within the street scene. It is considered due to its size and design the proposal would not result in a dominant or discordant feature, and therefore no undue harm would result to the street scene or the wider area if the proposal received consent. Furthermore, the proposal is not considered to impact on adjoining occupiers in such a manner as to justify refusal. The application is thus recommended for approval.

## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Polices September 2007  
HDAS: Residential Layouts: July 2006  
HDAS: Residential Extensions: July 2006  
The London Plan (2008)

**Contact Officer:** Catherine Hems

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**33 Parkfield Road  
Ickenham**

Planning Application Ref:  
**40891/APP/2009/280**

Planning Committee  
**North** Page 41

Scale  
**1:1,250**

Date  
**May 2009**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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



**HILLINGDON**  
LONDON

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## Report of the Corporate Director of Planning & Community Services

**Address** 54 HALLOWELL ROAD NORTHWOOD

**Development:** Renovation and extension of existing youth club, to provide new accessible recreational spaces and facilities, including lounge, kitchen and cafe area, and to upgrade the existing facilities, including hall, dance studio, multi-media room and classrooms

**LBH Ref Nos:** 16791/APP/2009/237

**Drawing Nos:** 231654/02100  
231654/02101  
231654/02102  
231654/02103  
231654/02104  
236154/02105  
231654/210  
231654/02212  
231654/02211  
231654/02213  
Design and Access Statement

<b>Date Plans Received:</b>	05/02/2009	<b>Date(s) of Amendment(s):</b>	27/02/2009
<b>Date Application Valid:</b>	03/03/2009		18/03/2009
			15/05/2009

### 1. SUMMARY

Planning permission is sought for the erection of a new single storey building at the front of the site connected to the retained existing two storey building to the rear, involving the demolition of the existing single storey building. The extension will provide approximately 200 square metres of new floor space and will provide a lounge, café, kitchen and offices. The existing building will be upgraded to provide a dance studio and multi media room. A link building between the existing and retained buildings will allow for improved accessibility.

80 surrounding owners/occupiers were consulted. 13 letters of have been received objecting to the design, impact on neighbouring properties, noise and lack of parking. A petition bearing 75 signatures has also been received, objecting on similar grounds.

The proposed scheme has been redesigned, in an attempt to address concerns relating to layout, siting and design. The main changes involve a more traditional design, in keeping with the Northwood Area of Special Character; moving the entrance to the front of the building away from the rear garden of the adjoining property and setting back the new building from the boundary with No.52 Hallowell Road.

The revised scheme is considered to be acceptable in terms of its general footprint, scale, massing and built form. The residential amenities of surrounding occupiers will not be adversely affected by the proposals, while the provision of facilities designed for people with disabilities is considered to be satisfactory. Traffic generation associated with the proposed development is not anticipated to adversely affect the free flow of traffic on the adjoining highway network, whilst adequate parking has been provided. The application is

therefore recommended for approval subject to conditions.

## 2. **RECOMMENDATION**

**Approval, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the following conditions:**

**1 T8 Time Limit - full planning application 3 years**

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 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**3 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the [use hereby permitted is commenced] or [building(s) is (are) occupied or [in accordance with a timetable agreed in writing by the Local Planning Authority]. Development shall be carried out in accordance with the approved details.

**REASON**

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 HLC3 Hours of Use**

No persons other than staff shall be permitted to be on the premises between the hours of 23.00 hours and 08.00 hours.

**REASON**

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 MCD13 Extraction Vent or Chimney**

No development shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have



been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

#### REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4B.1 and 4A.19.

#### **6 OM2 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 known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

#### REASON

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

#### **7 OM5 Provision of Bin Stores**

No development shall take place until details of facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **8 OM13 Demolition Protocols**

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

#### REASON

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (February 2008) Policies 4A.30 and 4A.31.

#### **9 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan

Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG or Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.'

#### **10 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur.
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto adjoining roads.
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process.

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

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **11 H1 Traffic Arrangements - submission of details**

Development shall not begin until details of all traffic arrangements (including where appropriate, footways, turning space, safety strips, sight lines at road junctions, wheel stops, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas (where appropriate) must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

#### REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan . (February 2008).

#### **12 H14 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage, changing facilities, lockers and showers for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**13 H17 Washing of Construction Vehicles**

Provision shall be made within the site to 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.

**REASON**

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policy AM7 of the Hillingdon Unitary Development Plan.

**14 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

**REASON**

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place 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 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **16 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, 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. 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:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. 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 to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **17 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,

- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**18 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

**REASON**

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**19 DRC1 Surface Water/Sewage Disposal**

Before any part of this development is commenced, details of a scheme for the disposal of surface water and sewage shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of this scheme shall be carried out before any part of the approved development is occupied unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

To ensure that the proposed development drainage is in accordance with the required standards and that the development does not give rise to an increased risk of flooding, nor to an overloading of the sewerage system in the locality in accordance with Policy OE7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 4A.14, 4A.17 and 4A.18 of the London Plan (February 2008).

**20**        **SUS6**        **Green Travel Plan**

Prior to the commencement of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as submitted shall follow the current Travel Plan Development Control Guidance issued by Transport for London and will include:

- (1) targets for sustainable travel arrangements;
- (2) effective measures for the ongoing monitoring of the Travel Plan;
- (3) a commitment to delivering the Travel Plan objectives; and
- (4) effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan

**REASON**

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Policies 3C.1, 3C.2 and 3C.3 of the London Plan (February 2008)

**21**        **DIS2**        **Access to Buildings for People with Disabilities**

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

**REASON**

To ensure that people with disabilities have adequate access to the development in accordance with Policy/ies AM13/R16 [refer to the relevant policy/ies] of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

**22**        **NONSC**        **Non Standard Condition**

Before the proposed building is brought into use a Youth Centre Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall set out a programme of actions to control the following:

- (i) noise nuisance and anti-social behaviour in and around the site, including management strategies to control youths entering and exiting the site during all hours of use;
- (ii) provision to ensure that all programmes operated from the site take account of the proximity of residential neighbours and seek to ensure that, where possible, the programmes are undertaken during normal day-time hours;
- (iii) Consultation strategies to keep the local community abreast of events at the site and of management strategies to be employment (including consultation with the South Ruislip Residents' Association).

Once approved, the facility shall be run in accordance with the approved Youth Centre Management Plan for as long as the facility remains on site.

**REASON**

To safeguard the amenity of surrounding residential areas in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**23 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**24 N5 Control of noise emission from the site**

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the site remains in use.

**REASON**

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**INFORMATIVES**

**1 I1 Building to Approved Drawing**

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

**2 I2 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.

**3 I3 Building Regulations - Demolition and Building Works**

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

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

#### **4            I4                    Neighbourly Consideration - include on all residential exts**

You have been granted planning permission to erect a new building. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

#### **5            I5                    Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

#### **6            I6                    Property Rights/Rights of Light**

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

#### **7            I12                    Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

#### **8            I13                    Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS



(Tel. 020 7556 2100).

**9            I14                    Installation of Plant and Machinery**

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**10           I15                    Control of Environmental Nuisance from Construction Work**

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

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

**11           I19                    Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**12           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. You are also advised that the crossover extension will involve alterations to the utility apparatus on the public footway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

### **13**      I34                      **Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

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

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

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

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

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

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

### **14**      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).

## 15 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

BE5	New development within areas of special local character
BE18	Design considerations - pedestrian security and safety
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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R3	Indoor sports, leisure and entertainment facilities
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.

## 16

Specific accessibility needs identified for the application site include the following:

1. The accessible parking bays as indicated on plan should be a minimum of 4.8m x 2.4m and marked and signed in accordance with BS 8300: 2009.
2. The Design & Access Statement states that level access will be provided. The entrance doors should achieve a minimum clear opening of 1800mm for a double door. It is strongly recommended that consideration be given to the use of an automatic opening door device.
3. The presence of a glass door should be made apparent with permanent strips on the glass (manifestation), contrasting in colour and luminance with the background seen through the glass in all light conditions. The edges of a glass door should also be apparent when the door is open. If a glass door is adjacent to, or is incorporated within a fully glazed wall, the door and wall should be clearly differentiated from one another, with the door more prominent.

4. The proposed entrance lobby (foyer as indicated on the submitted plan) appears too small to provide adequate access to wheelchair users. Lobbies should be designed in accordance with the guidance given in Approved Document M to the Building Regulations 2004. A minimum of 1570 mm clear space should be provided between the two sets of doors.
5. The minimum clear dimensions of an enclosed lifting platform for use by an unaccompanied wheelchair user should be 900 mm wide 1400 mm deep. A landing of at least 1500 mm x 1500 in front of the lift doors must be provided for clear manoeuvring space.
6. The double doors leading from the circulation area (G24) into the foyer (G14) should be replaced to ensure that one door leaf provides a clear opening width of no less than 800 mm.
7. The opportunity should be taken to ensure that all internal doors in the existing building provide a clear opening width of at least 750 mm. Internal doors should also have 300mm unobstructed space to the side of the leading edge.
8. All signage for directions, services or facilities should be provided in a colour contrasting with the background. Signage and lighting levels should be consistent throughout the building and care taken to avoid sudden changes in levels.
9. Toilets should be designed in accordance with the guidance given in Approved Document M to the Buildings Regulations 2004.
10. The accessible toilet should be signed either Accessible WC or Unisex . Alternatively, the use of the ladies and gentlemen with a wheelchair symbol and the word Unisex would be acceptable.
11. A combination of both left and right hand transfer spaces should be provided, as more than one unisex provision is proposed.
12. Internal doors across circulation routes should be held open using fire alarm activated magnetic closers whilst the building is in use.
13. Alarm system should be designed to allow deaf people to be aware of its activation. (Such provisions could include visual fire alarm activation devices, and/or a vibrating pager system.)
14. Consideration should be given to ensure that arrangements exist to provide adequate means of escape for all, including wheelchair users. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area.
15. Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people should be sought at an early stage.
16. Provisions that ensure equal participation by disabled people, must also be included in the overall design of all stage, and backstage, areas.

You are advised to submit details to expedite the specified accessibility needs in order to comply with Condition X of this planning permission.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The site is situated on the western side of Hallowell Road, an attractive, residential street, which forms part of the Old Northwood Area of Special Local Character. The character of the area is mainly derived from the late Victorian and Edwardian houses of varied style and type that line its fairly modest roads. These are quite densely developed and overall the area has a distinctive and very traditional residential character. The houses are predominantly two storey, although some have accommodation within the roofspace. Pitched slated and tiled roofs are the norm for the area.

The site is currently occupied by the Northwood Youth Centre, comprising two buildings which occupy most of the site. The rear of the site comprises a 1930's two storey club building which contains a hall, foyer area, secondary storage spaces, a partial basement and first floor. This structure abuts the railway line to the rear of the site. There is also a flat roofed, single storey structure, which is used in association with the club, sited to the front of the main building. This structure is set back from the road frontage behind the front elevations of the neighbouring residential properties of house numbers 52 and 56. Access to the rear building is via a sloping access ramp along the southern boundary.

#### **3.2 Proposed Scheme**

Planning permission is sought for the erection of a new single storey building at the front of the site, involving the demolition of the existing single storey structure. The new building will provide a lounge, cafe, area and kitchen, together with administrative space and will be connected to the retained existing building at the rear of the site by a single storey flat roofed link building.

It is proposed that the centre will be open from 9 am to 10 pm Monday to Saturday and 12 noon to 10pm on Sundays and Bank holidays. It is envisaged that the Council will assume full managerial responsibility for the premises, which is currently managed by an independent charitable trust known as Northwood Youth Club.

The extension will provide approximately 200 sq. metres of new floor space, replacing the existing building of 136 sq. metres. The total area of retained and proposed buildings will be approximately 500 sq. metres.

access to the new building will be from a new entrance at the front of the site, while 3 parking spaces will be retained, one of which will be designed for disabled use.

#### **3.3 Relevant Planning History**

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

There are no comments on the planning history.

### **4. Planning Policies and Standards**

## UDP / LDF Designation and London Plan

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

### Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.
- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport.

### Part 2 Policies:

- BE5 New development within areas of special local character
- BE18 Design considerations - pedestrian security and safety
- 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.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- R3 Indoor sports, leisure and entertainment facilities
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- R16 Accessibility for elderly people, people with disabilities, women and children
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM7 Consideration of traffic generated by proposed developments.

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th April 2009**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

## External Consultees

80 surrounding occupiers were consulted. 13 letters of objection have been received raising the following points:

- \* We do not object in principle to the development of a Young Persons Centre, but believe that the present proposal is unacceptable
- \* This area of Old Northwood has been designated an area of Special Local Character. The design is in no way consistent with the surrounding buildings of Victorian and Edwardian character.
- \* As a modern design it is bland and adds nothing to the streetscape, with no respect to the street's architectural designation.
- \* The north elevation, (alongside No 52), has no architectural treatment at all just being a single unrelieved wall of warehouse type appearance. This wall, if built as planned, to be treated in sympathy with the adjoining property with some use of brick to break the monolithic rendered surface and reduce reflected noise.
- \* The south elevation, with the use of fashionable surfaces such as wooden cladding is quite out of keeping with the rubbed red brick of the adjoining property.
- \* The inclusion of a steep angled roof lends nothing to the function of the building other than to enhance its general intrusive nature.
- \* The development does not adhere to the footprint of the existing building and, as proposed, creates a density on the site that amounts to overdevelopment.
- \* The provision of a side entrance at the western terminating point of the new building creates significant issues of noise and privacy to the householder in No 56.
- \* will contain the young people as soon as they reach the site.
- \* The provision of an angled roof appears quite unnecessary. It adds to the height of the building, reaching a summit of 5.4 metres. The height of the roof line will have a dominant effect on the outlook from No 56 and additionally add to the loss of sunlight to No 52.
- \* The scale of the building will create visual intrusion to the view from the gardens south of the development.
- \* Due to the drop in the ground level, where the new single storey building meets the old building the height has reached nearly 5 meters, the equivalent of a two storey modern house. This excludes the height of the roof as it climbs away.
- \* The new building will extend towards the street beyond its existing footprint and, consequently, obstruct sunlight to an ornamental stained glass window inserted on the southern elevation, ground floor of No. 52.
- \* There may be risks to the structural integrity of adjoining dwellings.
- \* The water table in the immediate vicinity of the project is high. There have been incidents of flooding in the basement of the old building and the lawn and beds adjacent to the building have become waterlogged.
- \* The new design makes no provision to prevent unauthorised entry down the side passage.
- \* With the intended five-fold increase in young people using the centre and the increase in hours of opening, especially later in the evening a degree of noise disturbance to residents appears inescapable. We ask that the Committee impose a restriction that the centre does not operate beyond 9.30 pm.
- \* The funnelling of visitors alongside No 56 will increase noise disturbance not only to this householder but will be reflected out and affect the properties opposite the entrance. For this reason and the others already stated we ask for a redesign of this aspect of the new building.
- \* As it is the intention of the Council to let the premises to other community groups we foresee an increase in noise disturbance from these groups entering and leaving the property and on-street.
- \* Currently the consistent source of noise disturbance comes from music and martial art noises from the old hall. These are heard within our house despite double glazing and also experienced by neighbours.
- \* The plan to use part of the old hall as a dance studio will increase the noise output. The Committee must make it a condition that the old hall is fully sound proofed and double glazed.

\* The provision of only three parking spaces is quite inadequate in view of the increased use. Concerned that the demand for greater parking than provided will come from staff and the external hirers.

\* Additionally we foresee a minibus being used and this will need to be parked on site for some part of the day, thus using more than one bay.

\* We wish the Committee to impose strict controls on the letting to hirers especially in the evening with a closure time of 9 30.

\* We understand that covenants exist to protect the continued use of the buildings to service the young people of Northwood. We have been told that these will be transferred to the Council if the freehold of the site is transferred to the Council. We ask that the Committee ensure that any planning permission granted makes reference to the continuation of these covenants.

In addition, one petition bearing 77 signatures has been received objecting on the following grounds

\* The design of the building is completely out of style with neighbouring buildings in a residential area designated of Special Local Character

\* The increase in size and footprint of the building creates unacceptable problems for its immediate neighbours, brings it closer to the roadside and with its much greater capacity for activities raises concerns about increased noise.

\* The car parking allowance for a mere 4 vehicles is entirely inadequate in a residential street which already suffers from serious parking and through traffic problems.

Any comments received as a result of further consultations on the revised plans will be reported to Committee.

LONDON UNDERGROUND - No objections.

#### **Internal Consultees**

##### **ENVIRONMENTAL PROTECTION UNIT**

No objections are raised to this proposal. Should this application be recommended for approval, the following conditions should be applied;

##### **Noise**

The applicant states in section 2.1 of the Design & Access statement that the proposed development presents a risk of 'noise breakout', in part from the dance studio. The following opening hours have been supplied by the applicant, which should be conditioned;

The premises shall not be used outside the following hours;

- 09:00 hrs and 22:00 hrs on Mondays to Saturdays
- 12:00 hrs to 22:00 hrs on Sundays and Bank Holidays

Reason: To safeguard the amenity of surrounding areas.

##### **URBAN DESIGN OFFICER**

The site is situated in an attractive, residential neighbourhood, which forms part of the Old Northwood Area of Special Local Character, characterised of 2 storey detached dwelling houses, and cottages. The street scene benefits from a coherent building line, and coherence in height, scale and use. The current dilapidated status of the Club building, as well as the character and built form detracts from the otherwise attractive and coherent buildings in the area, mainly 2 storey Edwardian and Victorian buildings, with a dominance of brickwork and pebble dash, with traditional good detailing.



The existing club building to be demolished is a dilapidated, single storey 1970's building currently boarded up and disused. Properties on this side of Hallowell Road benefit from deep rear gardens, a characteristic which contributes to the ambience of the Area of Special Local Character.

The proposal relates to the refurbishment of the existing premises and an extensive extension to the front. The scale of the extension exceeds the existing footprint, which is contrary to established policy. The excessive scale would cause a permanent detrimental visual impact, as well as the angled roof which would cause overdominance on the rear gardens of the adjacent property, No. 56.

The proposal causes concerns with regard to the effects on the character and appearance of the Area of Special Local Character Area, due to the intensification of the scheme, not only by the extended built area in terms of footprint and scale, but also because of the increased noise levels which the additional and intensive use of the building undoubtedly will create. This is a significant issue with regards to the conservation aspects in the area. Furthermore, the overlooking aspects from the new building into the adjacent private garden space is considered to cause severe and permanent disturbance, and the impact of this on the residents privacy is considered unacceptable. A wooden trellis, as proposed, is not sufficient as a permanent resolution to the overlooking issue, which is caused by poor design.

In terms of the proposed design approach, it is unfortunate that no effort has been made to create an extension that would blend in with the character and appearance of the many good examples of traditional, high quality buildings in the area. On the contrary, the proposed design is considered to be out of keeping with the distinct character of the area. Neither do the proposed building materials, painted wood, match the traditional red brickwork and pebble dash buildings which are prevalent in the area. As the footprint is shifted much closer to the street scene than the previous building, the proposed building would make a considerably more significant appearance in the street scene. Also the blank wall along the proposed north west elevation, which would be visible from House No. 52 is unacceptable due to poor design. The scale of the building would create visual intrusion to the views from the gardens to the south of the proposed building.

From an urban design and conservation perspective, the submitted proposal is considered to cause severe concerns because of the location, use, scale, intensity and character of the proposed building. However, the site has potential for a sensitive and appropriate type of development, which ties into the character of the existing built context. From an urban design point of view, the prevalent scale, height, footprint, character and building line of the adjacent residential properties should guide any forthcoming regeneration scheme on the site.

Amended scheme.

The scheme has been revised following advice with regards to design approach, layout, detailing as well as building materials in order to accommodate required facilities and improvements to the existing Youth Centre, whilst improving the character and appearance of the building and ensuring that the new Youth Centre building blends in carefully with the attractive Victorian and Edwardian semi-detached town houses, which are prevalent in the neighbourhood.

The revised proposal is considered to respond to and address previous concerns, and to create a scheme which from an urban design point of view is considered acceptable. The proposed scheme now provides a more traditional appearance in the streetscape, whilst the relocation of the entrance to the gable provides an active frontage, and reduces the direct impact on the adjacent property.

Furthermore, the proposed continuous clerestory roof light in traditional style with detailed mullions and the proposed elevated roof construction strongly assists in creating a more slender, airy and elegant composition in the streetscape. The one storey extension to the front is set back from the building line of the adjacent dwellings.

The proposed south and north elevations are well proportioned and are considered to create a well balanced development in terms of height, scale and massing, which responds sensitively to the existing built context.

There are no objections to the revised proposal for building materials, such as traditional stock facing bricks and (reconstituted) slate roof.

However, given the visual quality and sensitivity of the neighbourhood, designated Area of Special Local Character, fully detailed drawings of the fenestration and rooflights should be conditioned. Samples of all building materials and landscaping materials are equally to be conditioned.

## CONSERVATION OFFICER

**BACKGROUND:** The site lies within the Old Northwood Area of Special Local Character.

**CONSIDERATION:** There would be no objection to the demolition of the existing frontage building, as it does little to enhance the general appearance of the area. Nor would there be any objection in principle to a low key infill type development of good design.

This is, however, a difficult site to develop, given the retention of the hall and the use of its foyer, the falls across the site and its juxtaposition with the existing houses on either side. It is clear that the architects have been working to a difficult brief and that redeveloping the whole site may have produced a better end result in terms of the design of the building and the relationship with its context. Looking at the scheme, considerable thought has been given to the design of the building; however, we have concerns re the following:

- \* Lack of an entrance/active frontage to Hallowell Road - The cafe entrance should be brought further to the front and the kitchen pushed back into the building. This would also provide a more obvious level entrance for those who need it. Whilst it is understood for the need to utilise the existing entrance and foyer, this is not ideal in terms of the legibility of the new structure and would focus activity on what should be a secondary elevation of the new building, hence the need to include screening on this boundary.
- \* The angled frontage - whilst set back from the established building line, this would appear incongruous given the very traditional siting of the surrounding properties. Ideally, it should sit square onto the road frontage.
- \* Concerns re developing directly off the boundary with the adjacent house - this would provide a long and increasingly high, unbroken wall of building, which would potentially impact on the outlook from no 52. A set in, or more modulated elevation would ease the problem.
- \* We would prefer to see a simple pallet of materials used, possibly more red brick combined with rendered elements and avoiding cedar cladding.
- \* More details of the junction with existing building and roof form in this area. Could more be made of the existing traditional 1930s frontage by providing a glazed atrium type link to the foyer/entrance? This would also help break up what is quite a large expanse of roof in one plane.
- \* More details of the forecourt area, landscape and boundary treatments - at present this looks very tight and provides little opportunity to provide soft landscaping.
- \* An alternative and less exposed location for the bin store should be considered, or perhaps a store that is integral with the building.

## AMENDED SCHEME

The traditional design approach to the frontage elevation works in terms of the building's relationship with the wider streetscape and the existing retained 1930s building to the rear.

The entrance treatment gives a nice focus to the building, as does the lantern light design to the roof

frontage.

The bike shelter in the form of Sheffield stands are a more discrete option.

It appears that the parking spaces are accessed directly from the street. If this is so, could they be pulled further forward to give more room around the entrance area/rear of the parking bays for landscaping?

We should also look for the creation of some sort of partial boundary treatment to the front of the site adjacent to the tree and to the rear of the parking spaces, which could be achieved with good planting. As already noted, the introduction of areas of soft landscape would improve the appearance of the frontage. It is important that suitable materials/finishes are used for the hard surfacing of the parking areas - a resin bond gravel, or stone setts would look much less harsh than tarmac.

Overall, the current design is considered acceptable, subject to conditions requiring the submission of

- \* samples of all the external materials for agreement, including details of the gutters
- \* detailed drawings of the entrance (door and door surround), eaves details, window and door lintols, the rooflight, the profile of the gutters and location of the down pipes.
- \* Type and location of the venting/ducts for the kitchen and any other plant.
- \* Details of the parking area- surface materials, boundary enclosure details and planting.
- \* Details of cycle stands.

#### TREES/LANDSCAPE OFFICER

Drawing No.02101 is a topographic survey, which includes the existing level survey. This plan indicates that there is a fall across the 60 metre depth of the site of approximately 2.8 metres (spot heights of 69.0 metres in the west and approximately 71.8 metres on the back edge of Hallowell Road to the east.) The survey indicates the presence of a large tree (a Lime) in the south-east corner of the site, an offsite Cherry (rear garden of number 56) and an offsite Laurel (garden of number 52) - both of which oversail the site boundary.

No detailed tree survey has been submitted. However, these trees are not protected by TPO or Conservation Area designation.

#### The Proposal

The proposal is to renovate and extend the existing youth club to provide new and accessible facilities. The proposed design includes the demolition of the existing building at the front and its replacement which will be directly connected to the existing/retained building at the rear of the site (see drawing No 02200 Rev B). The Design & Access Statement describes the proposal and refers briefly to landscape in para. 2.5. While no landscape enhancements are envisaged, the presence of the Lime in the front forecourt is acknowledged and the DAS confirms that it will be retained and protected during the construction works. Reference is also made to the need to provide ramped access to the site entrance, to accommodate 3No. parking bays with a fourth space for use by blue badge holders, and to provide screened storage for waste and cycles. Drawing No. 02201 Rev B indicates the retention of the Lime, within the new site layout. It is not clear how the parking bays (CP1, 2 and 3) will work unless the existing steel railings are removed and a new dropped kerb installed along the full width of the frontage. Similarly the space allocated for blue badge holder parking is tight and will require a reversing movement into (or out of) the site. The bin store enclosure appears to be in a prominent position within the front yard. - These problems are largely due to the proposed front elevation which has been brought forward of its existing line. However, if the (parking) layout is considered practicable, the appearance of the ancillary storage should be subject to detailed design which could be addressed through landscape conditions.

## Amended Scheme

Further to the re-submission of a scheme to extend the youth centre, the Purcell Miler Tritton's Design & Access Statement and drawing Nos. 231654/02211 and 02212 confirm that the layout of the site frontage includes the retention and protection of the mature Lime tree and the provision of a length of hedge at the ends of car park bays 1 and 2 up to the boundary with house number 52.

Given the limited space available for parking, cycle stands (now located along the front of the building) and pedestrian circulation, the short length of hedge is all that the space will allow and will go some way to soften/screen the development. In order to protect the hedge from car overruns/pedestrian short cuts a wheel-stop should be built into the parking space or a barrier provided to protect the fence.

### Recommendation

No objections are raised subject to conditions TL5, TL6 and TL7.

### ACCESS OFFICER

The facility is subject to the Disability Discrimination Act 1995 because it provides a service to the public. It should be noted that reasonable adjustments to practices, policies and procedures, auxiliary aids, and physical features will need introducing to ensure that disabled people receive the same level of service.

The following observations are provided:

1. The accessible parking bays, as indicated on plan, are not marked in accordance with BS 8300:2009. They should be a minimum of 4.8m x 2.4m and marked and signed in accordance with BS 8300: 2009.
2. The Design & Access Statement states that level access will be provided. The entrance doors should achieve a minimum clear opening of 1800mm for a double door. It is strongly recommended that consideration be given to the use of an automatic opening door device.
3. The presence of a glass door should be made apparent with permanent strips on the glass (manifestation), contrasting in colour and luminance with the background seen through the glass in all light conditions. The edges of a glass door should also be apparent when the door is open. If a glass door is adjacent to, or is incorporated within a fully glazed wall, the door and wall should be clearly differentiated from one another, with the door more prominent.
4. The proposed entrance lobby (foyer as indicated on the submitted plan) appears too small to provide adequate access to wheelchair users. Lobbies should be designed in accordance with the guidance given in Approved Document M to the Building Regulations 2004. A minimum of 1570 mm clear space should be provided between the two sets of doors.
5. The minimum clear dimensions of an enclosed lifting platform for use by an unaccompanied wheelchair user should be 900 mm wide 1400 mm deep. A landing of at least 1500 mm x 1500 in front of the lift doors must be provided for clear manoeuvring space.
6. The double doors leading from the circulation area (G24) into the foyer (G14) should be replaced to ensure that one door leaf provides a clear opening width of no less than 800 mm.
7. The opportunity should be taken to ensure that all internal doors in the existing building provide a clear opening width of at least 750 mm. Internal doors should also have 300mm unobstructed space to the side of the leading edge.

8. All signage for directions, services or facilities should be provided in a colour contrasting with the background. Signage and lighting levels should be consistent throughout the building and care taken to avoid sudden changes in levels.

9. Toilets should be designed in accordance with the guidance given in Approved Document M to the Buildings Regulations 2004.

10. The accessible toilet should be signed either Accessible WC or Unisex. Alternatively, the use of the ladies and gentlemen with a wheelchair symbol and the word Unisex would be acceptable.

11. A combination of both left and right hand transfer spaces should be provided, as more than one unisex provision is proposed.

12. Internal doors across circulation routes should be held open using fire alarm activated magnetic closers whilst the building is in use.

13. Alarm system should be designed to allow deaf people to be aware of its activation. (Such provisions could include visual fire alarm activation devices, and/or a vibrating pager system.)

14. Consideration should be given to ensure that arrangements exist to provide adequate means of escape for all, including wheelchair users. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area.

15. Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people should be sought at an early stage.

16. Provisions that ensure equal participation by disabled people, must also be included in the overall design of all stage, and backstage, areas.

NB: The applicant is reminded of the duties set out in the Disability Discrimination Act 1995, with regard to employment and service provision. Whilst an employer's duty to make reasonable adjustment is owed to an individual employee or job applicant, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. The failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider, if/when challenged by a disabled person. It is therefore recommended that the applicant takes full advantage of the opportunity that this development offers, to improve the accessibility of the premises to people with mobility and sensory impairments.

Conclusion:

On the basis that the above issues could be addressed by way of suitable Conditions, no objections are raised.

HIGHWAY ENGINEER

The application is acceptable with conditions. A condition requiring details of alterations to the crossover, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the new building.

An informative to the effect that the crossover extension will involve alterations to the utility apparatus on the public footway should also be attached.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy R3 seeks to promote formal recreational facilities and accepts the principle of indoor sports/leisure facilities, provided they are accessible by public transport for all potential users and would not be detrimental to the amenity of the surrounding area. Policy R10, regards proposals for new meeting halls, buildings for education, social, community and health services, including libraries as acceptable in principle subject to other policies in the Plan. The over-riding caveat of Policy R16, however, is that such facilities must be accessible to all without increasing the need to use private motor cars.

The proposed extension to the existing building would be a continuation of the current use of the site as a youth centre. With regard to the cafe component, this would appear to be of an appropriate scale for the youth centre to remain ancillary to the development. The proposal is in compliance with the above mentioned policies and no objections are therefore raised to the principle of the development.

#### **7.02 Density of the proposed development**

There is no residential component to this scheme.

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

The impact on the Old Northwood Area of special Character is dealt with in section 7.07 of the report.

#### **7.04 Airport safeguarding**

There are no airport safeguarding objections.

#### **7.05 Impact on the green belt**

The site is not located within or adjacent to the Green Belt.

#### **7.06 Environmental Impact**

There are no land contamination or air quality issues. The impact of the development in terms of noise generation is dealt with in section 7.18 of the report.

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

Policy BE5 seeks to ensure that development within Areas of Special Local Character harmonise with the materials, design features, architectural style and building heights predominant in the area. Policies BE13 and BE19 of the UDP saved policies September 2007 attempt to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals. The building should be designed so that it contributes to the security and safety of pedestrians and other footway users by overlooking pedestrian spaces and avoiding hidden recesses in accordance with Policy BE18.

It is considered that the current dilapidated status of the club building at the front of the site, as well as its character and built form detracts from the otherwise attractive and coherent buildings in the area, which are mainly 2 storey Edwardian and Victorian buildings, with a dominance of brickwork and pebble dash, with traditional detailing. No objections are therefore raised to the demolition of the existing building provided the replacement building is of an appropriate design.

In terms of the design approach of the originally submitted scheme, this was considered to

be out of keeping with the distinct character of the area. This was a view expressed by local residents during recent consultation meetings and in written responses to the initially submitted scheme.

The scheme has been fundamentally redesigned from a contemporary building to a more traditional approach.

The Urban Design Officer considers that the revised proposal responds to and addresses previous concerns, creating a scheme which now provides a more traditional appearance in the streetscape. The relocation of the entrance, to the front, provides an active frontage and reduces the direct impact on the adjacent property. The proposed south and north elevations are considered to be well proportioned in terms of height, scale and massing, responding sensitively to the existing built context.

The Urban Design Officer further considers that the proposed continuous clerestory roof light in traditional style, with detailed mullions and the proposed elevated roof construction assists in creating a more slender, airy and elegant composition in the streetscape.

This view is shared by the Conservation Officer, who considers the revised scheme acceptable, subject to conditions requiring the submission of samples of all the external materials, detailed drawings of the entrance, eaves details, window and door lintols, the rooflights, the profile of the gutters and location of the down pipes, venting/ducts, details of the parking area, boundary enclosure details, planting and cycle stands. These would be secured by condition.

In general, the design, massing and layout of the new building are considered satisfactory in compliance with the aims of Policy BE13 of the UDP.

#### **7.08 Impact on neighbours**

In relation to outlook, Policy BE21 of the UDP saved policies September 2007 requires new residential developments to be designed to protect the outlook of adjoining residents. In relation to sunlight, Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

The scheme as originally submitted envisaged the new building on the boundary with no. 52 Hallowell Road for the full depth of the garden and joining onto the existing retained two storey building. The height of the eaves of the new building on this boundary would rise from 2.8 metres at the front, to 4.5 metres at the rear. Building on the boundary would have resulted in the loss of the existing fencing and vegetation and would have provided a long and increasingly high, unbroken wall of building, which would have impacted on the outlook from no 52. This was considered to result in an over dominant form of development which would detract from the amenities of the occupiers of No. 52, by virtue of loss of outlook and overshadowing to the rear garden, contrary to policies BE20 and BE21 of the UDP saved policies September 2007.

The scheme has now been revised, setting the new building back a minimum of 1 metre off the southern boundary with No.52. In addition, the height of the new building has been kept as low as possible, by designing the roof with a shallow pitch along the edges, with the main roof being at a higher level, but set back from the boundaries. In addition, the link building has been designed as a flat roofed structure, which is set back approximately 1.5 metres off the southern boundary. The revised scheme would allow the occupiers of No. 52 to keep their existing fence and fairly substantial boundary planting. Furthermore, the

reduced height, set back and more modulated elevation would reduce the perceived bulk of the new structure from the garden of No 52 and limit any overshadowing.

With regard to the impact on No. 56 Hallowell Road, to the south of the site, the proposed building would be sited at least 1.84 metres from the party boundary, or 3.5 metres from the property itself. Given the revised design of the new buildings, the reduced height, set back and more modulated elevation, it is not considered that there would be a material loss of outlook to this property. Given the orientation of the site with respect to No.56 and that the proposed buildings would be sited a sufficient distance away from the boundary, it is not considered that there would be a material loss of daylight or sunlight to the occupiers of No. 56 Hallowell Road.

In relation to sunlight, Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. There will be a very good level of day lighting retained for the proposed development and adjoining properties. The majority of the amenity space adheres to the BRE guidelines with regard to obtaining at least 60% of the area lit at any point within the assessment month of March. The proposal is thus considered to be consistent with Policy BE20.

With regard to privacy issues, Policy BE24 states that the development should be designed to protect the privacy of future occupiers and their neighbours. Apart from the clerestory window in the central element of the roof, only high level obscure glazed windows are proposed in the elevation facing No. 56, whilst no windows are proposed in the elevation facing No 52.

Overall, it is considered that the revised scheme respects the sensitivities of the surrounding area and limits any adverse impact to the amenity of neighbours, in accordance with the provisions of Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

#### **7.09 Living conditions for future occupiers**

There is no residential component to this scheme.

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

In terms of car parking, there are no specific Local Planning Authority standards for Youth Centres. Parking requirements should be individually assessed and a Travel Plan provided. It is proposed that parking will be formalised at the front of the site to provide 3 car parking spaces, including 1 space for people with disabilities. The applicants have submitted that the vast majority of young people currently attend the centre on foot or on bicycle, with some using bus or underground transport if living outside the immediate vicinity. The applicants do not anticipate different modes of transport in the future. The site is located in an area with a Public Transport Accessibility Level (PTAL) of 2, with Northwood Tube Station and a transport hub for buses being within 370 metres from the Centre.

The scheme will be subject to the implementation of a travel plan to encourage visitors, staff and users of the facilities to use sustainable means of transport, rather than the private motor car. In addition, secure bicycle storage has been provided in accordance with adopted standards.

The Highway Engineer raises no objections to this level of parking provision. Subject to a condition requiring the submission of the travel plan and the provision of the secure cycle storage, it is considered that the level of on site parking provision is adequate.



In order to provide for the new parking layout, it will be necessary to extend the dropped curb for virtually the full width of the site and remove the existing iron railings which extend along the northern section of the frontage. The Council's Highways Engineer is satisfied that traffic generation associated with the proposed development will not adversely affect the free flow of traffic or highway and pedestrian safety on the adjoining highway, subject to details of the alteration to the vehicular crossover being submitted and approved, prior to occupation of the new building.

Overall, it is considered that the proposal is in compliance with Policies AM9, AM7, AM14, AM15, of the Hillingdon Unitary development Plan Saved Policies (September 2007).

#### **7.11 Urban design, access and security**

Urban design issues are dealt with in Section 7.07 of this report.

#### **7.12 Disabled access**

The existing building to be retained is currently accessed by a series of steps leading from another existing building that is to be demolished, or down a steep ramp. Under the current proposals, the main entrance will be located at the front of the new building with a level threshold to be Disability Discrimination Act (DDA) compliant. It will then be possible to access the retained building at the rear by means of a platform lift or steps. An accessible toilet has also been provided at the new café level.

By creating the level access at the front and a platform lift down to the existing ground level of the retained building, the existing building has now become usable for the disabled, whereas before, it was inaccessible. However, due to constraints within the existing building, it has not been possible to provide any ramped access or lifting devices to the multi media room under the stage, or to the existing first floor kitchenette area. However, a platform lift has been provided to the dance studio on the stage.

The Council's Access officer has raised no objections to the proposals, subject to a series of recommendations which are covered by a condition and informative.

The new building, under the terms of the DDA, is to be fully compliant with Part M of the Building Regulations. As a public building, the Centre has been designed as far as possible to provide access for people of all disabilities. Subject to the condition, the provision of facilities designed for people with disabilities is considered to be adequate, in compliance with Policies R16 and AM13 of the UDP.

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

This is not a residential scheme.

#### **7.14 Trees, Landscaping and Ecology**

There is limited scope for landscaping, given the scope of the development. However, the mature Lime tree at the front of the site will be retained and protected during construction. In addition the scheme includes the provision of a length of hedge at the ends of car park bays 1 and 2 up to the boundary with number 52 Hallowell road.

Given the limited space available at the front of the site, the Trees and Landscape Officer considers that the short length of hedge is all that the space will allow. However, this will go some way to soften and screen the development and enhance the street scene. Subject to condition requiring details of new planting and tree protection, the scheme is considered to comply with Policy BE38 of the Unitary development Plan Saved Policies (September

2007).

There are no ecological issues associated with this site, given the current level of development and activity.

#### **7.15 Sustainable waste management**

With regard to waste disposal, adequate provision is shown to be provided for both refuse and recycling storage.

#### **7.16 Renewable energy / Sustainability**

The energy performance minimum requirements of Building regulations Part L will be met for the new development.

#### **7.17 Flooding or Drainage Issues**

Policies OE7 and OE8 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

The proposed development will result in only a modest increase of 200 sq. metres of floor area. However, given the history of flooding in the basement of the existing building to be retained, conditions are recommended requiring details of surface water and drainage discharge and a sustainable urban drainage scheme.

Subject to these conditions, it is considered that the risk of flooding will be minimised in compliance with policies OE7 and OE8 of the UDP saved policies September 2007.

#### **7.18 Noise or Air Quality Issues**

Policies OE1 and OE3 seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. There are no limitations to the hours of use of the current facilities. However, the effects of noise associated with a more intensive use of the site on residential amenity are matters for consideration.

The scheme as originally submitted was designed so that the new building tapered towards the front, thereby locating the main entrance and external circulation area at the side of the new building adjacent to the side boundary with No 56 Hallowell Road. This layout raised concerns with regard to the impact of noise on adjoining residents associated with the intensified use of the site.

The revised scheme has relocated the main entrance to the front of the building and provides for an internal lobby. It is considered that this arrangement will remove the potential for outbreaks of noise from activities associated with the facilities, including arrivals and departures from sensitive adjoining land uses internally, or to the more public area in front of the site.

The Council's Environmental Protection Unit has raised no objections, subject to a condition limiting the hours of use. In the event of planning permission being granted it is therefore considered necessary to impose conditions restricting the use of the development to between 09:00 and 10:00 hours Monday to Saturday and 12 noon to 10 pm on Sunday and Bank Holidays only, in order to safeguard the amenities of the occupiers of adjoining properties. A condition is recommended for the submission of a management plan, detailing how the Centre will be operated and run, including hired community usage and the programme of activities offered. Given that the retained building is to be used as a

dance studio, a condition is also recommended for the submission of a scheme for the control of noise emission from the site. Subject to the suggested conditions, it is not considered that the residential amenities of surrounding occupiers will be adversely affected by the proposals, in accordance with policies OE1 and OE3 of the UDP saved policies September 2007.

#### **7.19 Comments on Public Consultations**

The concerns raised in relation to the planning issues are dealt with in the main body of the report.

#### **7.20 Planning Obligations**

It is not considered that there are any planning obligations relevant to this application.

#### **7.21 Expediency of enforcement action**

There are no enforcement issues relating to this site.

#### **7.22 Other Issues**

There are no other relevant planning issues relating to this site.

### **8. Observations of the Borough Solicitor**

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

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

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

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

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

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

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of

unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

## **10. CONCLUSION**

No objections are raised to the extension and intensification of use of the existing youth centre, subject to visual and amenity considerations.

It is considered that the scheme has been revised to be in harmony with the character of the Old Northwood Area of Special character. The scheme has also been revised in terms of design and siting to limit the impact of the development on the amenity of adjoining residents in terms of over dominance, overshadowing, privacy and noise outbreak. The proposed scheme will also enhance access to the facility for people with disabilities.

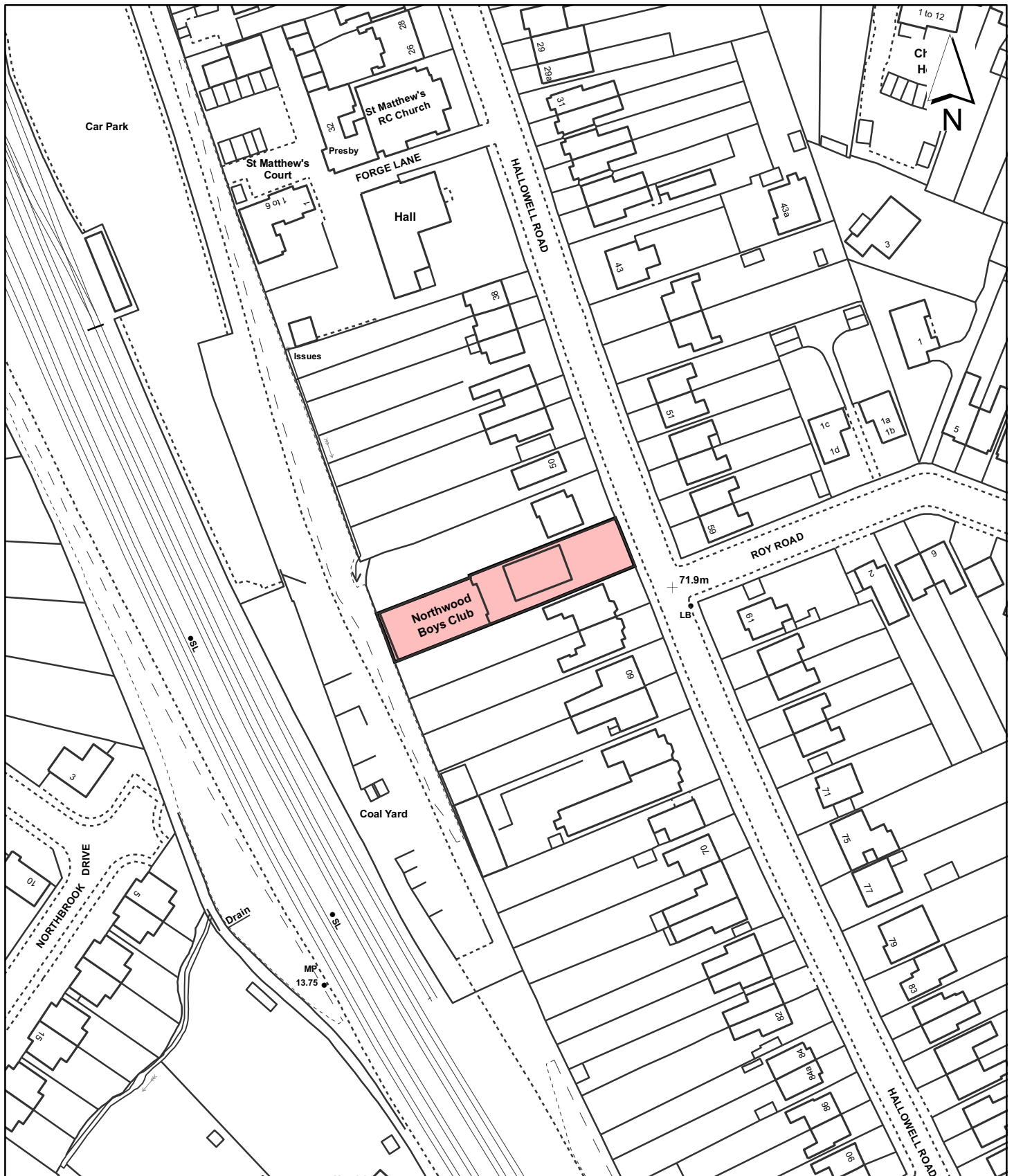
Subject to relevant conditions, relating to materials, detailed design, hours of use and modes of operation, the application is recommended for approval.

## **11. Reference Documents**


Planning Policy Statement 1 (Delivering Sustainable Development)  
PPS (Planning Policy Statement) 6 - Town Centres And Retail Developments  
Planning Policy Guidance Note 13 (Transport)  
Planning Policy Guidance Note 17 (Sport & Recreation)  
Planning Policy Guidance Note 24 (Planning & Noise)  
Supplementary Planning Guidance Community Safety by Design  
Hillingdon Design and Accessibility Statement

**Contact Officer:** Karl Dafe

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**54 Hallowell Road  
Northwood**

Planning Application Ref:  
**16791/APP/2009/237**

Planning Committee  
**North Page 73**

Scale  
**1:1,250**

Date  
**May 2009**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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



**HILLINGDON**  
LONDON

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## Report of the Director of Planning & Community Services Group

**Address** 10 MEADOW CLOSE RUISLIP

**Development:** Raising of eaves height, raising of dormer window to front, creation of new dormer window to rear, insertion of 3 roof lights, part single storey side extension to form chimney, new canopy to front. (Resubmission of 19443/APP/2008/2000)

**LBH Ref Nos:** 19443/APP/2009/553

**Drawing Nos:** Flood Risk Matrix  
Site Location Plan at Scale 1:1250  
LBH/09/1/1  
LBH/09/1/2  
LBH/09/1/3a  
LBH/09/1/4

**Date Plans Received:** 19/03/2009

**Date(s) of Amendment(s):** 19/03/2009

**Date Application Valid:** 27/03/2009

17/04/2009

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property is a detached chalet bungalow located in a cul-de-sac of similar style and scale properties on a relatively long plot with the actual building sited halfway down the site. It is flanked by chalet bungalows either side. There is an existing driveway leading to a detached garage at the rear, and the frontage has been surfaced for parking. The site is within the developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Polices September 2007).

#### 1.2 Proposed Scheme

The application seeks planning permission for the:

- i) Raising of the existing eaves height from an average of 2.38m to an average height of 2.9m with the existing ridge height remaining unaltered. (6.65m);
- ii) Installation of a dormer window to the front, which would be of the same design and size but would be repositioned 0.1m further up the roof slope;
- iii) A new dormer window would be created on the rear roof slope, which would be of a similar design to that on the front roof slope, but would be wider (2.5m wide);
- iv) Insertion of 3 roof lights, one on each side and one on the front roof slopes;
- v) Erection of a single storey side extension to form a chimney, 0.7m wide by 2m deep, and positioned towards the rear of the property. The chimney would extend above this to a maximum height of 5m;
- vi) Extension of the roof area to the front down and forward to provide a new canopy to front entrance of the property; and
- vii) Alterations to the fenestration details of the property.

### 1.3 Relevant Planning History

19443/APP/2008/2000 10 Meadow Close Ruislip

Raising of eaves and ridge height of bungalow, single storey rear extension and conversion of roofspace to habitable use involving the installation of rear and side dormer windows and front and side rooflights

**Decision Date:** 22-09-2008 Refused

#### Comment on Planning History

This is a resubmission of a previously refused application (19443/APP/2008/2000), which related to a similar proposal. This application sought to raise the eaves height to 3.3m (this proposal 2.9m), and increase the ridge to 7m (from 6.5m), add 4 roof lights to one side and a dormer window to the other side, in addition to this a single storey rear extension was proposed. The application was refused, due to the excessive depth and design of the single storey rear extension, the additional roof bulk, visual impact of the excessive fenestration proposed and an un-neighbourly form of development by over dominance, visual obtrusion and loss of privacy by actual and perceived overlooking, resulting in a material loss of residential amenity.

The current proposal seeks to overcome these reasons for refusal, the rear extension has been removed from the scheme, the side dormer has been removed from the scheme, 4 side roof lights have been reduced to 1, the proposed eaves height has been reduced, and the ridge height is to remain unaltered.

### 2. Advertisement and Site Notice

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

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

### 3. Comments on Public Consultations

5 neighbours were consulted, and one response was received that made the following comments:

1. Object to the overall bulk and density of the proposed development, created by an overall increase in the roof height in close proximity to the shared boundary, it is excessively bulky and over dominant;

2. The increased ridge height and dormer windows with high pitched roof will further increase the overshadowing of my property and reduce the daylight and sunlight amenity to my conservatory;

3. The chimney is low and right on the boundary, with prevailing west wind the smoke blows straight into my house and it is impossible for me to have my windows open when the chimney is in use;

4. Because of its close proximity, this development would have an overwhelming impact on my quality of life, as the conservatory is the only room in my house which gets the sun for a large part of the day. Especially important during the winter, spring and autumn;

Officer comments: The revised plans show the height of the building would not be increased, smoke nuisance would be dealt with under Environmental Protection Legislation, and the remainder of the issues are addressed in the full report



Ruislip Residents Association consulted, no response received.

Ward Councillor has requested that this application is reported to committee.

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

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

Part 1 Policies:

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM14 New development and car parking standards.

HDAS Residential Extensions

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

#### **5. MAIN PLANNING ISSUES**

The main considerations are the design and impact on the character of the existing dwelling and wider street scene, the impact upon the amenities of adjoining occupiers and onsite parking provision.

Policy BE15 of the UDP (Saved Policies September 2007) requires extensions to harmonise with the scale, form, architectural composition and proportions of the original building. The adopted Supplementary Planning Document (SPD): Residential Extensions: Section 7.0 in relation to Loft conversions and roof alterations states careful thought must be given to the volume, height, proportion, details and position and overall appearance of any dormer windows or other roof alterations.

It is considered that the proposal would not cause an unacceptable loss of light or outlook to adjoining occupiers. Although the bulk of the roof would be marginally increased, due to the building not being increased in height and having regard for the existing roof form, it is not considered any material loss would arise. The proposal therefore would accord with policies BE20, and BE21 of the UDP (Saved Policies September 2007).

With regard to loss of privacy, the alterations to the fenestration details in the existing building would not require planning permission and would therefore fall outside the control

of the local planning authority. However, the two roof lights in the side elevations (one on each side), would be to serve non-habitable rooms and therefore are conditioned to be fixed shut and obscure glazed to avoid any overlooking concerns that might otherwise arise. Therefore, this proposal accords with Policy BE24 of the UDP (Saved Polices September 2007) and with HDAS Supplementary Planning Document: Residential Extensions.

It is considered, that all the proposed habitable rooms, and those altered by the development still maintain an adequate outlook and source of natural light, therefore complying with Policy 4A.3 of the London Plan (2008).

In terms of design and appearance, the eaves heights would be raised (providing a marginally wider spanned building), the front dormer would be raised by 0.1m, and the chimney would be replaced by one of a similar size and position. However, the ridge height would remain un-altered and whilst these alterations would alter the existing appearance of the building it would not be to such an extent that it would be out of character with the existing or adjoining properties. The size and design of the dormer windows is considered to be visually subordinate in relation to the roof plane in which they are set. The front canopy, incorporating a cat-side roof element is considered to be in character with the architectural design of the host dwelling. It is therefore considered that the proposed alterations would be clearly articulated and visually subordinate to the main dwelling such that its character would not be harmed and as such would comply with Policies BE13, BE15, and BE19 of the UDP (Saved Polices September 2007) and with HDAS Supplementary Planning Document Residential Extensions.

There would be no impact upon the levels of car parking at this dwelling with the existing parking to be retained. The proposal would therefore comply with policy AM14 of the UDP (Saved Polices September 2007)

In terms of the garden area, at least 100 square metres would be retained. Therefore a cramped appearance would not arise and adequate amenity space would remain in compliance with the relevant HDAS Supplementary Planning Document Residential Extensions and policy BE23 of the UDP (Saved Polices September 2007).

In summary, the design of the roof alterations are considered to be acceptable in terms of its impact on the appearance of the original dwelling and the wider street scene. There will be no significant harm to the amenities of adjoining occupiers and no material conflict with any of the Council's adopted policies.

## **6. RECOMMENDATION**

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

**1**            T8            Time Limit - full planning application 3 years

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**            M2            External surfaces to match existing building

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.

#### 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 Unitary Development Plan Saved Policies (September 2007).

#### **3 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 9 and 11 Meadow Close.

#### REASON

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

#### **4 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The window(s) facing 9 and 11 Meadow Close shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

#### **5 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **INFORMATIVES**

#### **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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

**Policy No.**

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

- 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 & 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 & Community Services Reception Desk, Level 3, 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 or Bank 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.

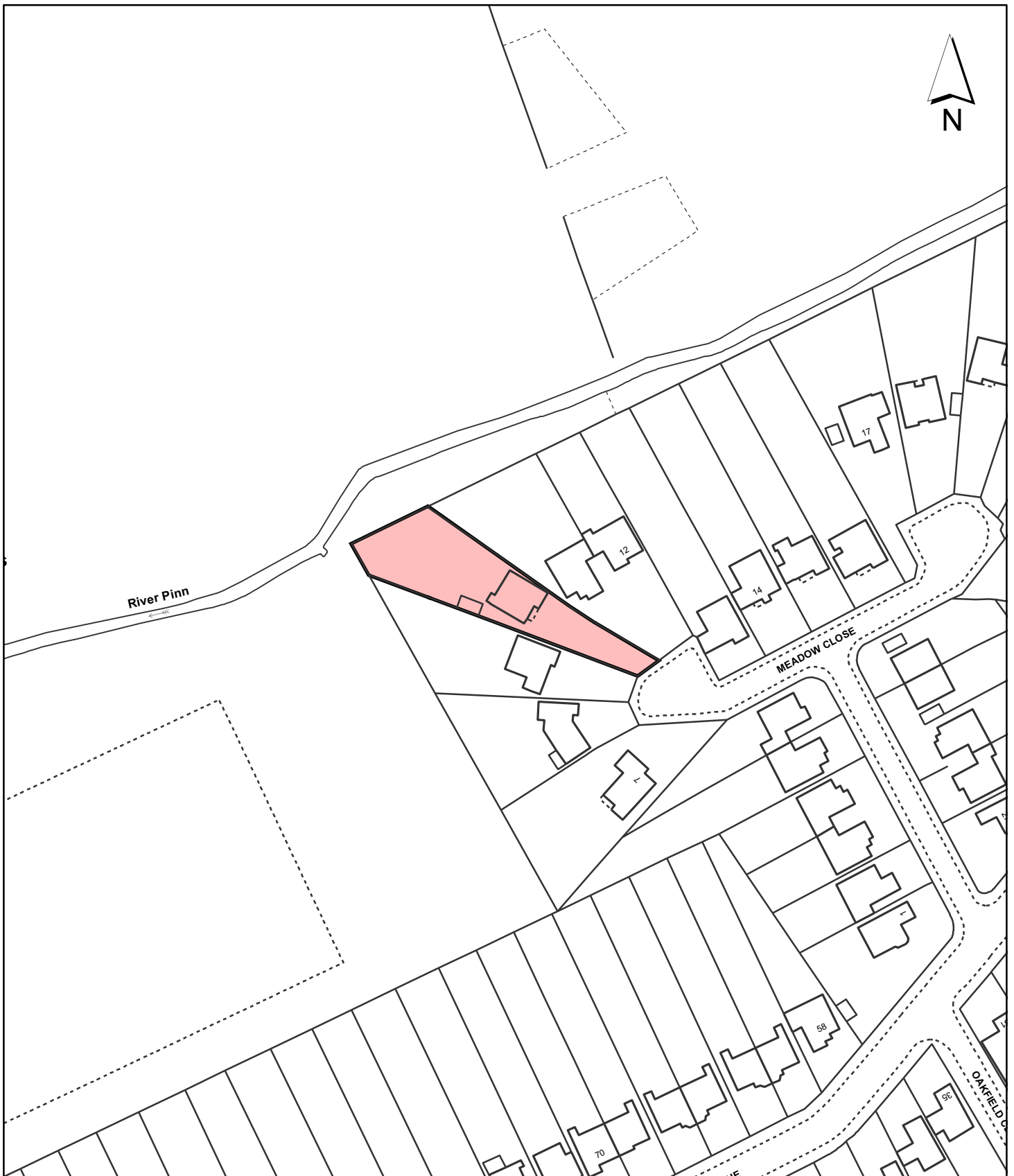
You are advised to consult the Council's Environmental Protection Unit, 3S/02,

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:** Catherine Hems

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**10 Meadow Close  
Ruislip**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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

Planning Application Ref:  
**19443/APP/2009/553**

Scale  
**1:1,250**

Planning Committee  
**North** Page 83

Date  
**May 2009**



**HILLINGDON**  
LONDON

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## Report of the Corporate Director of Planning & Community Services

**Address** HIGHWAY VERGE NEAR JCT OF BREAKSPEAR ROAD & FINE BUSH LANE BREAKSPEAR ROAD RUISLIP

**Development:** INSTALLATION OF A 11.5M HIGH IMITATION TELEGRAPH POLE MOBILE PHONE MAST AND ANCILLARY EQUIPMENT CABINET (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED)

**LBH Ref Nos:** 65930/APP/2009/915

**Drawing Nos:** A/GA/01 Rev. E  
Developer's Notice  
Declaration of Conformity with ICNIRP Public Exposure Guidelines  
Design, Access and Supporting Statement  
Network and 3G Information  
Health and Safety Statement  
3 A4 Coverage Plots  
Supplementary Information  
E-mail dated 13/05/09

**Date Plans Received:** 30/04/2009

**Date(s) of Amendment(s):**

**Date Application Valid:** 30/04/2009

### 1. SUMMARY

This application has been submitted by Orange and seeks to determine whether prior approval is required for the siting and design of an 11.5m high 'telegraph pole' style telecommunications mast and ancillary equipment cabinets. The installation would replace the existing Orange site located at the Hillingdon Borough Football Club on the opposite side of Breakspear Road, which is within the Green Belt and due to be decommissioned as the site provider is no longer willing to accommodate the installation. The applicant has searched the desired coverage area and concluded that there are no other more suitable locations available. In support of their application, Orange has supplied technical details of their search/coverage area plans and justification for their site selection.

The proposed installation would be located on a grass verge on the south eastern side of Breakspear Road, almost opposite its junction with Fine Bush Lane. There are mature trees and shrubs at the back of the verge which would assist with the screening of the mast from the Green Belt and from the residential properties fronting Stowe Crescent to the south east. The applicant has carried out a thorough search of the area and undertaken extensive pre-application discussions with Council officers prior to selecting the site. It is considered that there are not any more appropriate alternative sites which would have less visual impact on the character and appearance of the surrounding area, including the adjoining Green Belt. As such, approval is recommended.

### 2. RECOMMENDATION

**That subject to no further objections being received, which raise any significant**

planning issues not already addressed in the report, delegated powers be given to the Director of Planning and Community Services to determine the application as follows, following expiry of the public consultation period on 2nd June 2009:

(A) That prior approval of siting and design is required.

(B) The details of siting and design are approved.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises the grass verge at the back of the public footpath on the south east side of Breakspear Road, some 70m to the south west of its junction with Howletts Lane, almost opposite its junction with Fine Bush Lane. There are mature trees and shrubs at the back of the grass verge, beyond which are the rear gardens of houses fronting Stowe Crescent. At the junction of Breakspear Road and Howletts Lane is The Woodman PH. On the opposite side of the road is open land, bounded by hedgerows which forms part of the Green Belt. To the north of Fine Bush Lane, are open playing fields associated with the Hillingdon Borough Football Club and to the south are open agricultural fields. The site forms part of the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

#### **3.2 Proposed Scheme**

The application seeks to determine whether prior approval is required for the siting and design of an 11.5m high imitation telegraph pole design mobile phone mast incorporating one antenna. Two equipment cabinets would be sited close to the base of the mast, with dimensions of approximately 1.5m wide by 0.7m deep by 1.5m high and 0.3m wide by 0.2m deep by 0.8m high. The mast would be painted brown to match other telegraph poles in the vicinity and the equipment cabinets would be painted dark green.

The mast is required to provide replacement coverage of the Ruislip Common residential area, once an existing mast on the Hillingdon Borough Football Club site on the opposite side of Breakspear Road is de-commissioned.

#### **3.3 Relevant Planning History**

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

There is no relevant planning history.

### **4. Planning Policies and Standards**

The application has been assessed principally against policy BE37 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Planning Policy Guidance Note 8: Telecommunications. Both seek to find solutions which minimise the impact of telecommunications development on the appearance of the surrounding area.

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.11 To facilitate the development of telecommunications networks in a manner than minimises the environmental and amenity impact of structures and equipment.

Part 2 Policies:

- BE37 Telecommunications developments - siting and design
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OL5 Development proposals adjacent to the Green Belt
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- PPG8 Planning Policy Guidance (PPG) 8: Telecommunications

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **2nd June 2009**

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

## **6. Consultations**

### **External Consultees**

112 neighbouring properties have been consulted. Five individual responses have been received (2 from the same objector), raising the following concerns:

(i) Object to any mobile phone masts until such time there has been a full safety investigation. There is a strong argument that masts are a considerable health risk and an expert has claimed they can cause cancer. Until such time as they get a 100% clean bill of health, they should not be considered, particularly on the edge of a residential area. In other countries, notably the US, Australia and New Zealand, a precautionary principle has been adopted which effectively bans the erection of masts from school buildings and residential areas.

(ii) Already have a mobile phone mast a few further yards along Breakspear Road from Fine Bush Lane and since this mast has been erected, have had five deaths from cancer in Stowe Close. Two this year. These deaths have been in close proximity to the mast and seem too many to be coincidental.

A petition has also been received, with 51 signatories, objecting for the following reason:-

'We, the residents of Wyteleaf Close, will be mostly affected by this application. There are no scientific proof that installation of these type of poles near residential areas will not do any harm to us, especially to our children. It is impossible to say what harm it will do to us and to the next generation. Therefore we strongly object to this proposal and hope you will not allow this go ahead.

Officer Comments: - The issue of health has been dealt with in the main report.

Ruislip Residents' Association: No response received.

South Ruislip Residents' Association: No response received.

### **Internal Consultees**

Highway Engineer: Application is acceptable.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The proposed installation does not exceed the limits set out in Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). It would not be located in an environmentally sensitive area where more restrictive criteria are applicable. Accordingly, the proposal constitutes permitted development.

In accordance with Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) Orange is required to apply to the Local Planning Authority for a determination as to whether prior approval of the details of siting and design is required and, if so, for the Local Planning Authority to either approve or refuse those details.

### **7.02 Density of the proposed development**

N/A to this development.

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

N/A to this development.

### **7.04 Airport safeguarding**

The application site is not located within proximity of an aerodrome and there is no requirement to consult the airport safeguarding authorities regarding this application.

### **7.05 Impact on the green belt**

The open fields on the opposite side of the road and the generally open land beyond form part of the Green Belt. Policy OL5 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) advises that development proposals adjacent to or conspicuous from the Green Belt should not harm the visual amenities of the Green Belt by reason of their siting, materials, design, traffic or activity generated. Whilst the mast would be visible from the adjoining Green Belt, the imitation telegraph pole mast would be similar to other telegraph poles on the road and be viewed against the back drop of mature trees of a similar height to the proposal and hedgerow at the back of the grass verge. In this context and given the slim line design of the mast, it would not appear unduly conspicuous from the Green Belt and longer distance views from the Green Belt would be limited.

Furthermore, the proposed mast is required to replace a large 15m high lattice mast on the Hillingdon Borough Football Club site opposite which is within the Green Belt and does not benefit from any tree screening.

### **7.06 Environmental Impact**

N/A to this development.

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

The application site is on the urban fringe, with an established residential area to the south east and open fields to the north west. Breakspear Road in this vicinity has a rural

character with hedgerows on both sides of the road, with the hedgerow and mature trees on the south east side of the road effectively screening the two storey houses. The nearest school building is Whiteheath Infant School on Ladygate Lane, approximately 420m to the south.

The applicant has provided details of 12 different sites, which have been investigated within the desired search area together with reasons for discounting them. All multi-storey premises and existing installations within the search area have been investigated where a rooftop installation could be accommodated and all options have been exhausted. Notably, an existing T-Mobile mast on the opposite side of Breakspear Road, some 85m to the south west of the application site would require substantial redevelopment, including a height increase in order to accommodate the Orange antennas and equipment. This site does not benefit from any tree screening and would result in greater visual intrusion in a more prominent location. Furthermore, it has been confirmed that this site would not be made redundant as a result of the T-mobile and '3' merger. Therefore, it has been concluded that the only means of providing replacement coverage is a new street work installation.

It is acknowledged that this is a difficult area in which to find an appropriate site due to its either suburban or open rural character. The applicant has demonstrated that there is a clear need for an installation in this location and discounted numerous sites. It is considered that the imitation 'telegraph pole' design would be the most appropriate in this location, given other telegraph poles on the road and the ability of such a design to blend with the backdrop of mature trees. The site benefits from tree screening provided by approximately 11 to 12m high trees and a 4 to 5m high hedgerow. The equipment cabinets would be painted dark green and would have the appearance of standard utility company cabinets. On balance, given the constraints of the area, it is considered that the proposal is visually acceptable in this location.

#### **7.08 Impact on neighbours**

The site is relatively close to surrounding residential properties, the nearest being approximately 20m away on Stowe Crescent (Nos. 16 and 18). However, this is likely to be the case wherever the proposed installation were to be erected if it was to avoid the Green Belt. In this case, No.16, sited to the east of the site would not directly overlook the proposed mast as its front and rear elevations face south and north respectively. This property also has a 4m to 5m high conifer hedge on its rear boundary which would assist with the screening of the mast from the property's side and rear garden. It is also noted that a 7m to 8m high flag pole has been erected on the front elevation of the detached garages between this and the neighbouring property, No.14 Stowe Crescent which is nearer to the property than the proposal. The rear elevation of No.18, to the south east of the proposal would directly overlook the site, but the mast, as viewed from this property, would be sited behind a 12m high hedgerow tree which would provide a significant degree of screening from the rear windows of this property and its rear garden. On balance, given the significant screening that would be afforded by hedgerows and mature trees, the impact of the mast on residential amenity would not be sufficient to justify refusal.

#### **7.09 Living conditions for future occupiers**

N/A to this development.

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

The proposal would be sited in the green verge and therefore would not obstruct the adjoining highway footpath. Furthermore, telecommunications installations are visited

infrequently for maintenance purposes and as such, it is not considered that there would be any significant impact upon the free flow of traffic or highway safety. No objections have been raised by the Council's Highway Engineer.

#### **7.11 Urban design, access and security**

The proposed installation would take on the appearance of an imitation telegraph pole. Whilst taller and thicker than a standard pole, this is considered to be the most appropriate design in this location, given existing poles on the road, particularly to the north east, the surrounding trees and the proximity of a lamp post column which if its design was mimicked by the proposal, would disrupt the relatively uniform spacing of lamp post columns on Breakspear Road. The nearby T-Mobile monopole design mast is much more exposed and utilitarian in its design. It is considered that the siting of the proposed installation, 85m to the north east is sufficiently distant, bearing in mind its less intrusive telegraph pole design and its more discrete location so that the cumulative impact would not appear cluttered. Overall, it is considered that the proposal would not have a detrimental impact upon the character and appearance of the area, sufficient to justify refusal, particularly given the clear need for a replacement installation in this area and the applicant's thorough site search.

#### **7.12 Disabled access**

N/A to development.

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

N/A to development.

#### **7.14 Trees, Landscaping and Ecology**

The proposed development would not be detrimental to nearby trees or landscaping.

#### **7.15 Sustainable waste management**

N/A to development.

#### **7.16 Renewable energy / Sustainability**

N/A to development.

#### **7.17 Flooding or Drainage Issues**

N/A to development.

#### **7.18 Noise or Air Quality Issues**

N/A to development.

#### **7.19 Comments on Public Consultations**

See Section 6.1

#### **7.20 Planning Obligations**

There is no requirement for the applicant to provide a S106 contribution given the relatively modest and type of development.

#### **7.21 Expediency of enforcement action**

N/A to development.

#### **7.22 Other Issues**

Health:

In terms of potential health concerns, the applicant has confirmed that the proposed installation would comply with the ICNIRP (International Commission for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical

information about the proposed installation is not considered relevant to the Council's determination of this application.

## **8. Observations of the Borough Solicitor**

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

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

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

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

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

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

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

## **10. CONCLUSION**

In conclusion, the proposed installation is considered to be visually acceptable in this location and officers have been unable to suggest any more suitable alternative sites. It is considered that the proposal is consistent with advice in policy BE37 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Planning Policy Guidance Note 8 and therefore approval is recommended.

## **11. Reference Documents**

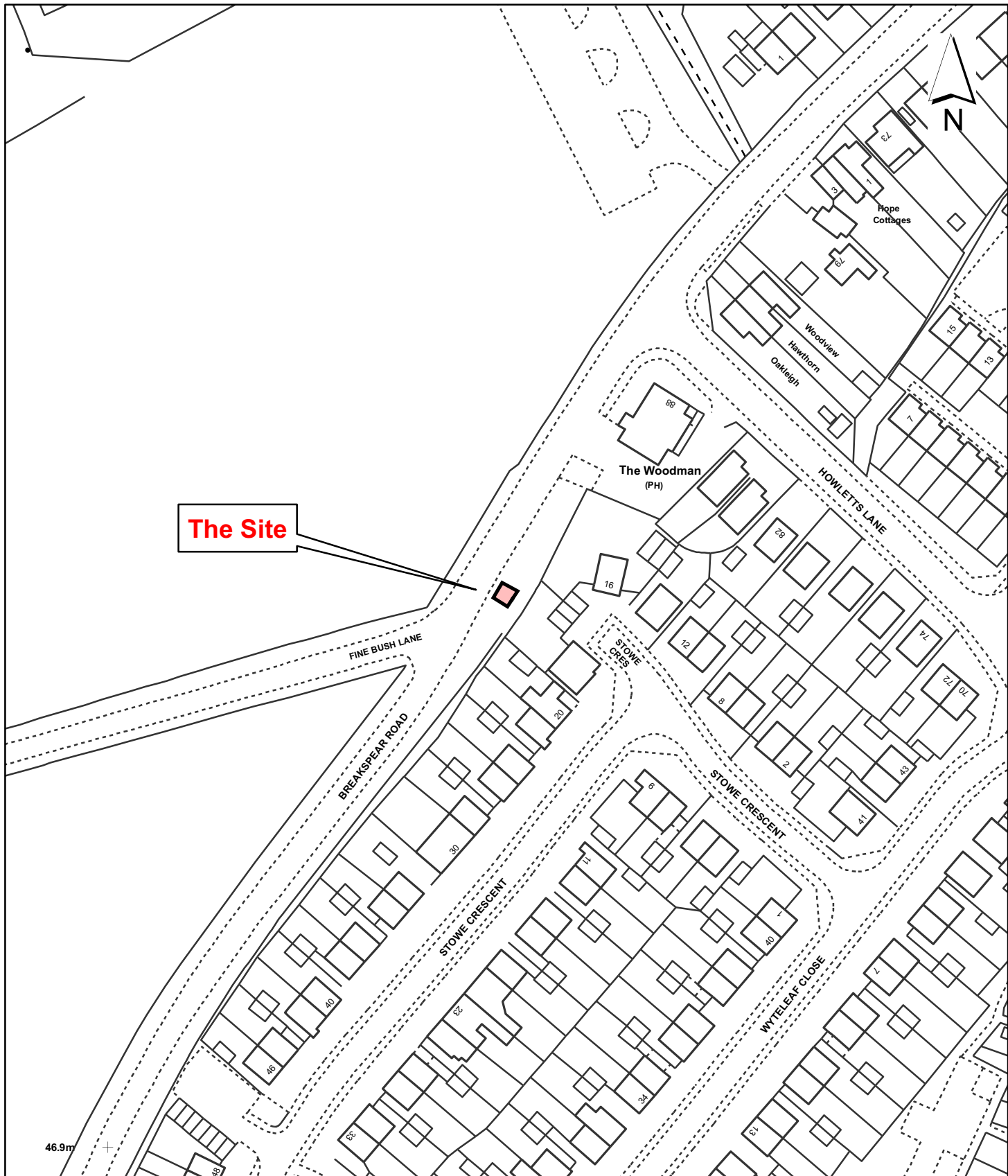
Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007)

PPG8: Telecommunications


**Contact Officer:** Richard Phillips

**Telephone No:** 01895 250230





**Notes**

 Site boundary

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Site Address

**Highway verge near junction of Breakspear Road and Fine Bush Lane, Breakspear Road, Ruislip**

Planning Application Ref:  
**65930/APP/2009/915**

Planning Committee  
**North** Page 93

Scale  
**1:1,250**

Date  
**May 2009**

**LONDON BOROUGH OF HILLINGDON**  
**Planning & Community Services**

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



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# Plans for North Planning Committee

2nd June 2009



HILLINGDON  
LONDON



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**Item No. 1      Report of the Corporate Director of Planning & Community Services**

**Address**            41 RUSHDENE ROAD EASTCOTE

**Development:**    ERECTION OF A FIVE BEDROOM DETACHED HOUSE WITH INTEGRAL GARAGE (AMENDMENT TO 51162/APP/1999/2320 DATED 7TH JULY 2000 - ERECTION OF A FIVE BEDROOM HOUSE) (RETROSPECTIVE APPLICATION)

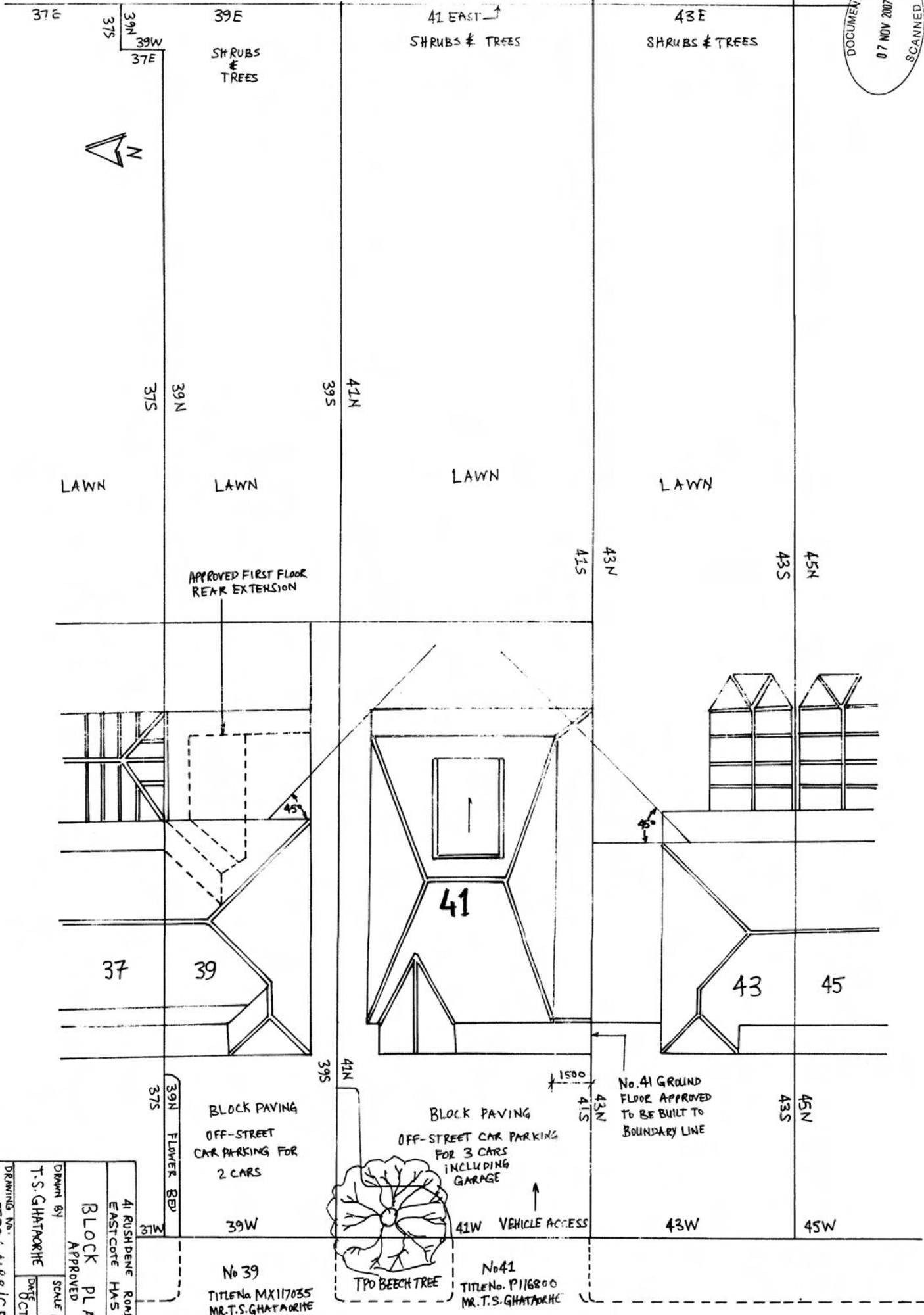
**LBH Ref Nos:**     51162/APP/2009/466

**Date Plans Received:**    09/03/2009

<b>Date Application Valid:</b>	07/04/2009	<b>Date(s) of Amendment(s):</b>	07/04/2009
			05/05/2009
			07/05/2009

DOCUMENT  
07 NOV 2007  
SCANNED

BOUNDARY LINE-- EAST



DRAWING No. TSG/ A/R/CF09	SCALE 1:100	DATE OCTOBER 2007
DRAWN BY T.S. GHATAORHE	APPROVED	
BLOCK PLAN		
41 RUSHDENE ROAD EASTCOTE HASLISW		

RUSHDENE ROAD  
Page 104  
BLOCK PLAN- APPROVED



BOUNDARY LINE - EAST

DOCUMENT  
07 NOV 2007  
SCANNED

37E

37S

39W

37E

39E

SHRUBS & TREES

41 EAST

SHRUBS & TREES

43E

SHRUBS & TREES



BAMBOO

LAWN

CROSS-SECTION VIEW OF TRENCHES



21 x 2000 x 2000  
40mm PIPE PANELS  
BURIED WITH 100mm  
BUILDING SAND ABOVE  
AND BELOW THEN BACK  
FILLED WITH EARTH

2000mm HIGH CLOSE BOARDED  
FEATHERED EDGE FENCE

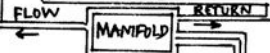
LAWN

LAWN

LAWN

APPROVED FIRST FLOOR  
REAR EXTENSION

BURIED GROUND LOOP-21 PANELS  
IN 3 TRENCHES AND PIPES FOR  
GEO THERMAL GROUND SOURCE  
HEATING SYSTEM



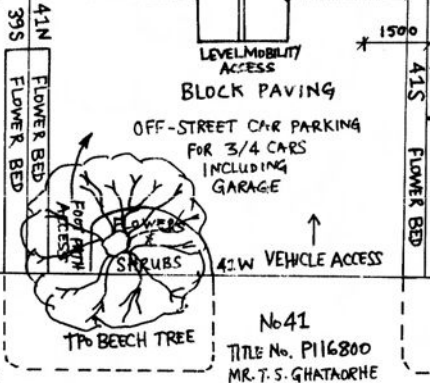
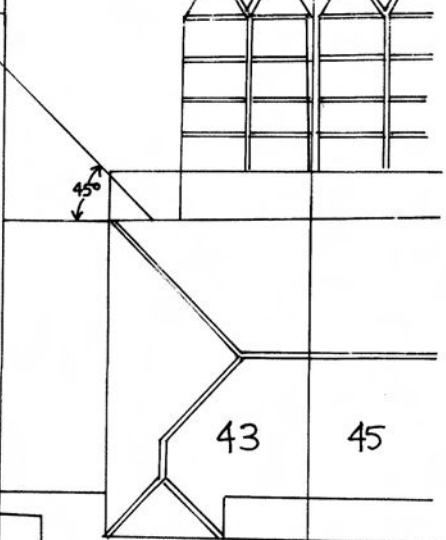
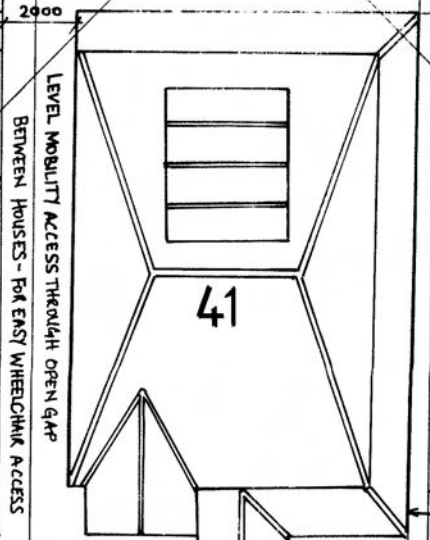
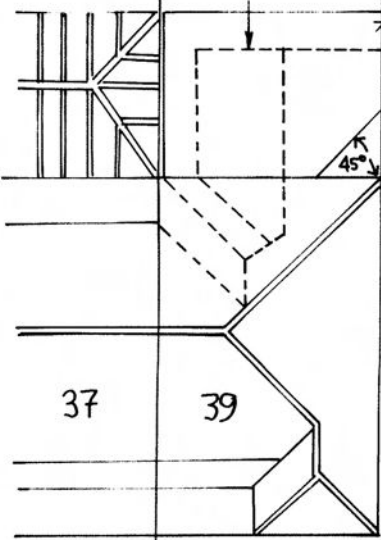
RETURN  
FLOW

41S

43N

43S

45N



No. 41 GROUND FLOOR NOT BUILT  
TO BOUNDARY LINE AS APPROVED

ENCLOSURE:  
2000mm HIGH FENCE REDUCING  
TO 1200mm AT FRONT OR  
METAL GRILL  
ENCLOSURE TO COMPLY WITH  
HIGHWAYS STANDARDS FOR  
VISIBILITY

BLOCK PAVING  
OFF-STREET  
CAR PARKING FOR  
2 CARS

BLOCK PAVING  
OFF-STREET CAR PARKING  
FOR 3/4 CARS  
INCLUDING  
GARAGE

No 39  
TITLE No. MX117035  
MR. T. S. GHATAORHE

No 41  
TITLE No. P116800  
MR. T. S. GHATAORHE

DRAWING No.	TSG/41R/CF08
DRAWN BY	T. S. GHATAORHE
DATE	OCTOBER 2007
SCALE	1:100
BUILT	
BLOCK PLAN	
41 RUSHDENE ROAD EASTCOTE HASLISW	

BOUNDARY LINE - EAST

37E

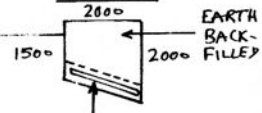
37S  
39W  
37E



PROPOSED LOCATION OF GYM SUBJECT TO PLANNING PERMISSION - AVAILABLE TO ALL IMMEDIATE NEIGHBOURS ON RUSHDENE ROAD FOR THEIR PRIVATE USE

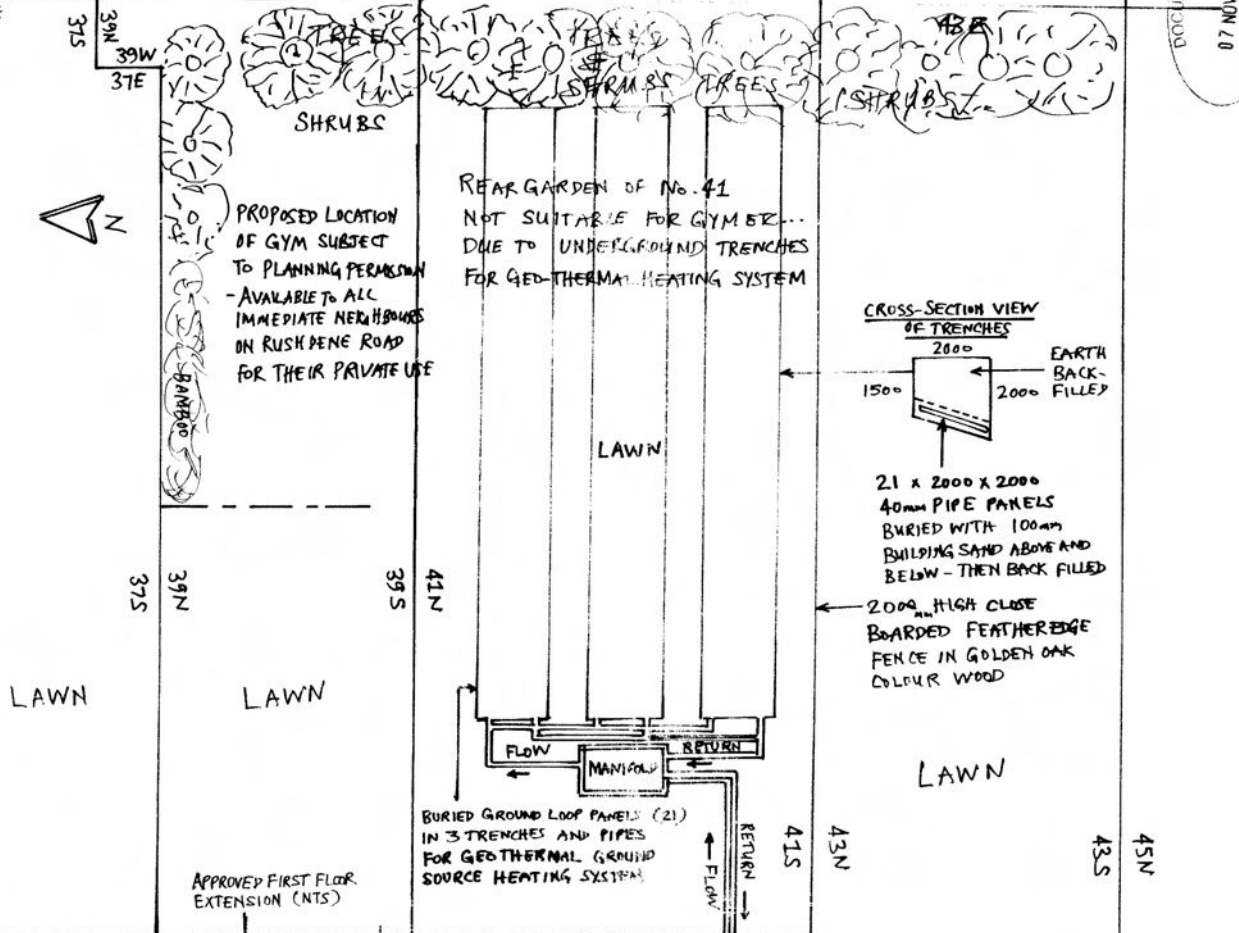
REAR GARDEN OF No. 41 NOT SUITABLE FOR GYM ETC... DUE TO UNDERGROUND TRENCHES FOR GED-THERMAL HEATING SYSTEM

CROSS-SECTION VIEW OF TRENCHES



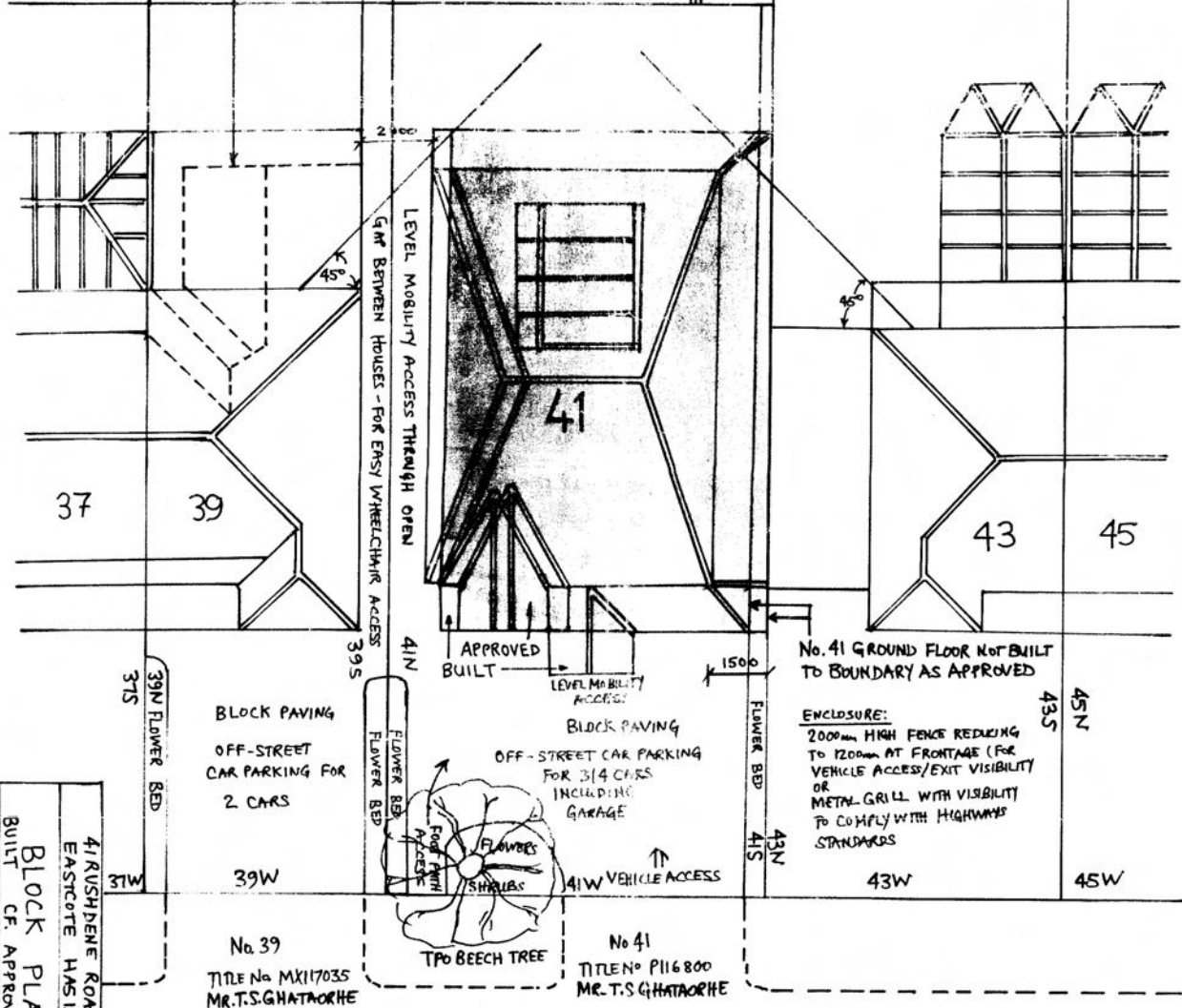
21 x 2000 x 2000 40mm PIPE PANELS BURIED WITH 100mm BUILDING SAND ABOVE AND BELOW - THEN BACK FILLED

2000mm HIGH CLOSE BOARDED FEATHER EDGE FENCE IN GOLDEN OAK COLOUR WOOD



BURIED GROUND LOOP PANELS (21) IN 3 TRENCHES AND PIPES FOR GEOTHERMAL GROUND SOURCE HEATING SYSTEM

APPROVED FIRST FLOOR EXTENSION (NTS)



LEVEL MOBILITY ACCESS THROUGH OPEN GATE BETWEEN HOUSES - FOR EASY WHEELCHAIR ACCESS

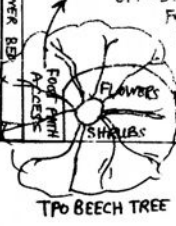
APPROVED BUILT LEVEL MOBILITY ACCESS

No. 41 GROUND FLOOR NOT BUILT TO BOUNDARY AS APPROVED

BLOCK PAVING OFF-STREET CAR PARKING FOR 2 CARS

BLOCK PAVING OFF-STREET CAR PARKING FOR 3/4 CARS INCLUDING GARAGE

ENCLOSURE: 2000mm HIGH FENCE REDUCING TO 1200mm AT FRONTAGE (FOR VEHICLE ACCESS/EXIT VISIBILITY OR METAL GRILL WITH VISIBILITY TO COMPLY WITH HIGHWAYS STANDARDS)

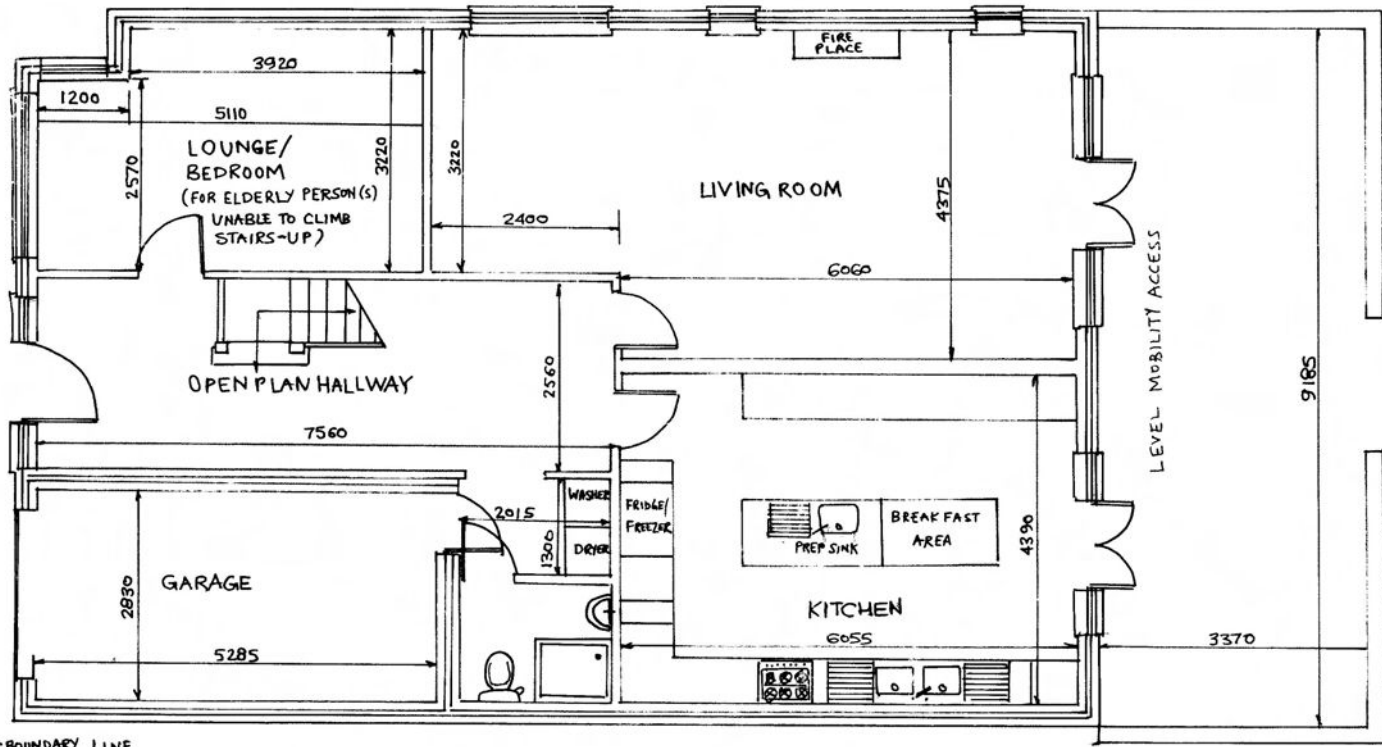


No. 39 TITLE No MK117035 MR. T.S. GHATAORHE

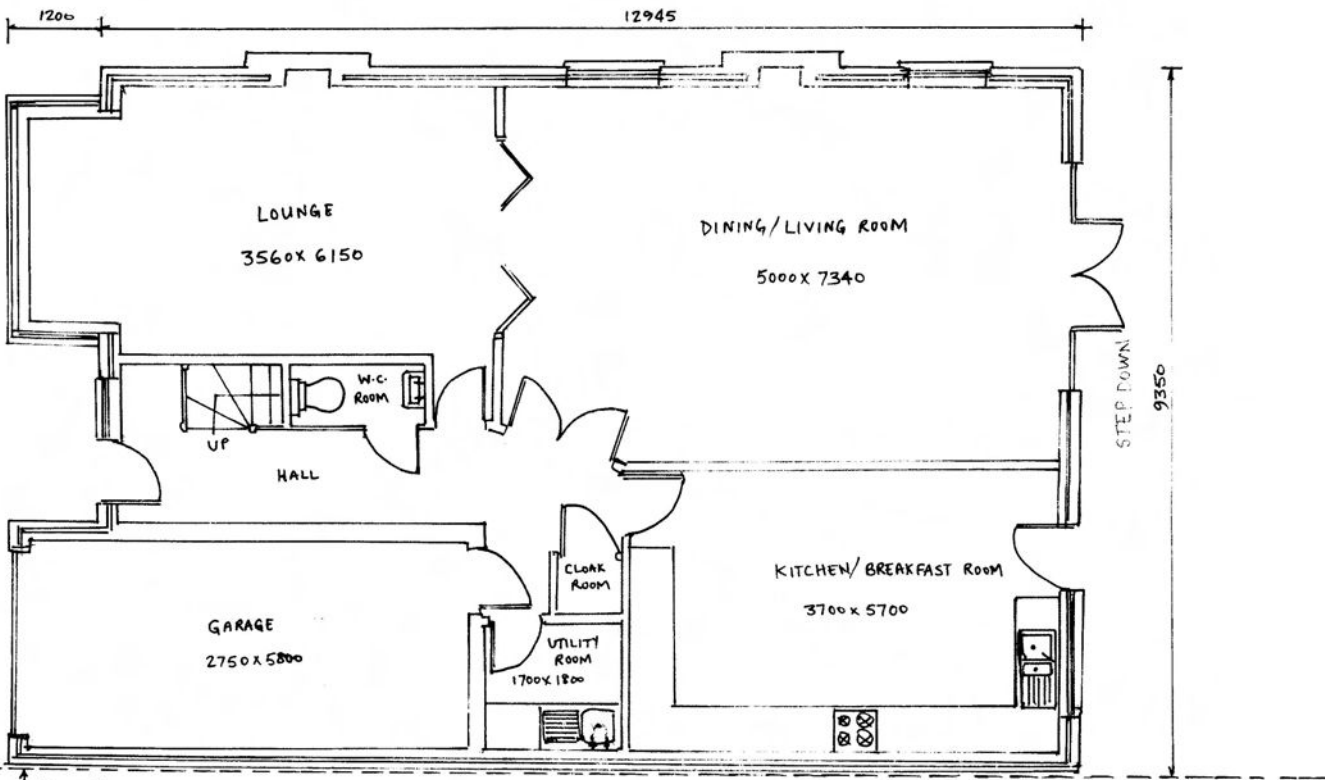
No. 41 TITLE No P116800 MR. T.S. GHATAORHE

RUSHDENE ROAD

DRAWING No. TSG/41R/CF10	DATE OCTOBER 2007
DRAWN BY T.S. GHATAORHE	
BUILT CF. APPROVED	
BLOCK PLAN	
41 RUSHDENE ROAD EASTCOTE HASLISW	



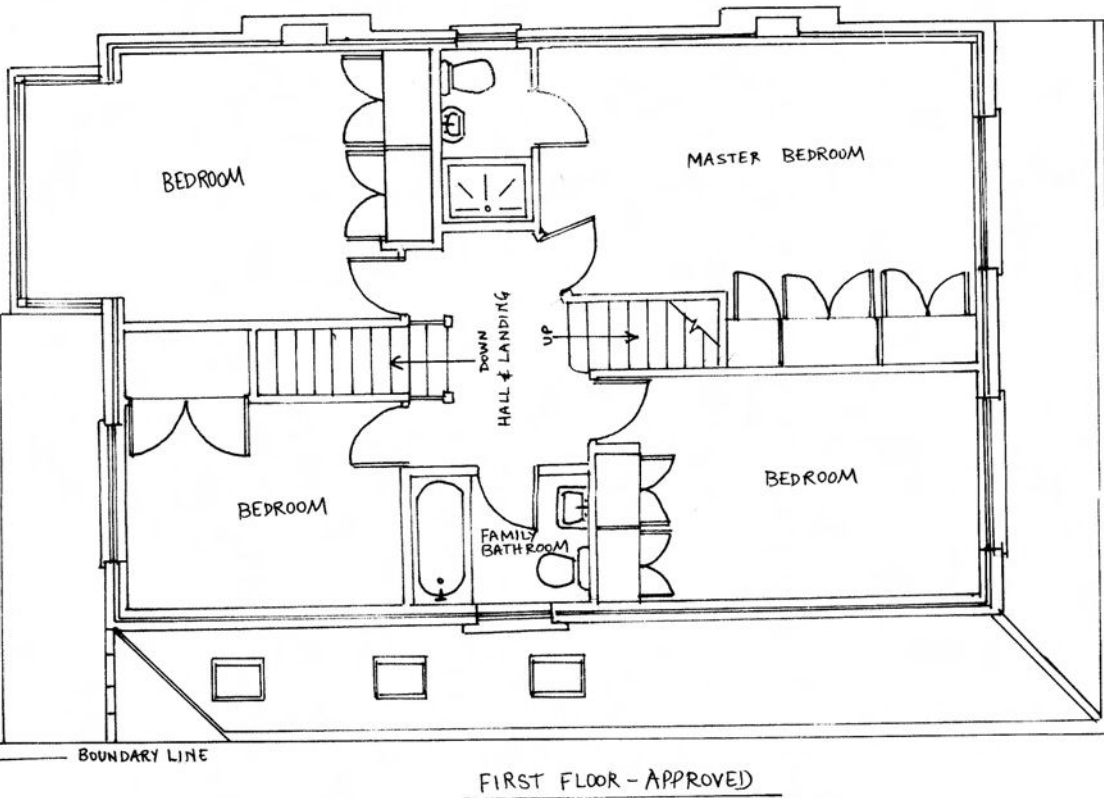
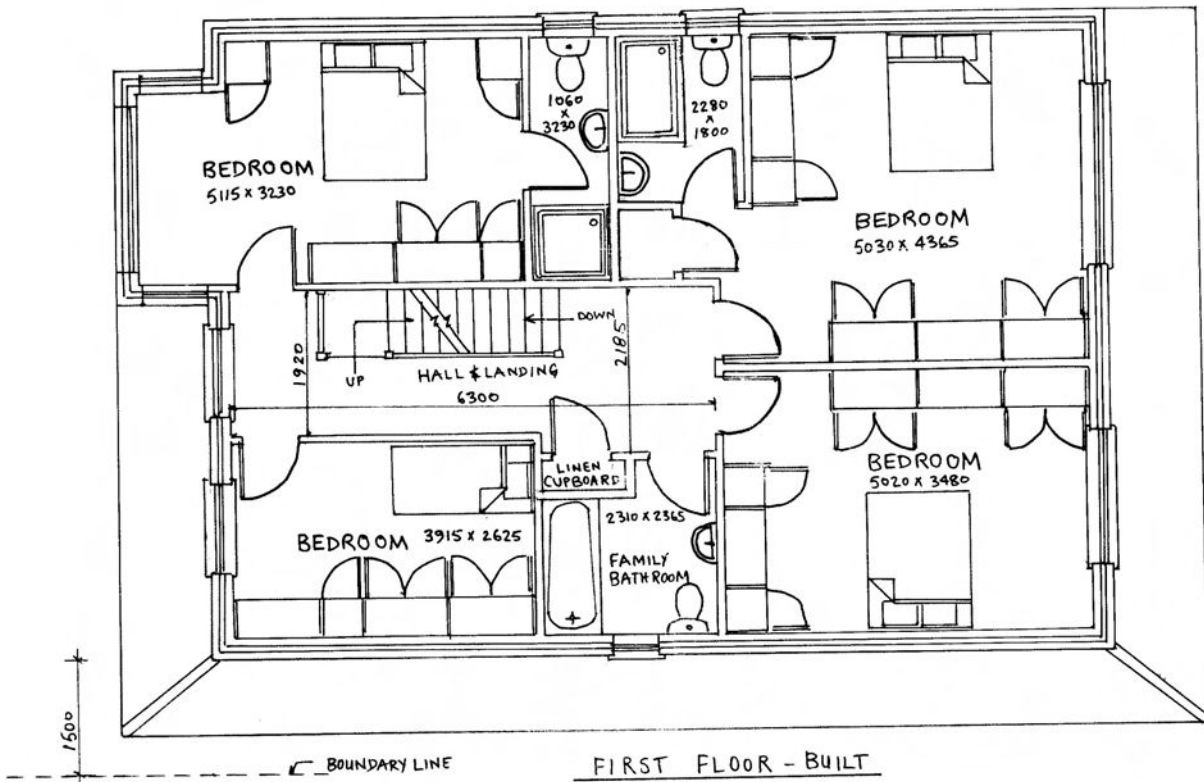
GROUND FLOOR - BUILT



GROUND FLOOR - APPROVED

DRAWING NO. TSG / A/R / C/15	DATE 8 OCTOBER 2007	SCALE 1:50	DRAWN BY T. S. GHAIKORHE	AS BUILT AND APPROVED	PLANS	41 RUSHDENE ROAD EASTCOTE HAS 15W
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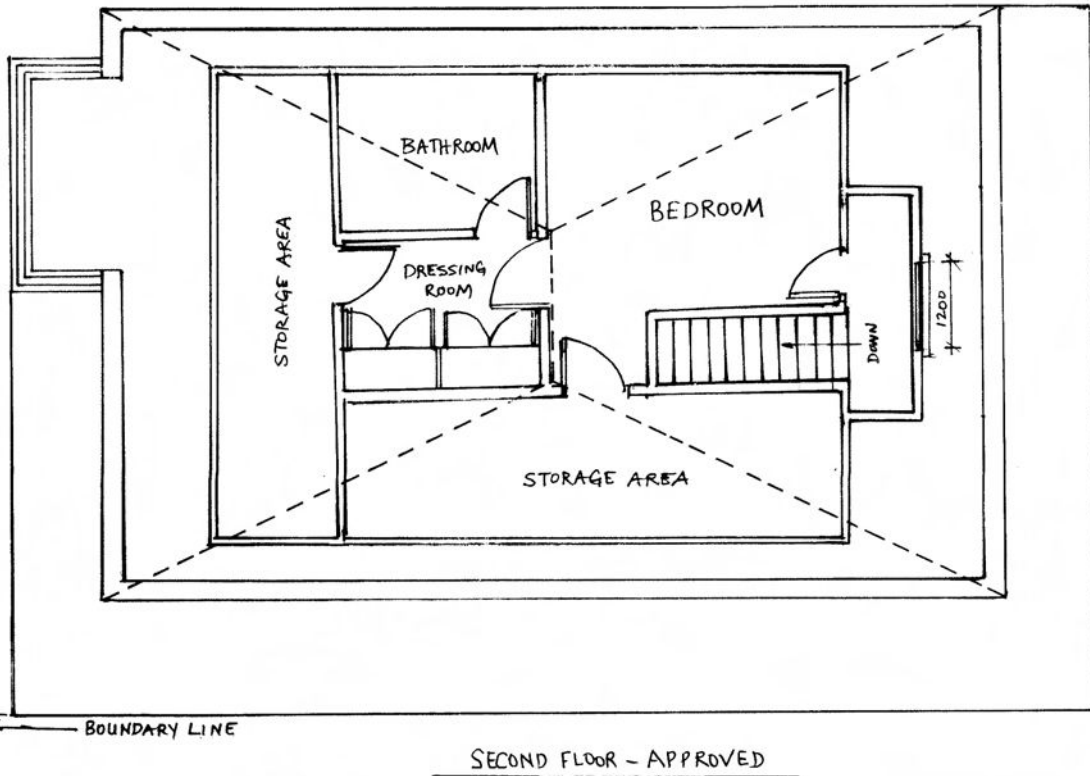
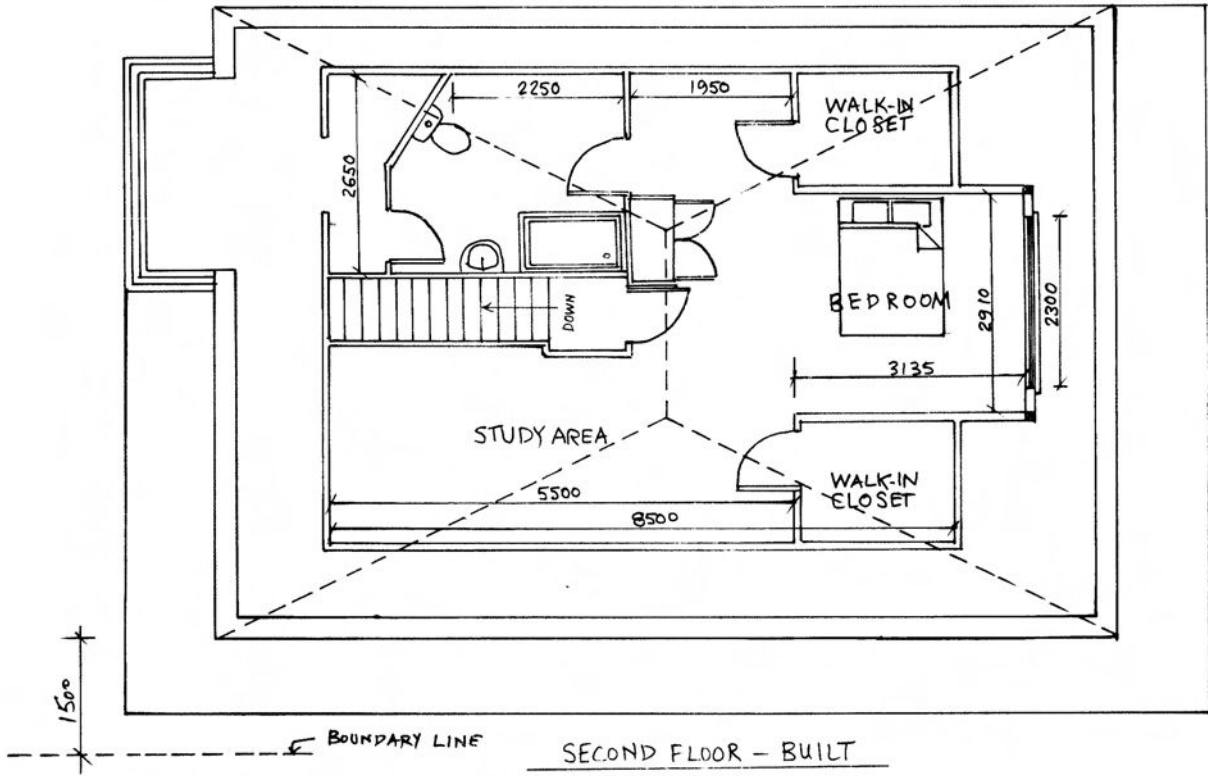
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 07 NOV 2007  
 SCANNED



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TSG / 41RR / CFOG		SCALE 1:50	
DRAWN BY		DATE	
T. S. GHATADKAR		OCTOBER 2007	
41 RUSHDENE ROAD EASTCOTE HAS ISW P L A N S			

*[Handwritten signature]*

DOCUMENT  
07 NOV 2007  
SCANNED

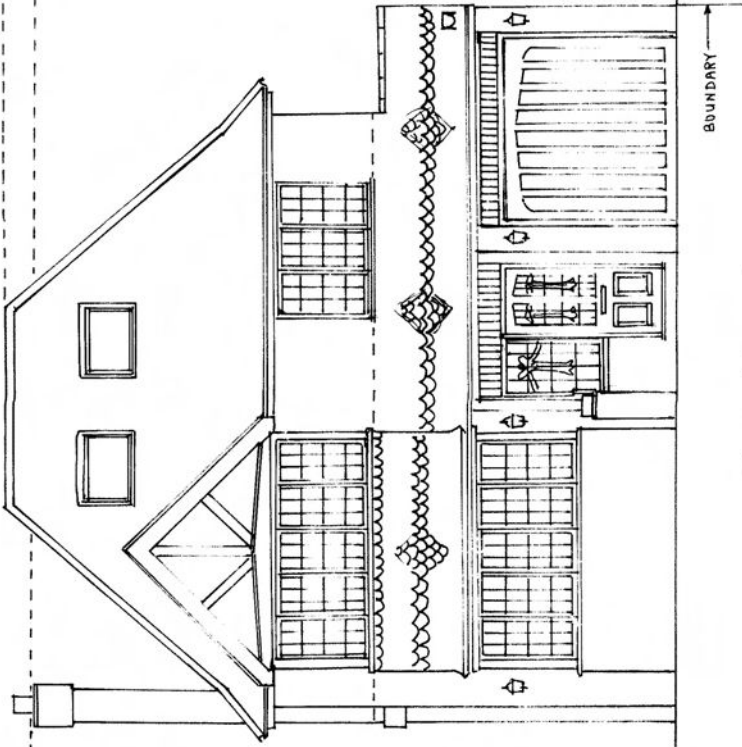


41 RUSHdene ROAD EASTCOTE HAS ISW	
PLANS	
AS BUILT AND APPROVED	
DRAWN BY T. S. GHATAOGE	SCALE 1:50
DRAWING NO. TSG / 4RR / CF07	DATE OCTOBER 2007

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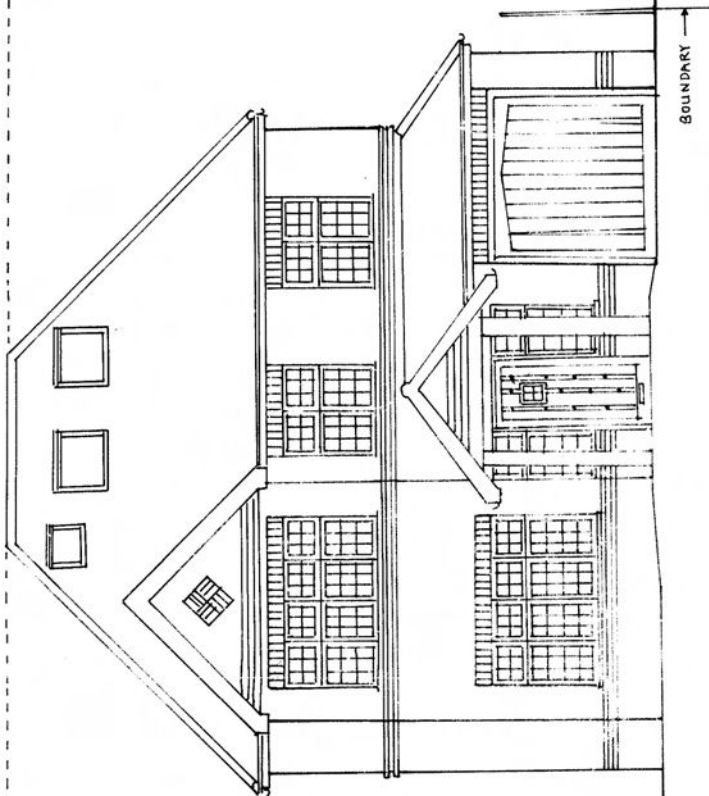


RIDGE LINE - APPROVED



FRONT ELEVATION  
APPROVED

RIDGE LINE - BUILT



FRONT ELEVATION  
BUILT

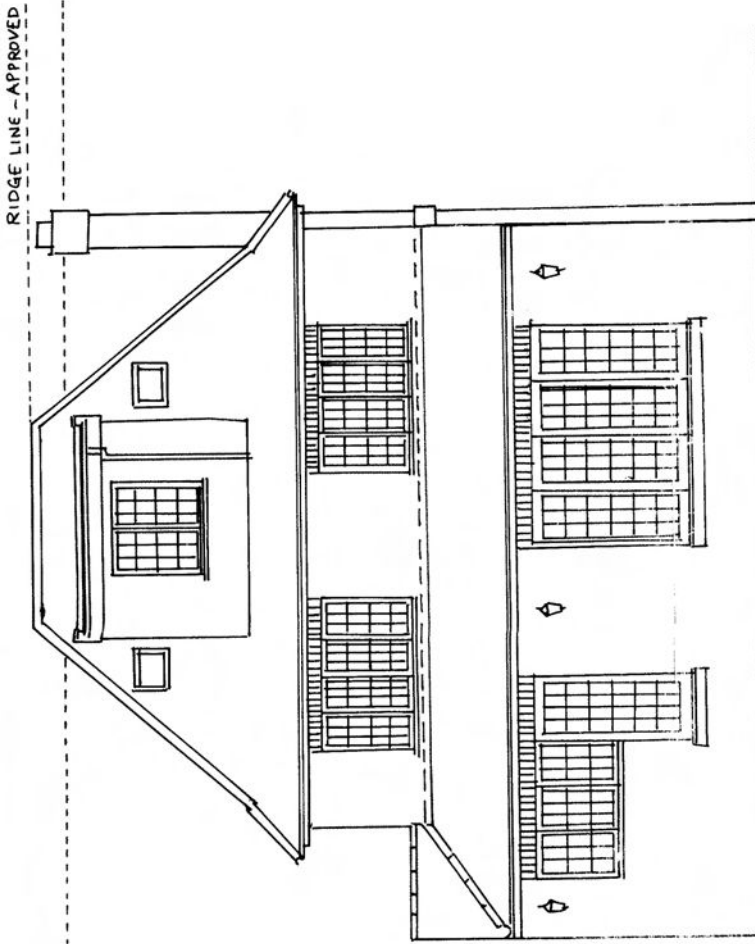
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BOUNDARY

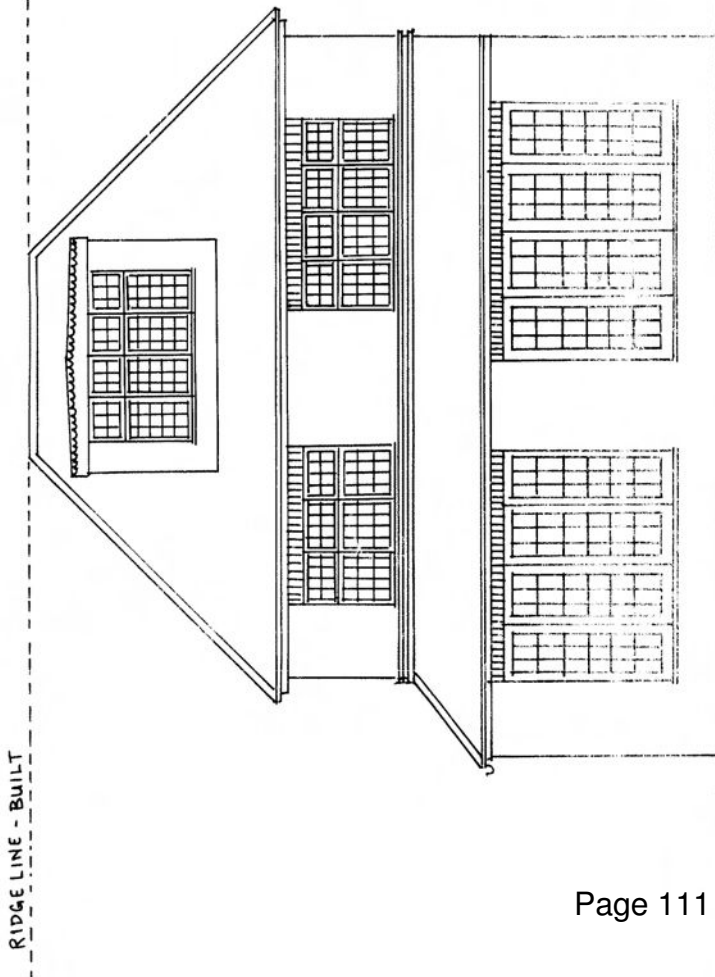
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41 RUSHDENE ROAD EASTCOTE HAS ISW	
ELEVATIONS AS BUILT AND APPROVED	
DRAWN BY T. S. GHATAORHE	SCALE 1:50
DATE OCTOBER 2007	
DRAWING NO. TS9 / 4RR / C/01	

DOCUMENT  
07 NOV 2007  
SCANNED



REAR ELEVATION  
APPROVED

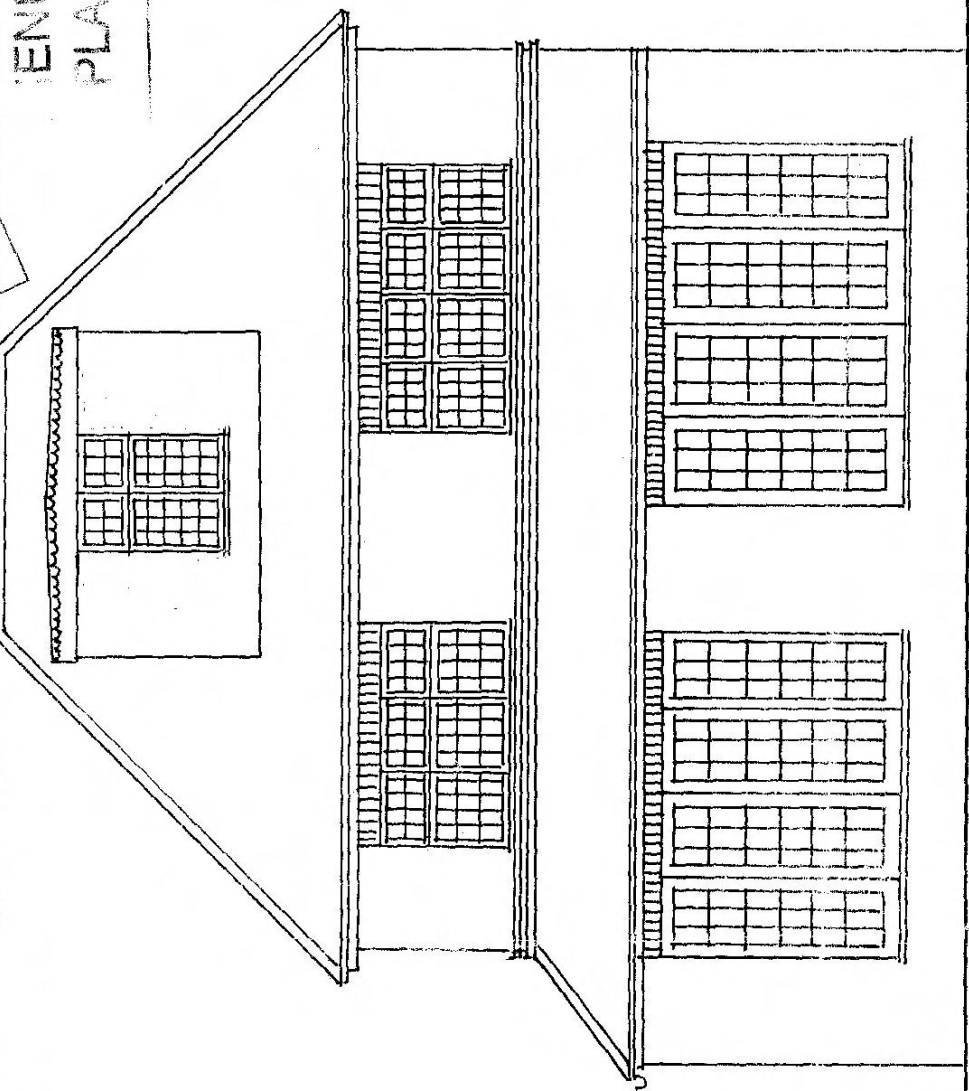


REAR ELEVATION  
BUILT

*[Handwritten signature]*

41 RUSHDENE ROAD EASTCOTE HA 5 ISW	
ELEVATIONS AS BUILT AND APPROVED	
DRAWN BY T. S. GHATAORHE	SCALE 1:50
DATE OCTOBER 2007	
DRAWING NO. TSG / 41RR / CF02	

--- RIDGE LINE - BUILT



ENDED  
PLAN

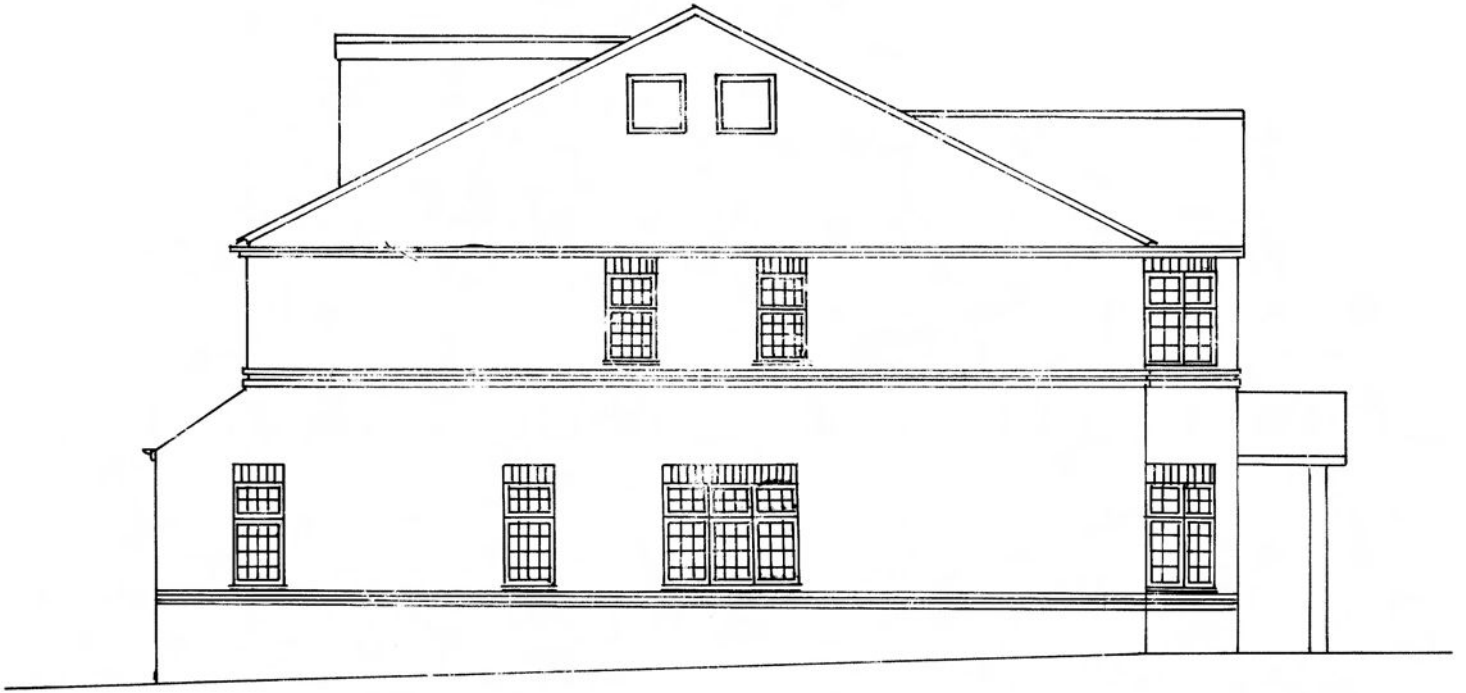
PLANING & TRANSPORTATION  
7 APR 2009  
RECEIVED  
LION ENGINEERING  
MORONG

REAR ELEVATION

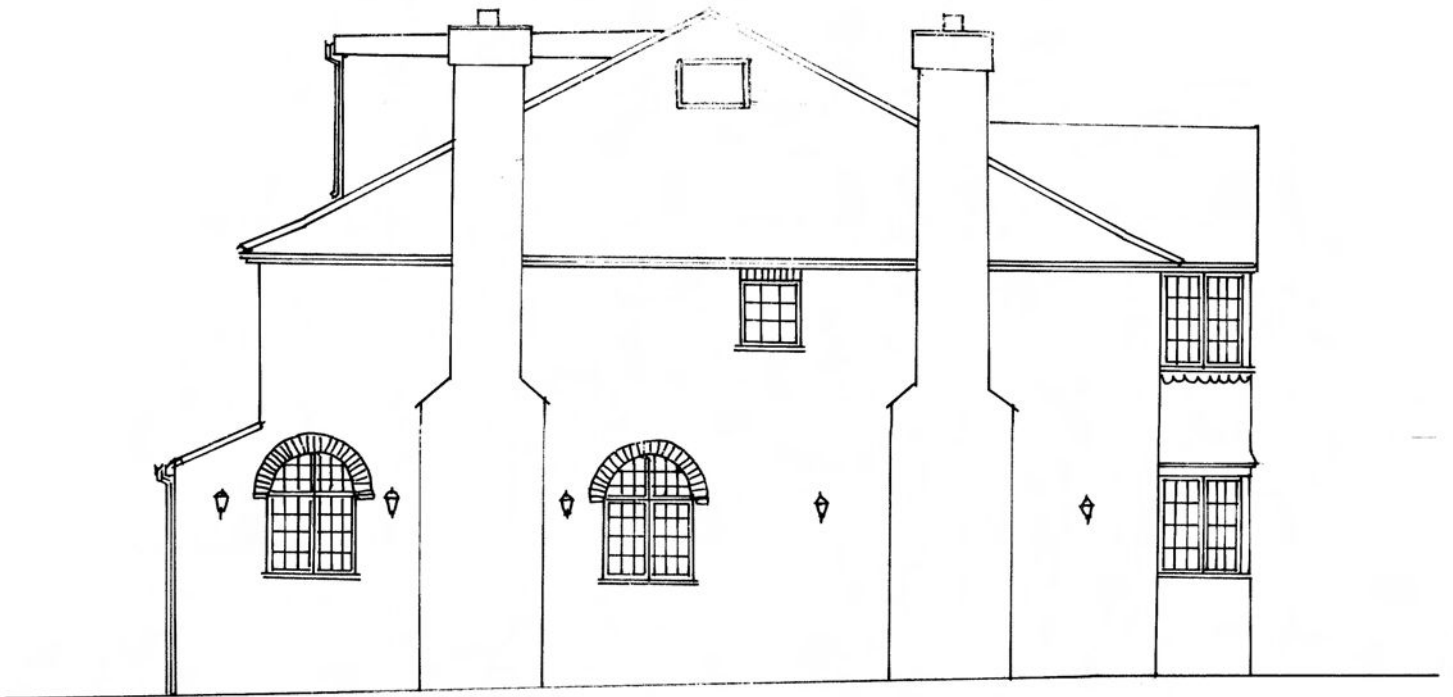
BUILT

DRAWING No- TSG/41RR /CFOZ/A





SIDE ELEVATION - BUILT

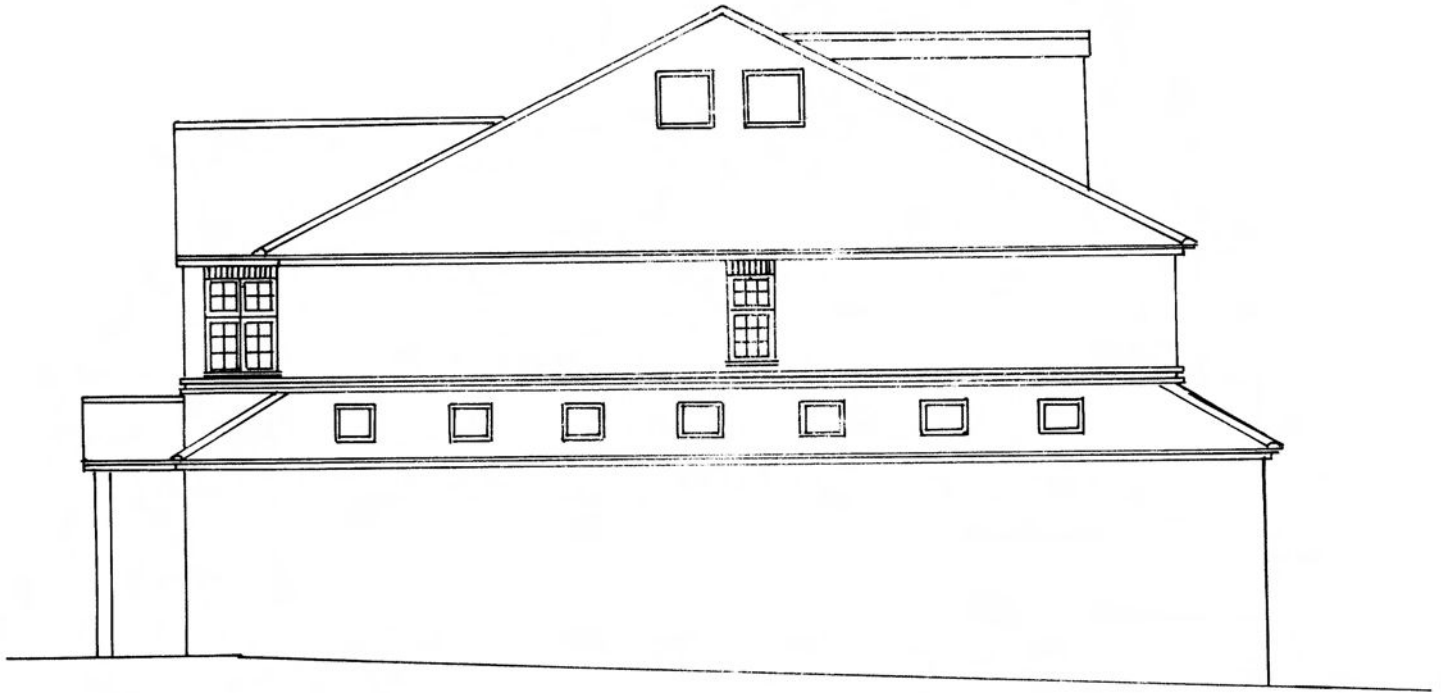


SIDE ELEVATION - APPROVED

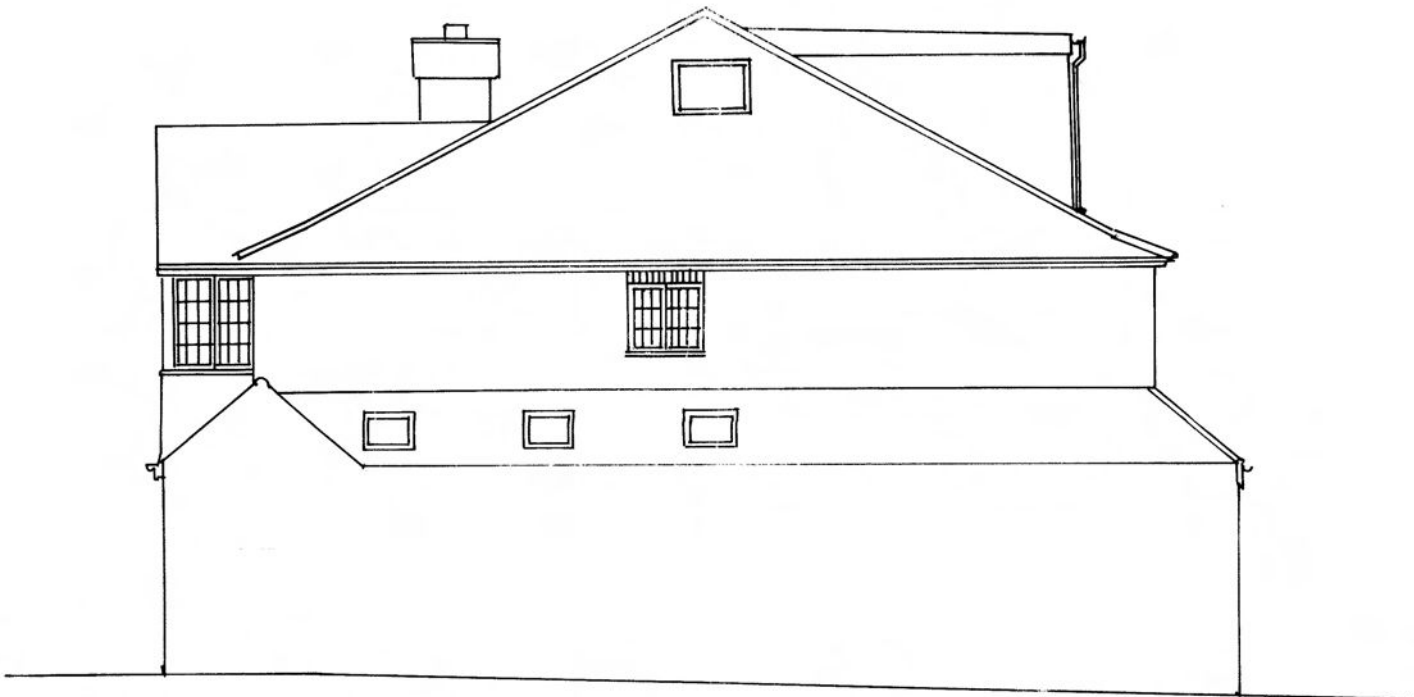
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DRAWN BY		T. S. GHATAORHE	
DATE		07 OCTOBER 2007	
SCALE		1:50	
AS BUILT AND APPROVED			
ELEVATIONS			
41 RUSHdene ROAD			
EASTCOTE HAS ISW			

*[Handwritten signature]*





SIDE ELEVATION - BUILT




SIDE ELEVATION - APPROVED

DRAWING NO.		41 RUSHDALE ROAD	
TS9 / 41RR / CF03		EASTCOTE HAS 15W	
ELEVATIONS			
AS BUILT AND APPROVED			
DRAWN BY	SCALE		
T. S. GHATAKORHE	1:50		
DATE			
OCTOBER 2007			





**Notes**

 Site boundary

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Site Address	
<b>41 Rushdene Road Eastcote</b>	
Planning Application Ref:	Scale
<b>51162/APP/2009/466</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b> Page 115	<b>May 2009</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning &  
Community Services**

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



HILLINGDON

Page 13



## Appeal Decision

Site visit made on 6 January 2009

by **N R Taylor** BSc CEng MICE MIHT

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email:enquiries@pins.gsi.gov.uk

**Decision date:**  
**26 January 2009**

### Appeal Ref: **APP/R5510/A/08/2082758**

### **41 Rushdene Road, Eastcote, Middlesex HA5 1SW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Tarlochan Ghataorhe against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 51162/APP/2007/2544, dated 18 February 2007, was refused by notice dated 2 April 2008.
- The development proposed is the erection of a five bedroom detached house with integral garage and loft conversion and ground source heating system.

### **Decision**

1. I dismiss the appeal.

### **Main issues**

2. The main issues are: -
  - i. the character and appearance of the house;
  - ii. the impact on the character and appearance of the street scene and area, and
  - iii. the impact on living conditions at No 43 Rushdene Road and other neighbouring properties.

### **Procedural matters**

3. Planning permission, reference 51162/APP/1999/2320, was granted for a detached house on the appeal site in July 2000. The building was partially completed at the time of my visit and differs from that given planning permission ("the original scheme") in a number of details, the most significant of which are the addition of a front porch; the installation of additional roof lights above the single storey side projection facing No 43; the addition of a rear conservatory, and the enlargement of the window to the rear dormer. The application is therefore a retrospective one.

### **Reasons**

#### *Character and appearance of the house*

4. I note the appellant's view that recent changes to permitted development rules suggest that the dormer, conservatory and porch would not now require planning permission. Whilst I note this, the appeal is specifically against the

planning decision made by the Council and my consideration of the appeal is made against that decision.

5. The dormer differs in size and scale from that of the original scheme, and I note that this is not considered to be material. However it does materially differ by having a larger window width of some 2.3 metres compared to the original scheme which would be some 1.25 metres. The effect of this in terms of the impact on the character and appearance of the house is, in my judgement, that it gives the dormer a significantly greater prominence than would the original scheme and draws attention to the dormer such that it has the appearance of a dominant rather than a subservient feature. It is also a feature which is prominent due to the height of the dormer above ground level and is readily seen from the gardens of the adjoining properties. It is my view that this gives additional prominence to the top floor of the building and that this leads to an imbalanced and unsatisfactory appearance of the rear elevation.
6. The conservatory is not included in the elevations but is shown on the floor plans and has been considered by the Council. The conservatory extends some 3.7 metres from the rear elevation of the dwelling and extends over much of this elevation. The ground floor of the dwelling projects beyond the elevation of the first floor and this projection has a mono-pitched roof. The conservatory adjoins this projection and results in a building in which the ground floor projects significantly more than the first floor. In addition, the pitched roof of the conservatory sits at odds with the monopitched roof of the ground floor projection and in my view this results in a building of unsatisfactory and unbalanced appearance. Because of its height in relation to the adjacent properties, it is readily viewed from a number of these properties.
7. It is my conclusion that the effect of the conservatory and dormer result in a building which does not complement or improve the amenity and character of the area. It therefore does not comply with Local Plan Policy BE19 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) (Saved Policies, 27 September 2007) (UDP).

#### *Street scene*

8. Insofar as the porch is concerned, it is of a fairly large size. However its size in relation to the dwelling is not particularly significant and does not in my opinion make a major contribution to the appearance of the building when viewed from points along the street. Its design is in keeping with that of the rest of the development. As a consequence I do not consider that the harm caused is of such significance as to justify dismissal of the appeal on these grounds.
9. The roof lights along the single storey side projection are not readily seen from the street due to their being located in the roof of the side elevation of the projection. It seems to me that the harm caused to the character and appearance of the house and the street scene are therefore not so significant as to justify dismissal of the appeal on these grounds.
10. I therefore conclude that the development would not conflict with Local Plan Policy BE13 which seeks to protect the street scene.

*The impact on living conditions at No 43 Rushdene Road and other neighbouring properties*

11. It is my view that the size of the window to the dormer leads to a greater perception of being overlooked at adjoining properties. I note from the plans that the bedroom as built now looks directly out of the dormer window, whereas that on the original scheme the bedroom would have been separated from the window by means of a landing with a doorway into the bedroom. It is my opinion that the change in room layout and window size together with the height of the dormer above ground level gives rise to a significantly increased sense of overlooking of adjoining properties.
12. It is my conclusion therefore that the rear dormer does not protect the privacy of the neighbouring properties and conflict with UDP Policy BE24 of the UDP.
13. I note the appellant's view that the conservatory has been built in accordance with Plan Policies and that there are no issues concerning overshadowing or availability of light at the adjoining properties. However, the rear ground floor elevation of No 41 extends a significant amount beyond that of the ground floor elevation of No 43 and the conservatory extends some 3.7 metres beyond that. The resultant building extends significantly beyond the rear elevations of the adjoining dwellings and I noted that the conservatory is readily seen from the House at No 43 and more particularly from the garden. I have formed the view that the extent of the development and the height of the conservatory result in an over intrusive impact on the gardens of the adjoining property and cause a significant loss of residential amenity contrary to the aims of UDP Policy BE21.

*Other matters*

14. I note the comments on the side window on the elevation facing No 43. However it seems to me that this is a matter which could be dealt with by means of a suitable condition.
15. I have carefully considered the appellant's reasons for wanting the development and the personal circumstances for this. However I consider that the development would cause significant harm to the area and to living conditions at the neighbouring properties; there may be other solutions available which would not have the same impact. On balance I conclude that these personal circumstances do not justify the harm that the development would cause.

*Summary*

16. Whilst I have found no significant harm in respect of the porch or the roof lights along the single storey side projection, I have found that in respect of the dormer and conservatory the development would have significant harm to the amenity and character of the area and to living conditions at the adjoining properties. It is my view that the development conflicts with Local Plan Policies BE19 and BE21 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) (Saved Policies, 27 September 2007). I consider therefore that the appeal should fail.

**Conclusion**

17. For the reasons given above I conclude that the appeal should be dismissed.

*N R Taylor*

INSPECTOR

**Item No. 2      Report of the Corporate Director of Planning & Community Services**

**Address**            33 PARKFIELD ROAD ICKENHAM

**Development:**    Two storey 3 bed detached dwelling with associated parking, installation of new vehicular crossover (involving demolition of existing dwelling)

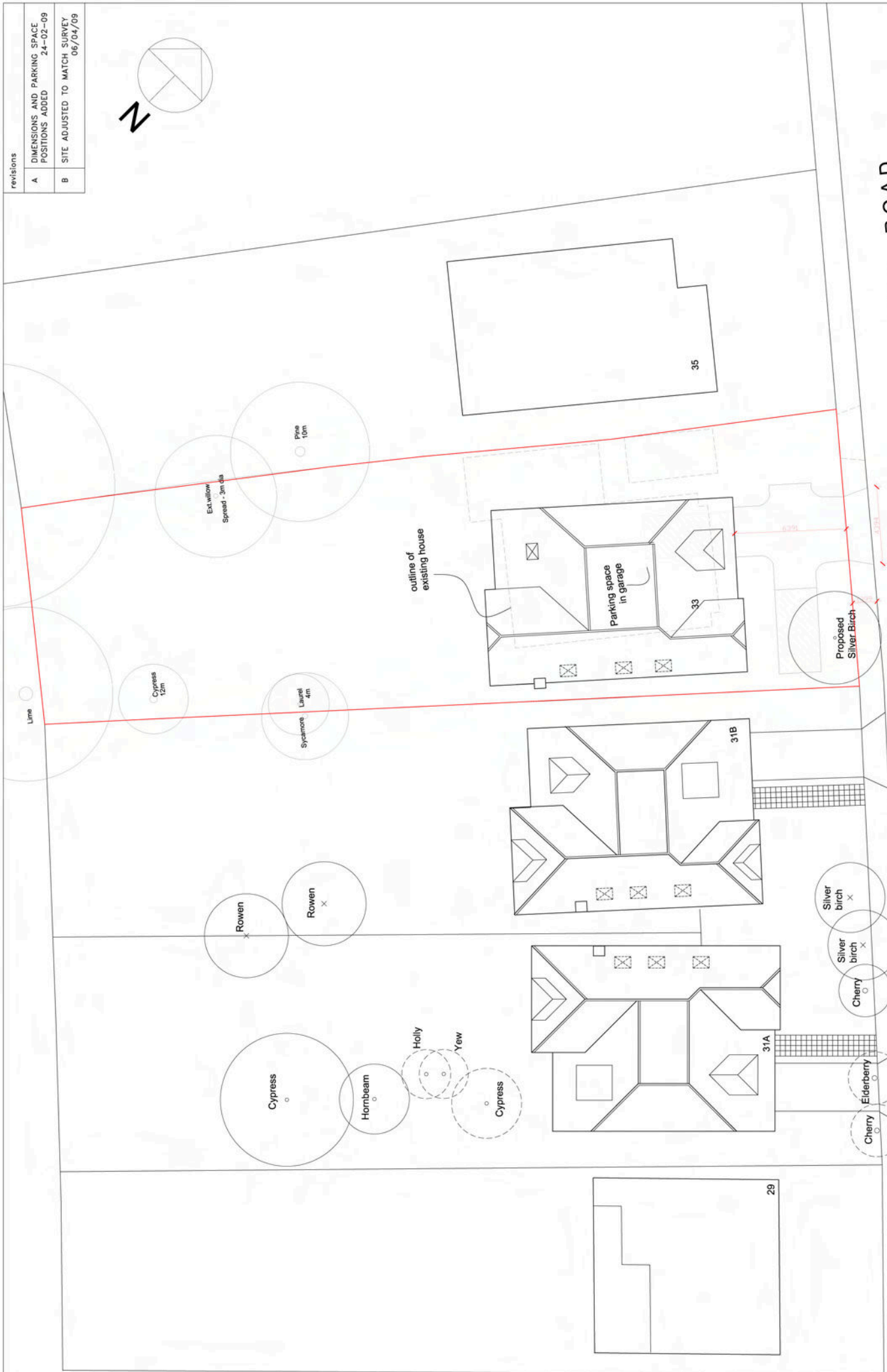
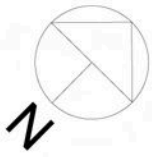
**LBH Ref Nos:**     40891/APP/2009/280

<b>Date Plans Received:</b>	12/02/2009	<b>Date(s) of Amendment(s):</b>	06/04/0009
<b>Date Application Valid:</b>	02/03/2009		12/02/2009
			06/04/2009



revisions

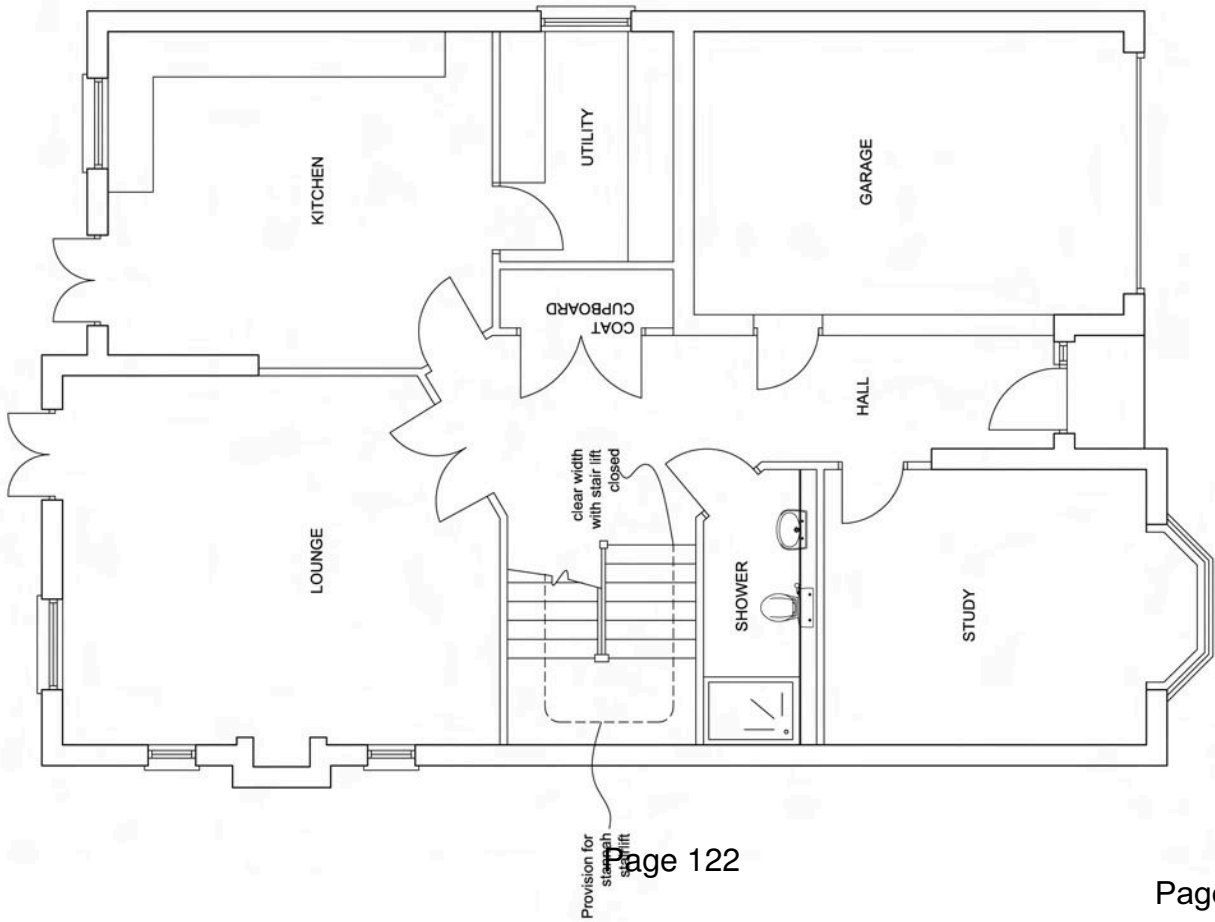
A	DIMENSIONS AND PARKING SPACE POSITIONS ADDED	24-02-09
B	SITE ADJUSTED TO MATCH SURVEY	06/04/09



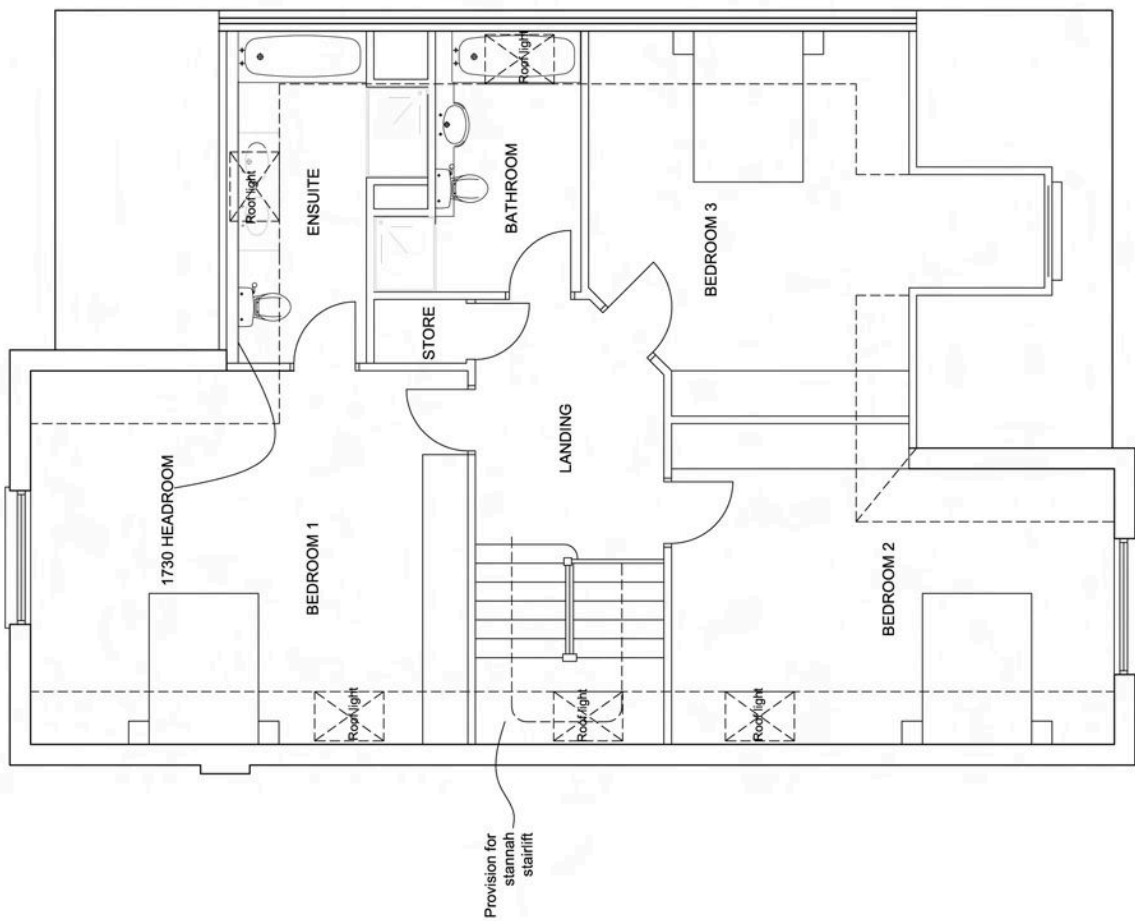
PARKFIELD ROAD  
SITE PLAN

THE GILLET MACLEOD PARTNERSHIP Chartered Architects & Town Planning Consultants 1 High Road Old Eastcote Pinner Middlesex HA5 2EW tel. 0208 868 1333	Drg. No. 09/2494/3 <sup>B</sup> Scale 1:100 Date 9/7/04 Drawn by LR/ASH	REVISION <b>B</b> C
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33 PARKFIELD ROAD, ICKENHAM, MIDDLESEX.



GROUND FLOOR PLAN



FIRST FLOOR PLAN

FLOOR PLANS

REVISION	09/249A/4
Dwg. No.	09/249A/4
Scale	1:50
Date	20/01/09
Drawn by	LRV/SH

THE GILLET MACLEOD PARTNERSHIP  
 Chartered Architects & Town Planning Consultants  
 1 High Road Old Eatecole Pinner Middlesex HA5 2EW Tel. 0208 868 1333



33 PARKFIELD ROAD, ICKENHAM, MIDDLESEX.



Adjoining property no.31A

NORTH EAST ELEVATION

Adjoining property no.31B

Adjoining property no.35



SOUTH EAST ELEVATION

SOUTH WEST ELEVATION

NORTH WEST ELEVATION

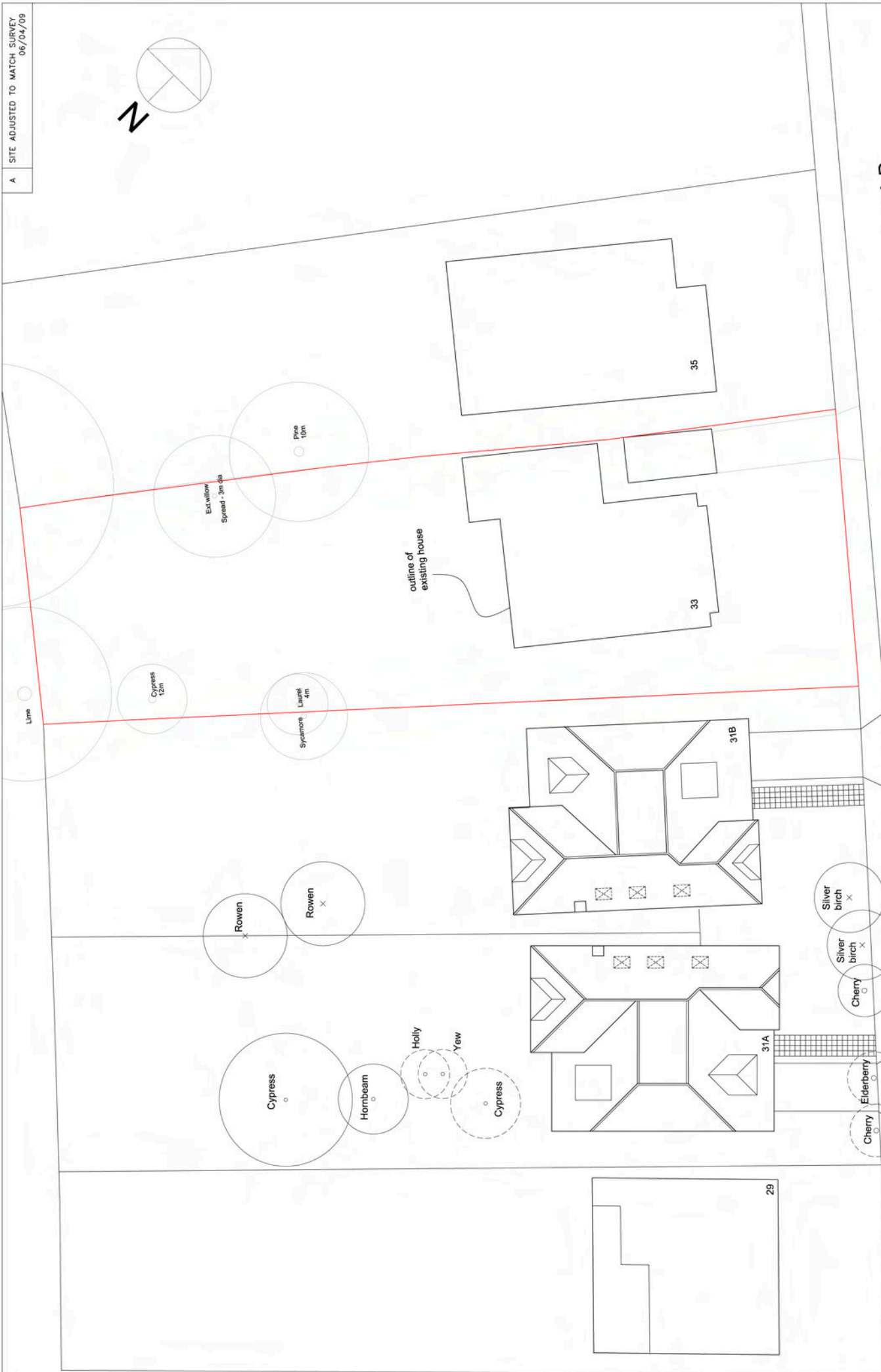
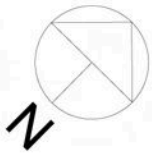
ELEVATIONS

Dr. No.	09/2494/2	REVISION	A
Scale	1:100		
Date	20/01/09		
Drawn by	URV/SH		

THE GILLET MACLEOD PARTNERSHIP  
Chartered Architects & Town Planning Consultants  
1 High Road Old Entolce Pinner Middlesex HA5 2EW Tel. 0208 868 1333



33 PARKFIELD ROAD, ICKENHAM, MIDDLESEX.

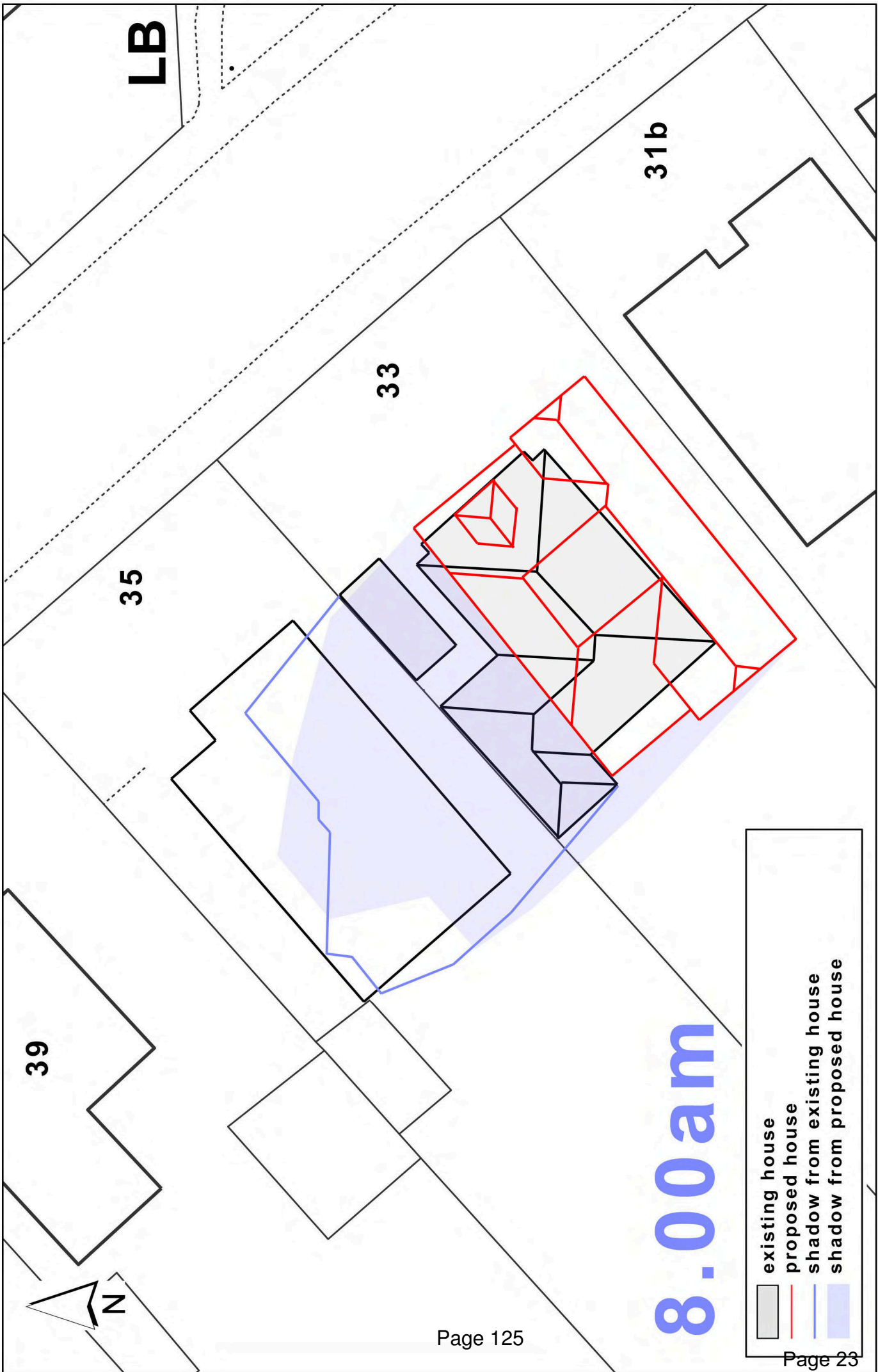


PARKFIELD ROAD  
tree survey

THE GILLET MACLEOD PARTNERSHIP  
Chartered Architects & Town Planning Consultants  
1 High Road Old Eastcote Pinner Middlesex HA5 2EW tel. 0208 868 1333



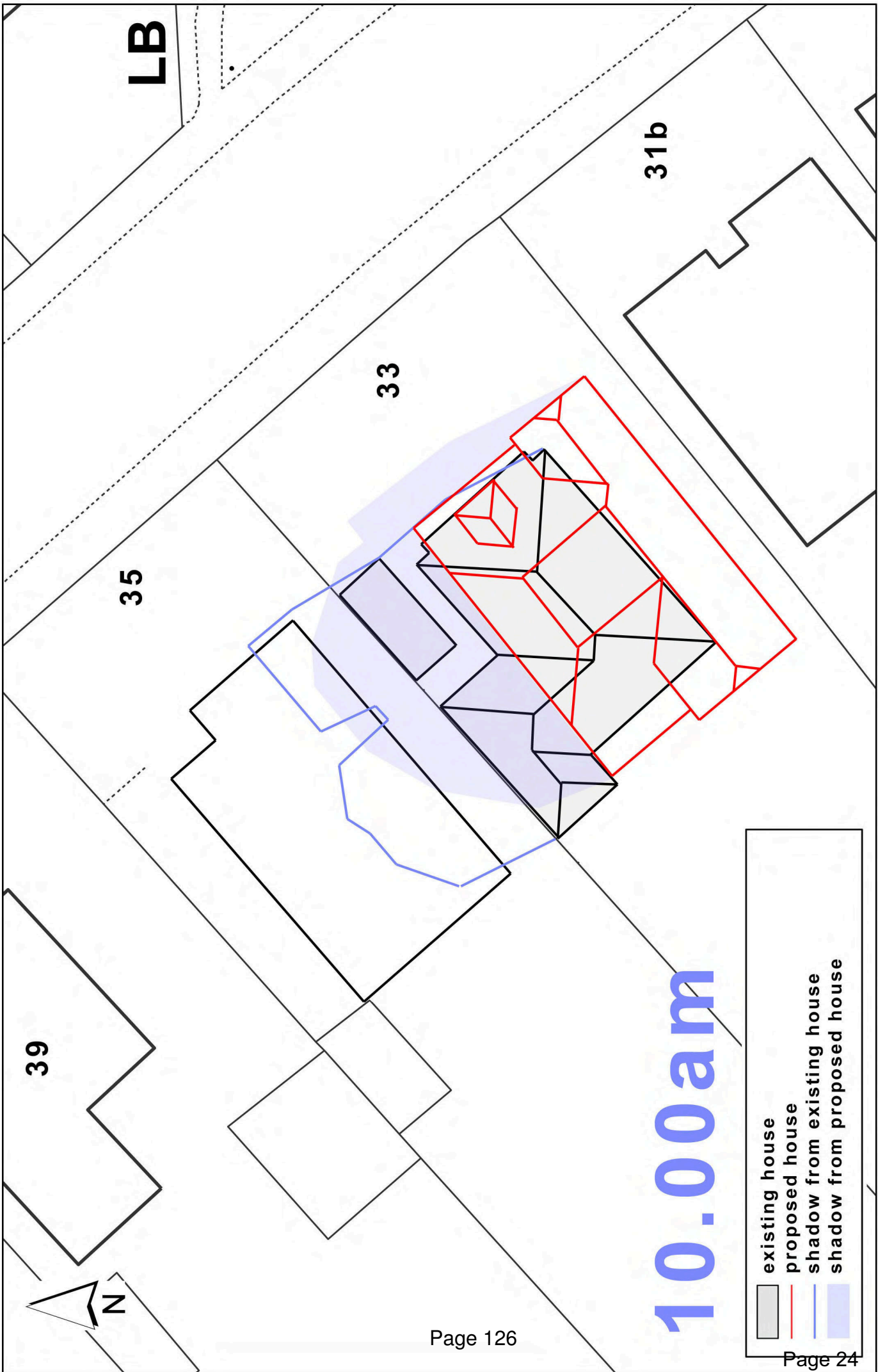
33 PARKFIELD ROAD, ICKENHAM, MIDDLESEX.



**33 Parkfield Road, Ickenham**  
**Sun on ground diagram as at 21st March**

1:200

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39

35

33

31b

LB

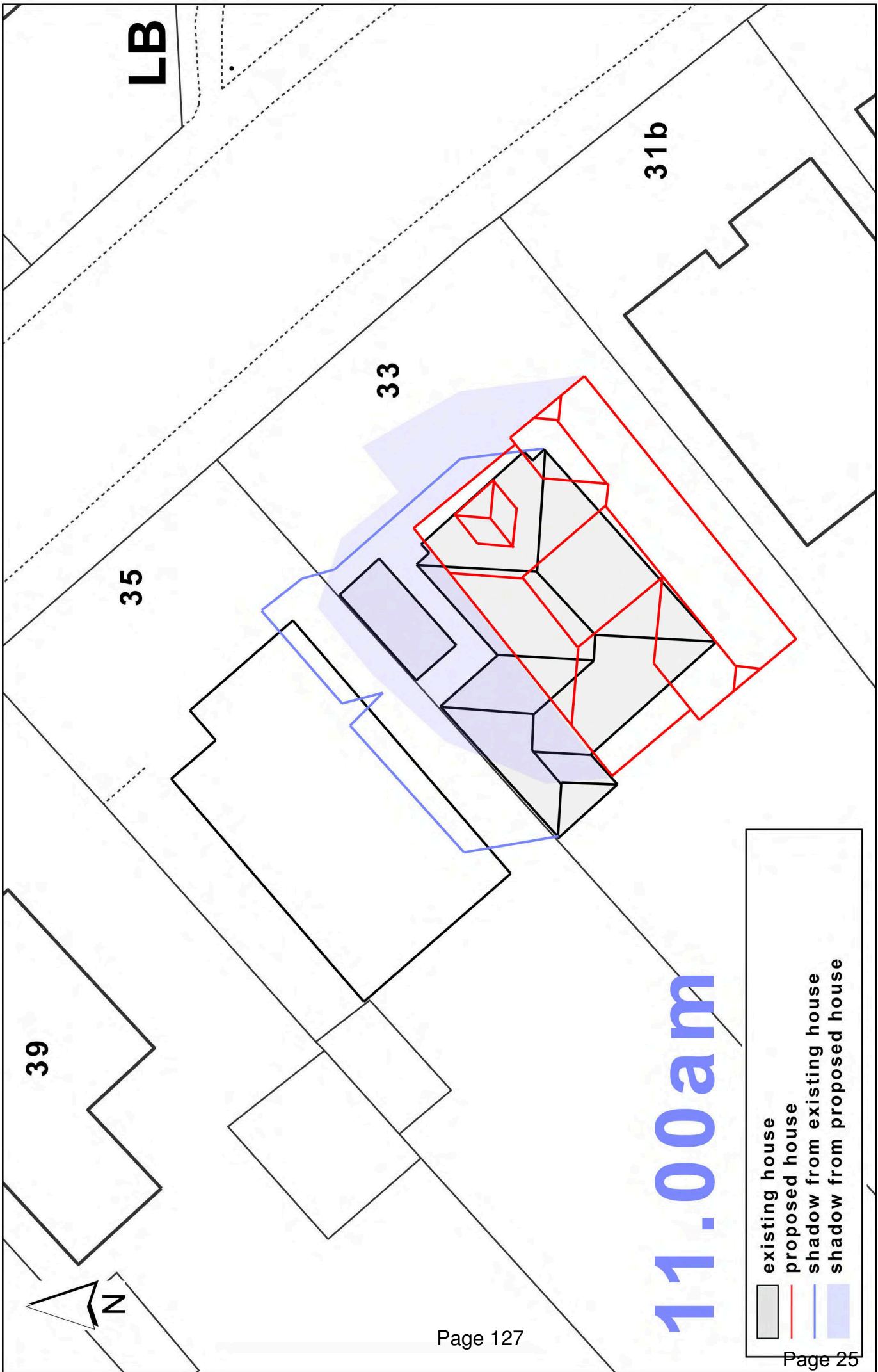
**10.00am**

	existing house
	proposed house
	shadow from existing house
	shadow from proposed house





**33 Parkfield Road, Ickenham**  
**Sun on ground diagram as at 21st March**

**1:200**

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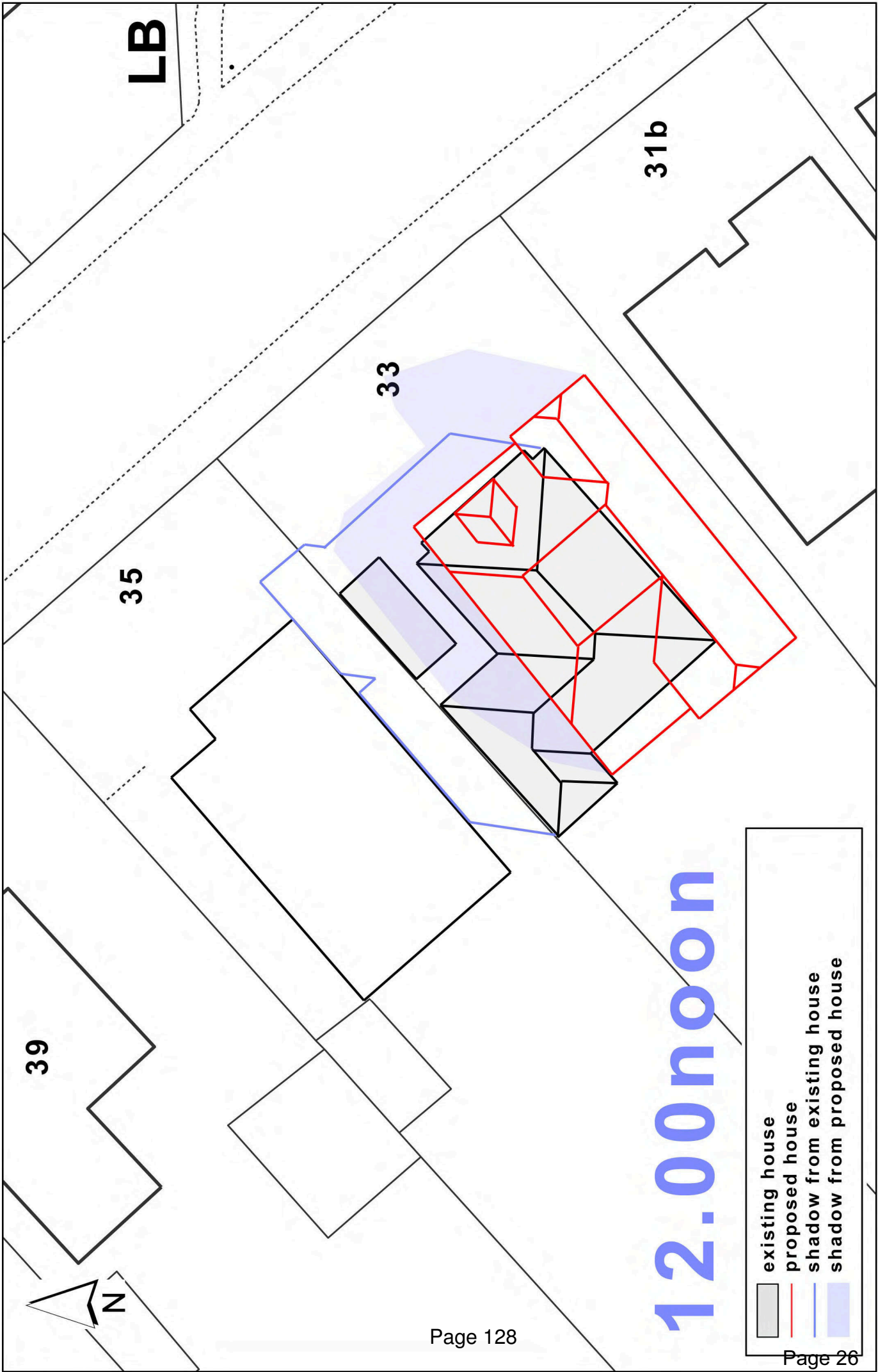
Page 25





-  existing house
-  proposed house
-  shadow from existing house
-  shadow from proposed house

**33 Parkfield Road, Ickenham**  
**Sun on ground diagram as at 21st March**

1:200

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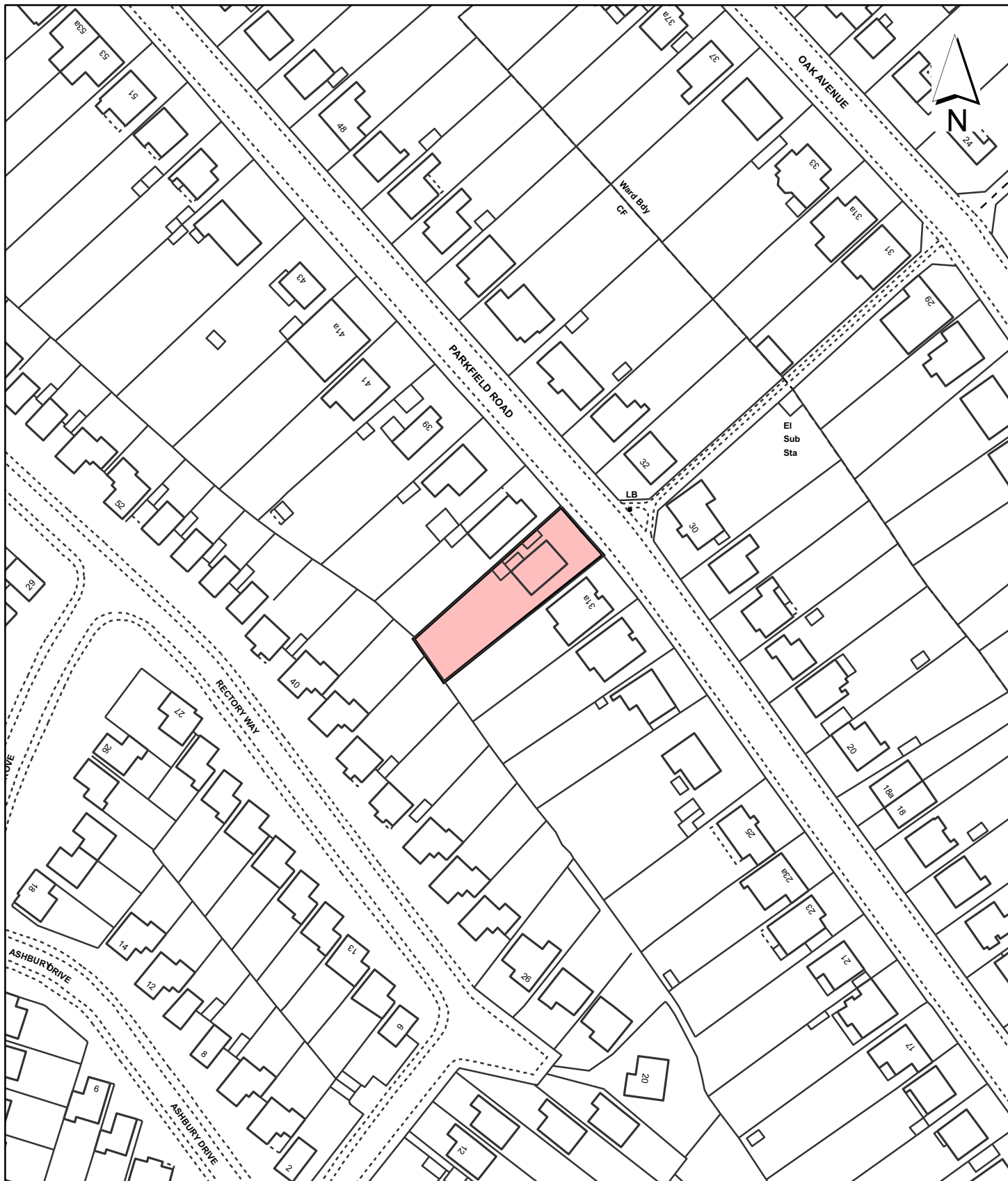
	existing house
	proposed house
	shadow from existing house
	shadow from proposed house

**33 Parkfield Road, Ickenham**  
**Sun on ground diagram as at 21st March**

1:200

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Site Address

**33 Parkfield Road  
Ickenham**

Planning Application Ref:  
**40891/APP/2009/280**

Planning Committee  
**North** Page 129

Scale  
**1:1,250**

Date  
**May 2009**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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



**HILLINGDON**  
Page 27

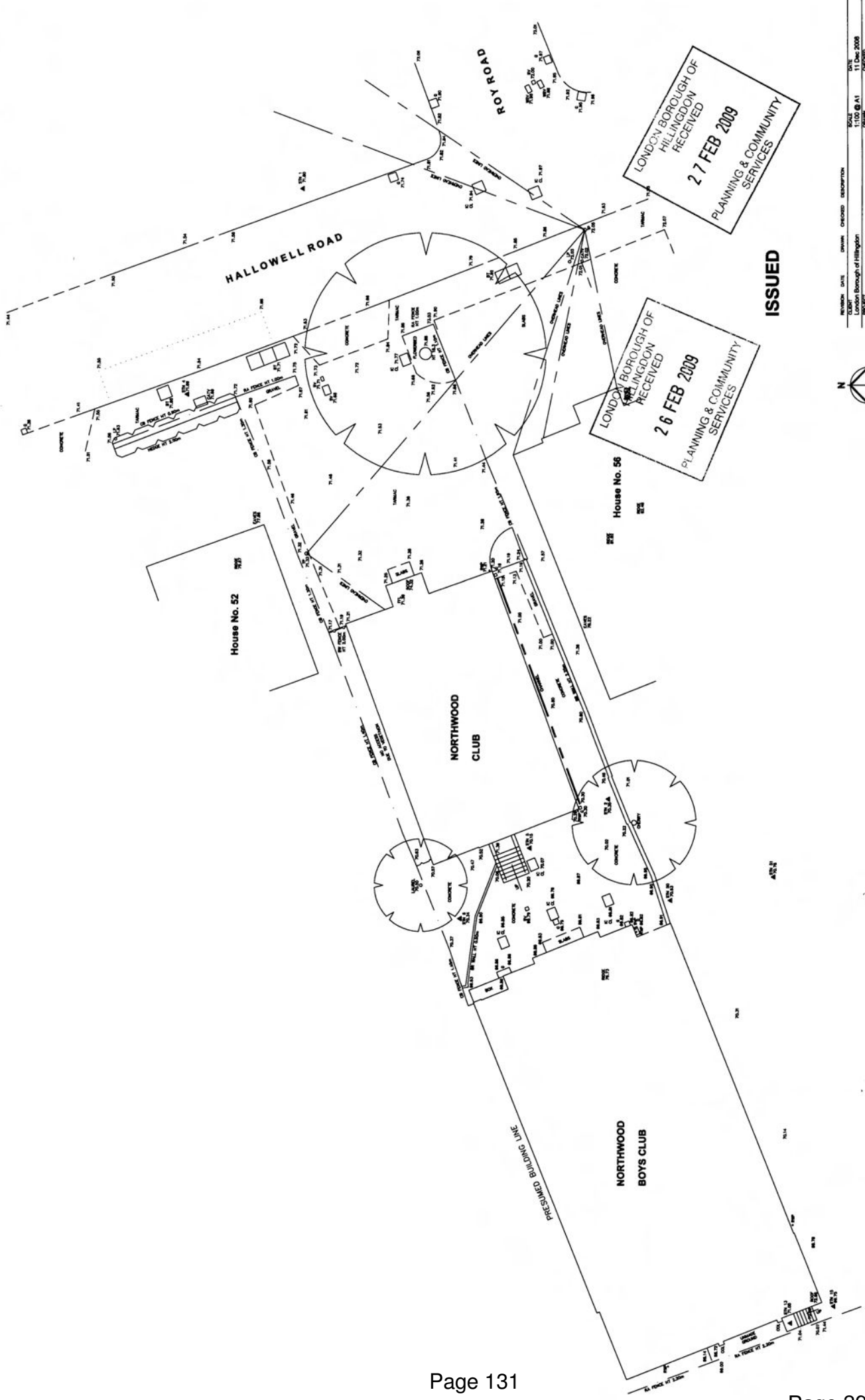
**Item No. 3      Report of the Corporate Director of Planning & Community Services**

**Address**                      54 HALLOWELL ROAD NORTHWOOD

**Development:**              Renovation and extension of existing youth club, to provide new accessible recreational spaces and facilities, including lounge, kitchen and cafe area, and to upgrade the existing facilities, including hall, dance studio, multi-media room and classrooms

**LBH Ref Nos:**              16791/APP/2009/237

<b>Date Plans Received:</b>	05/02/2009	<b>Date(s) of Amendment(s):</b>	27/02/2009
<b>Date Application Valid:</b>	03/03/2009		18/03/2009
			15/05/2009



LONDON BOROUGH OF HILLINGDON RECEIVED  
27 FEB 2009  
PLANNING & COMMUNITY SERVICES

LONDON BOROUGH OF HILLINGDON RECEIVED  
26 FEB 2009  
PLANNING & COMMUNITY SERVICES

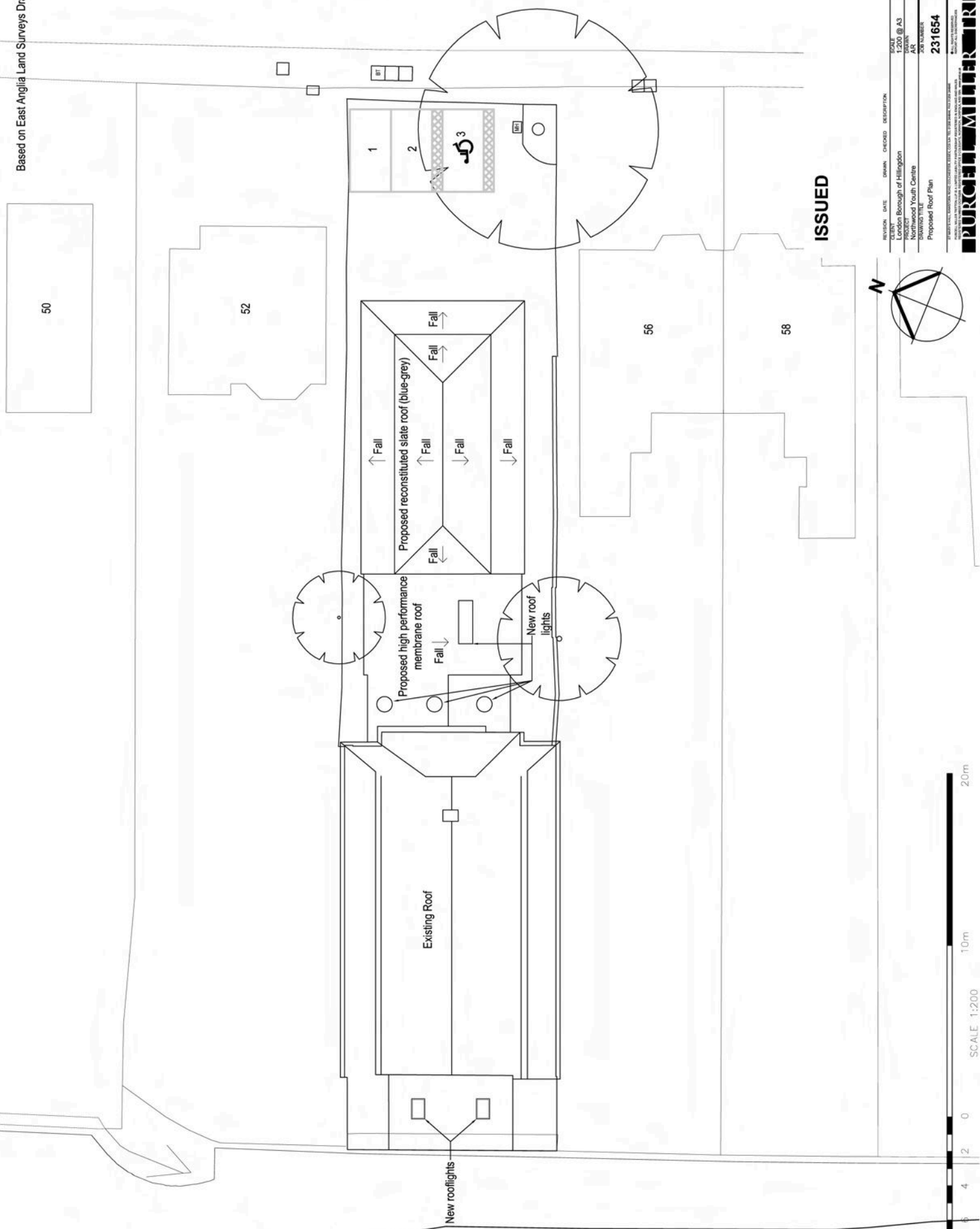
ISSUED

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3	...	...	...	...	...	...
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23165402101

**MURCELL MILLER TRITTON**

HALLOWELL ROAD

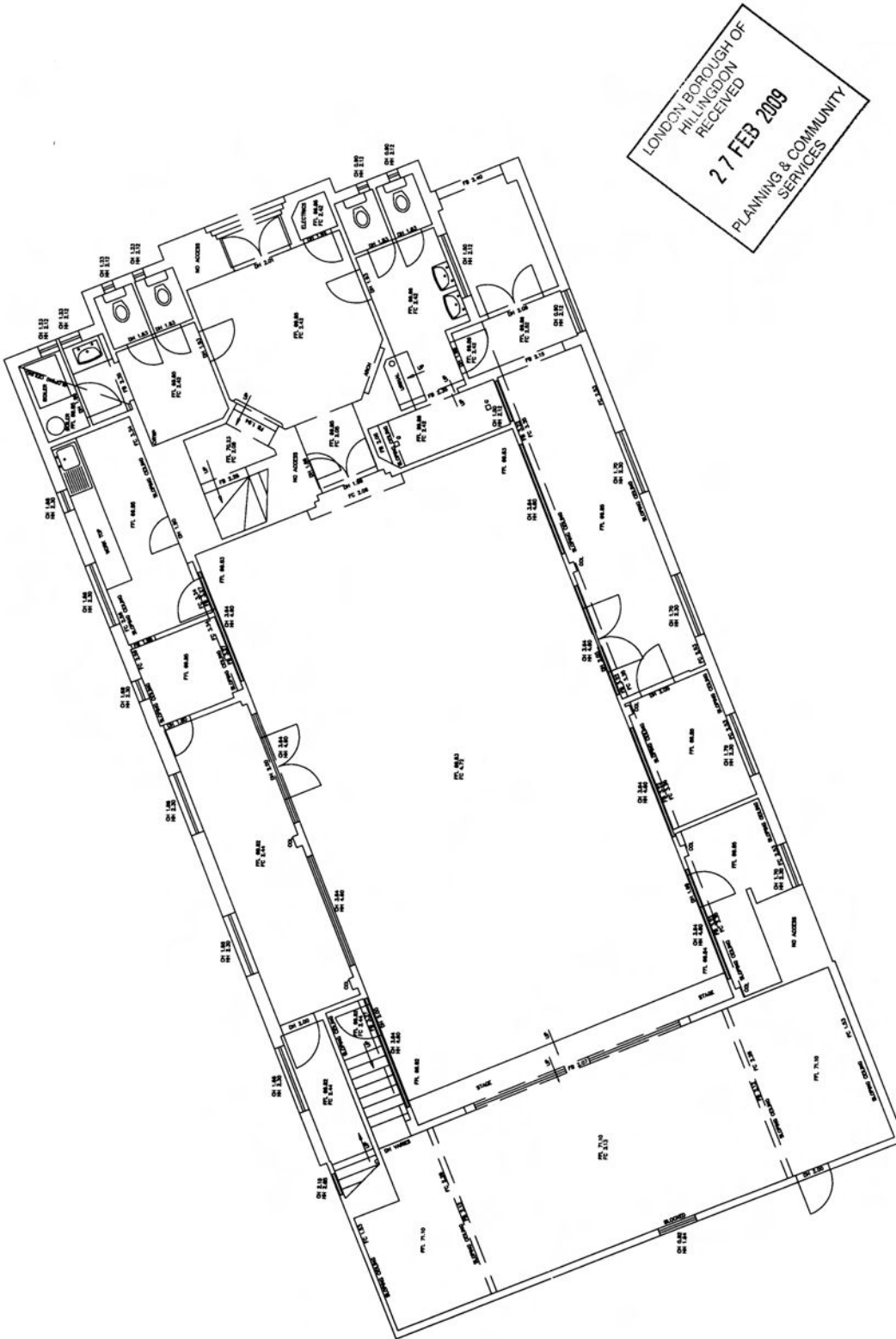


ISSUED



REVISION	DATE	DRAWN	CHECKED	DESCRIPTION
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3				Northwood Youth Centre
4				DRAWING TITLE
5				DRAWING NO.
6				PROJ. NO.
7				231654
8				210
9				PROPOSED ROOF PLAN





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HILLINGDON  
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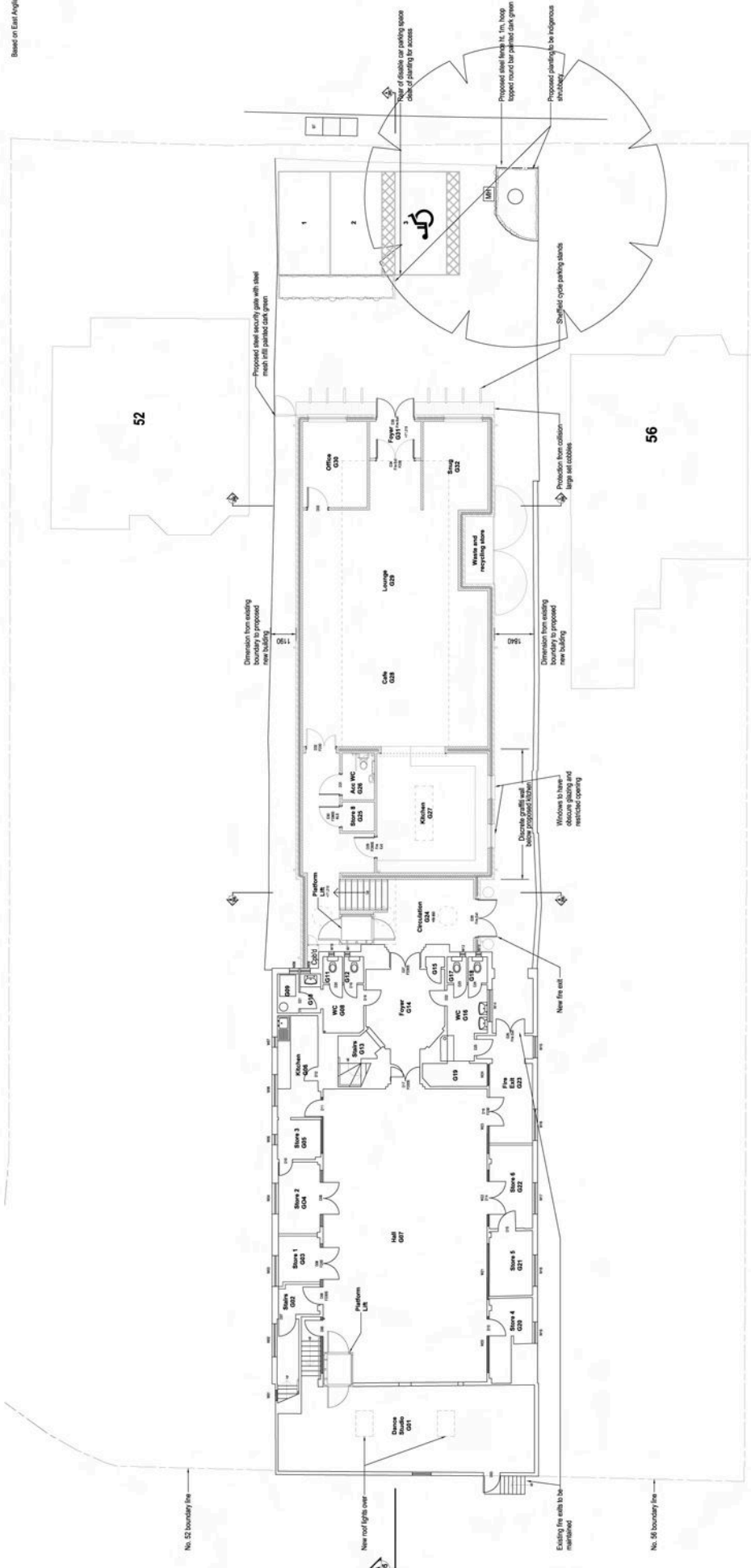
GROUND FLOOR

ISSUED

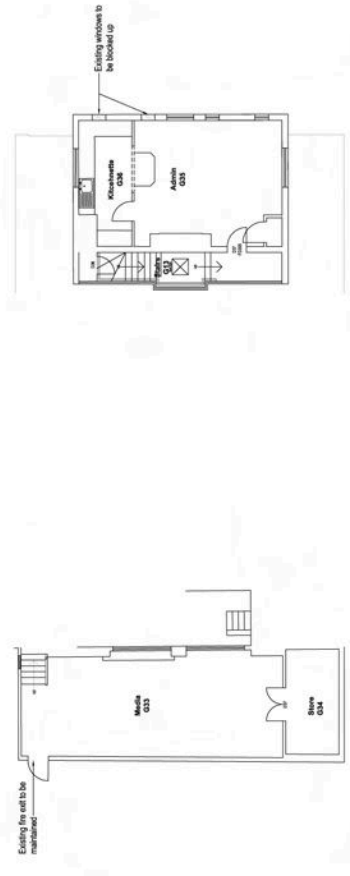
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					N/C	
					N/C	
				Drawing Title	231654/02102	
				Existing Ground Floor Plan		



**PURCHASER** HILLINGDON



**Proposed Ground Floor Plan**



**Proposed Basement Plan**

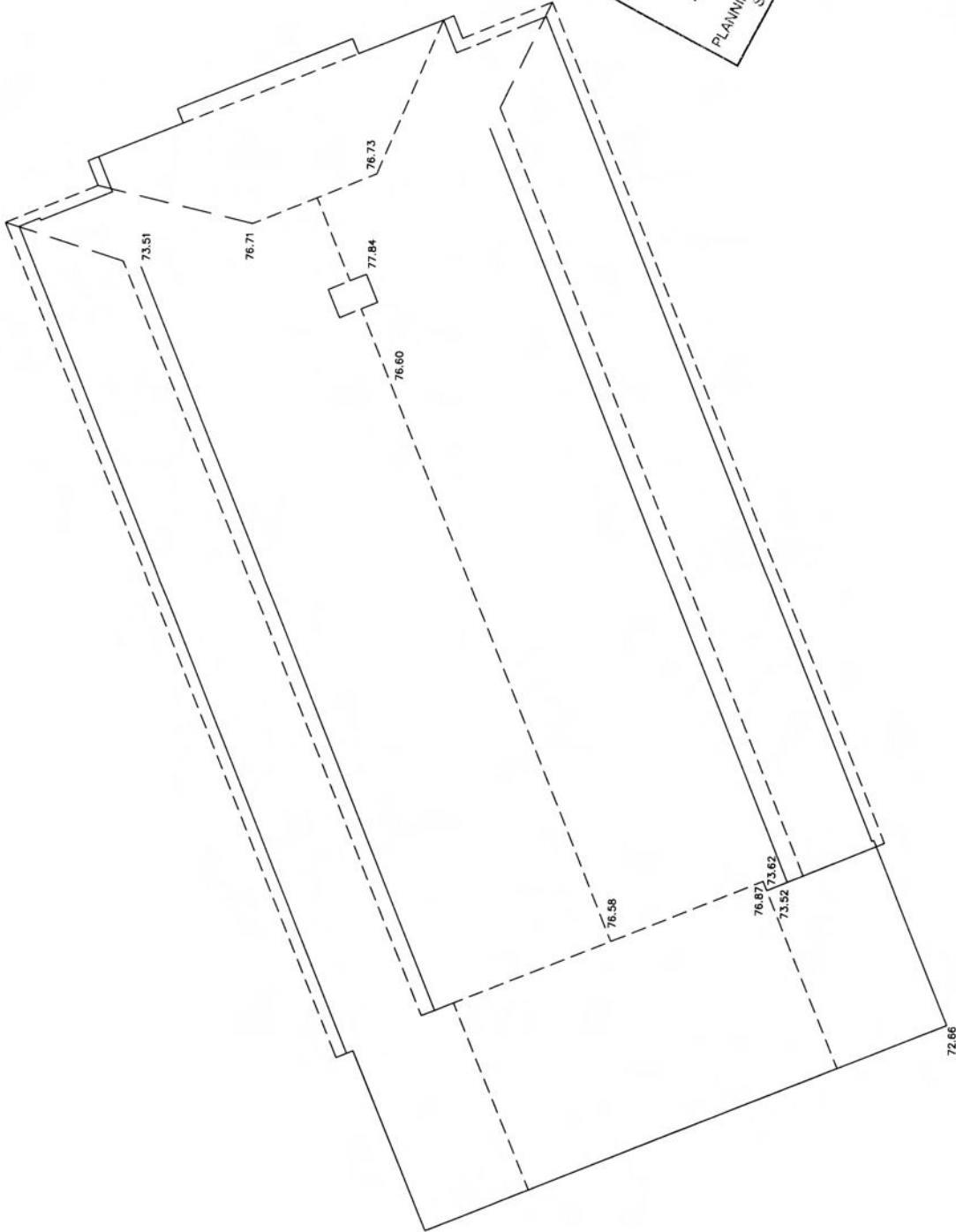
**Notes**  
Materials: Reinforced concrete to meet building

**ISSUED**



REVISION	DATE	DRAWN	CHECKED	DESCRIPTION
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3	15/03/21	BOGGA1		
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**PURCELL MITCHELL BRITTON**



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 HILLINGDON  
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**27 FEB 2009**  
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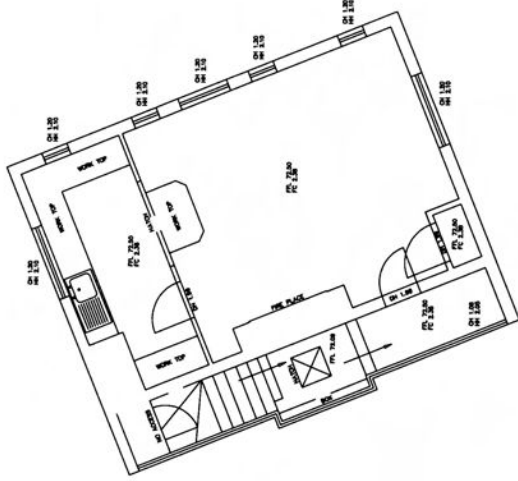
**ROOF PLAN**



**ISSUED**

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231654/02104  
 LONDON BOROUGH OF HILLINGDON  
 PLANNING & COMMUNITY SERVICES  
**PURCELL MILLER CHURTON**



1st FLOOR

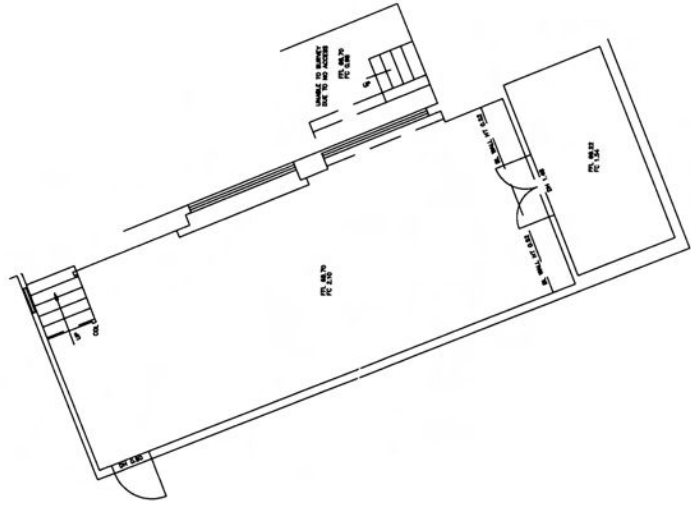
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HILLINGDON  
RECEIVED  
27 FEB 2009  
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SERVICES

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REVISION	DATE	DRAWN	DESCRIBTION	SCALE	DATE
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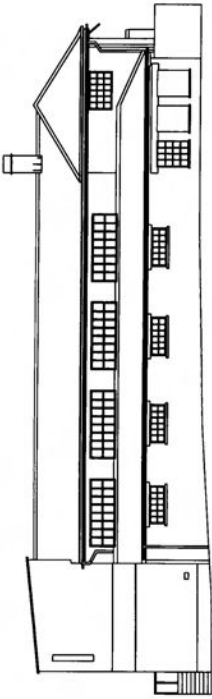
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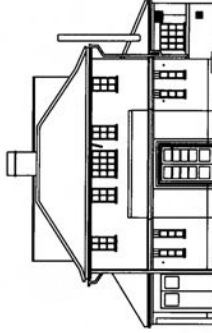
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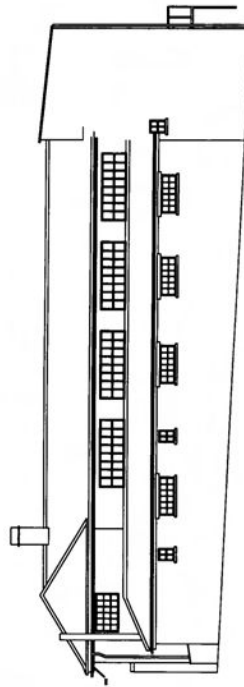




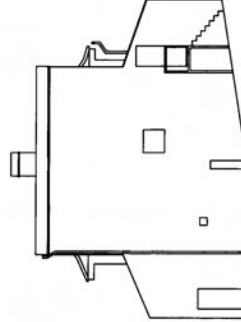
**SOUTH EAST ELEVATION**



**NORTH EAST ELEVATION**



**NORTH WEST ELEVATION**



**SOUTH WEST ELEVATION**

ELEVATION NOT BEING PROVIDED  
DUE TO VIEW LIMITED ACCESS

ELEVATION NOT BEING PROVIDED  
DUE TO VIEW LIMITED ACCESS

LONDON BOROUGH OF  
HILLINGDON  
RECEIVED  
**27 FEB 2009**  
PLANNING & COMMUNITY  
SERVICES

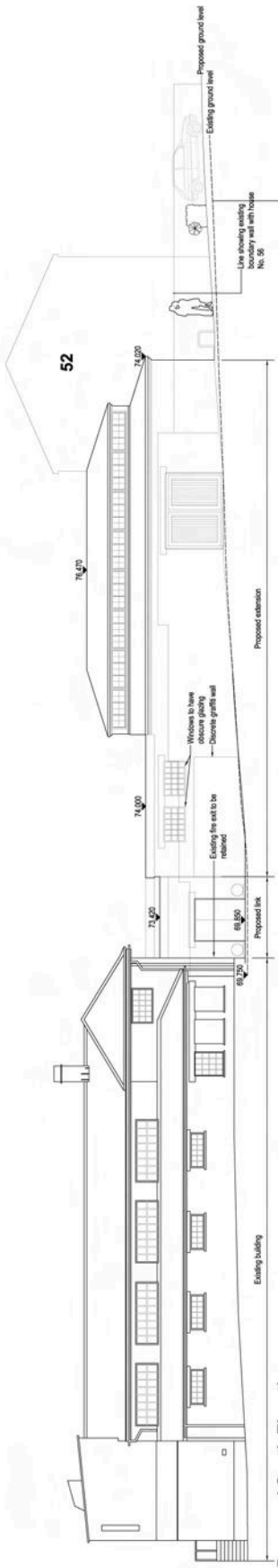
**ISSUED**

REVISION	DATE	BY	DESCRIBE	SCALE	DATE
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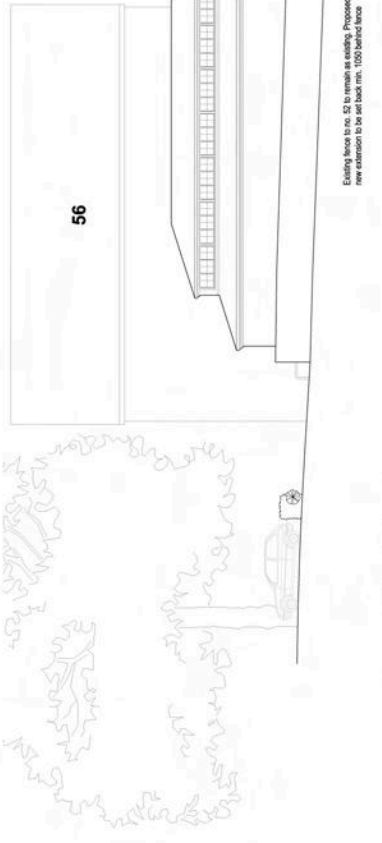
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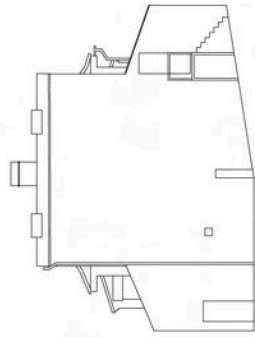
**HILLINGDON BOROUGH COUNCIL**



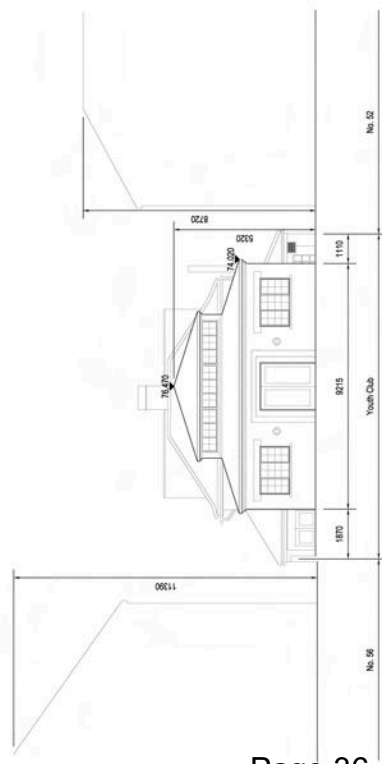
Proposed South Elevation



Proposed North Elevation



Proposed West Elevation



Proposed East Elevation

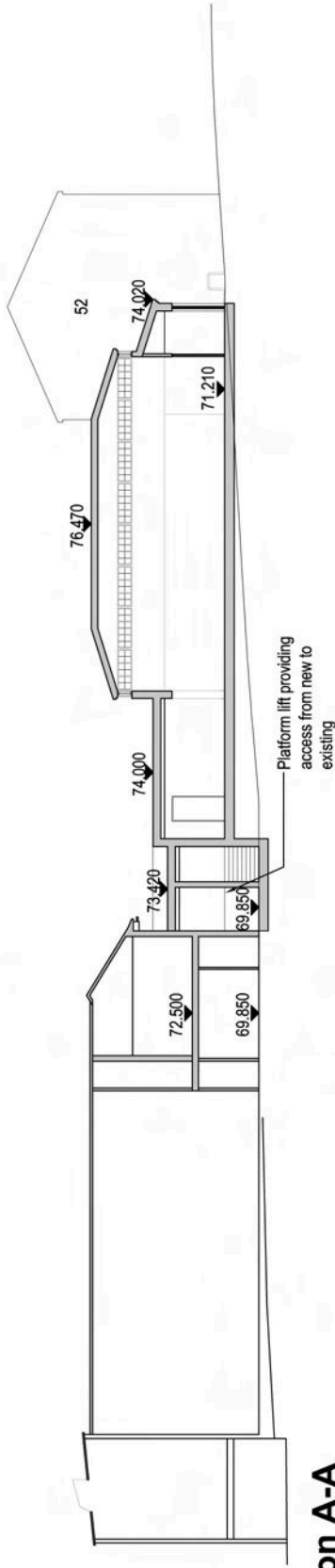
Notes  
Materials:  
Red brick external walls  
Timber windows and doors  
Hardwood framed windows to east elevation  
Powder coated aluminium windows to dormer  
Timber external doors

ISSUED

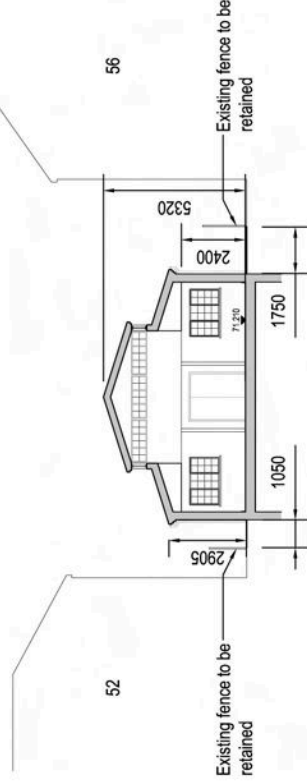
REVISION	DATE	DRAWN	CHECKED	DESCRIPTION
1	11/01/2019	AT	AT	Issue for approval
2	27/07/2019	AT	AT	Final approval

CLIENT: Borough of Hillingdon  
LOCATION: Northwood Youth Centre  
DRAWING TITLE: Proposed Elevations  
JOB NUMBER: 231654/02212  
DRAWING NO.: -  
SCALE: 1:100 (B1)  
DATE: 27/07/2019  
JOB: J19014  
ART: PC  
REVISION:

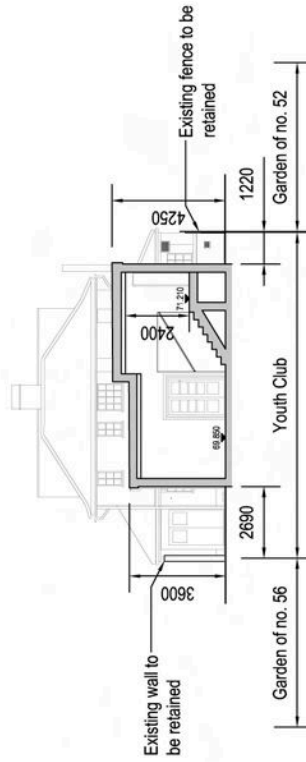




**Section A-A**



**Section C-C**

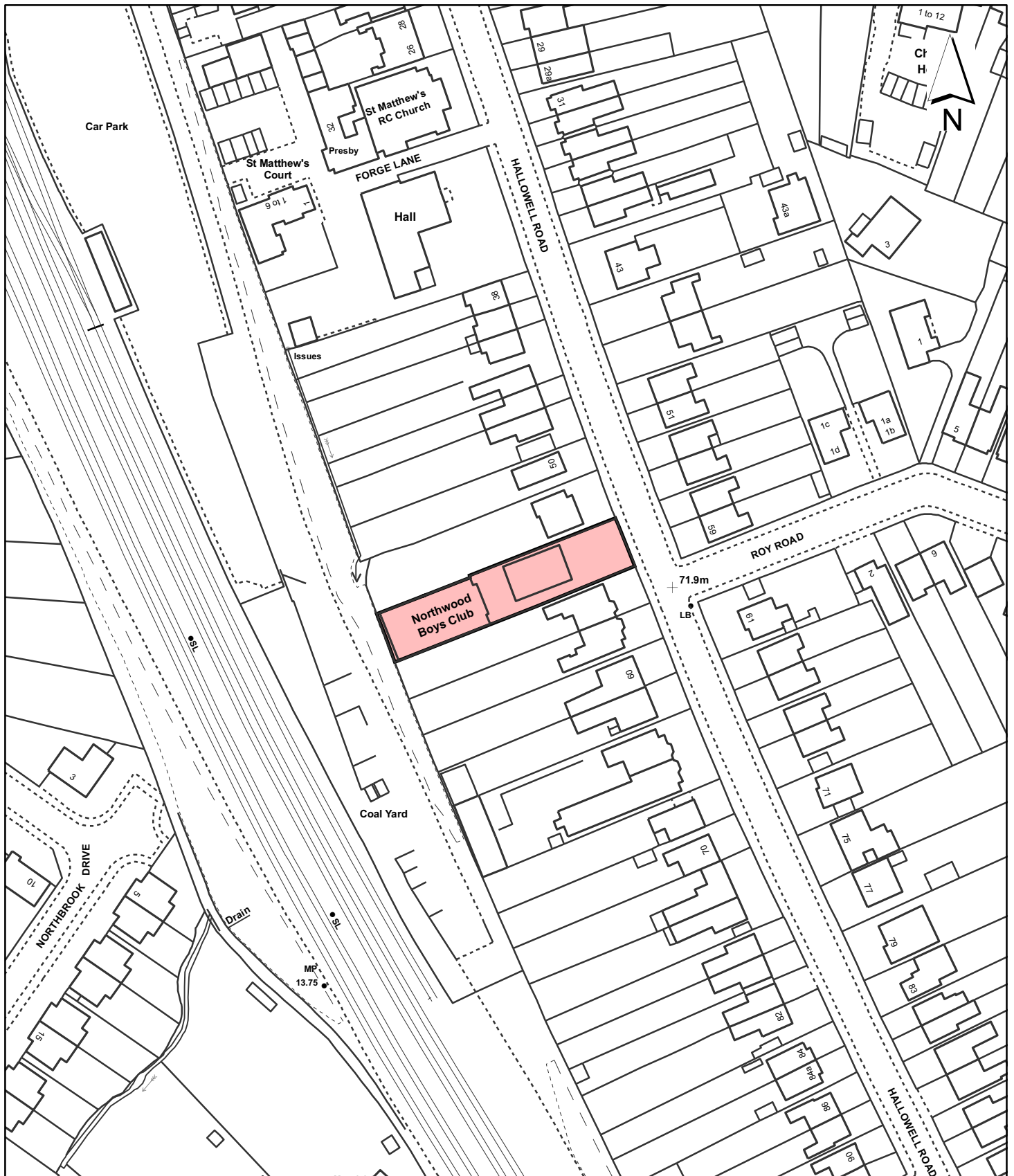


**Section B-B**


**ISSUED**

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100	14/07/2009	AS	AS	Issue for Construction





**Notes**

 Site boundary

For identification purposes only.

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Site Address

**54 Hallowell Road  
Northwood**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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

Planning Application Ref:  
**16791/APP/2009/237**

Scale  
**1:1,250**

Planning Committee  
**North** Page 140

Date  
**May 2009**



**HILLINGDON**  
Page 38

**Item 4**                    **Report of the Director of Planning & Community Services Group**

**Address**                    10 MEADOW CLOSE RUISLIP

**Development:**        Raising of eaves height, raising of dormer window to front, creation of new dormer window to rear, insertion of 3 roof lights, part single storey side extension to form chimney, new canopy to front. (Resubmission of 19443/APP/2008/2000)

**LBH Ref Nos:**        **19443/APP/2009/553**

**Date Plans Received:**    19/03/2009

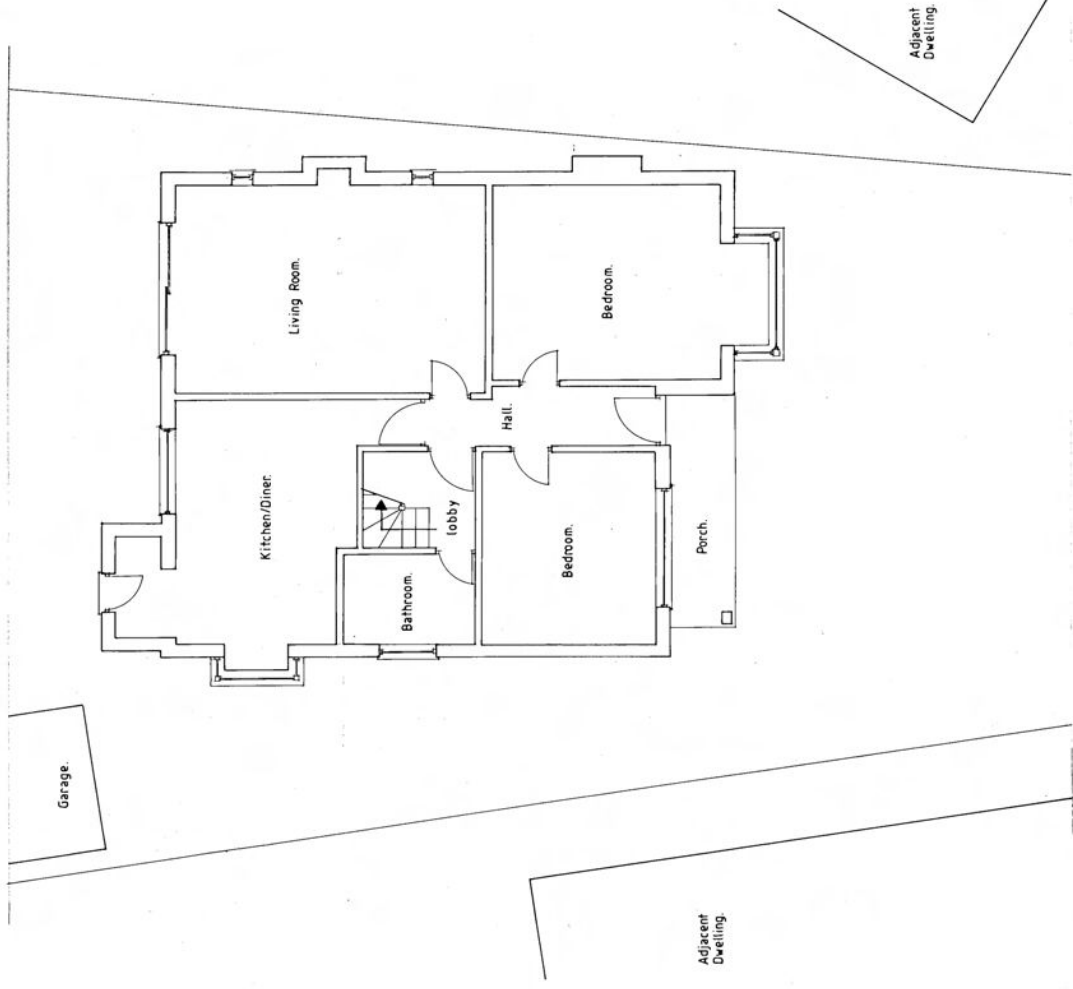
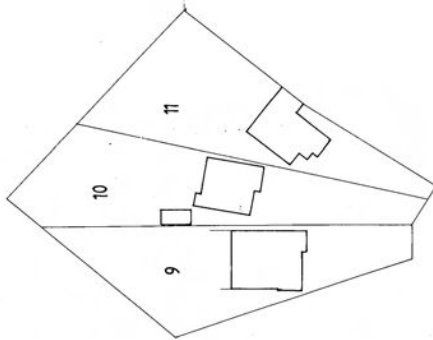
**Date(s) of Amendment(s):**    19/03/2009

**Date Application Valid:**    27/03/2009

17/04/2009

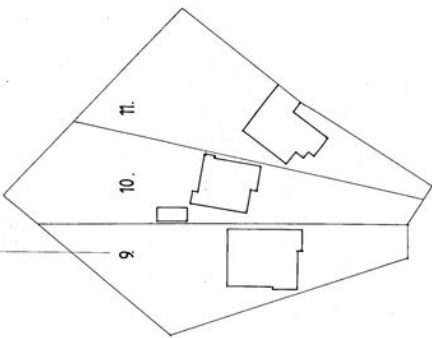
Ground Floor.

Site Plan 1500

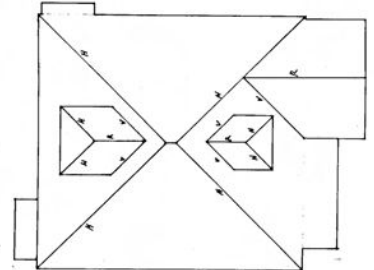


LANDSCAPE ARCHITECT  
 15 MAR 2009  
 PLANNING & COMMUNITY SERVICES

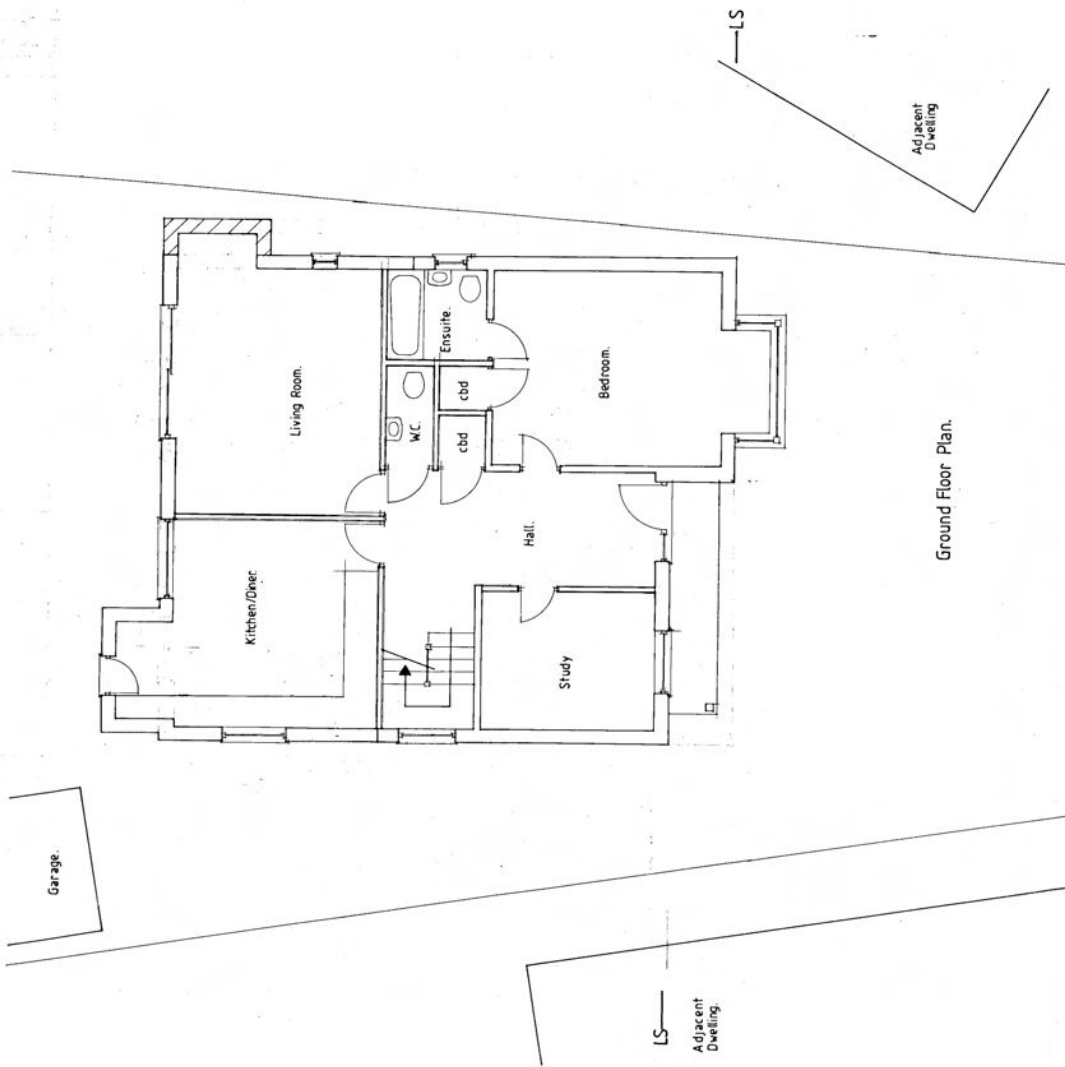
client	Mr and Mrs L.Boyne.
Project	Raise Roof,Rear Dormer,Front Dormer,Ground Floor Extension to form fireplace at 10 Meadow Close,Ruistip, Middx, HA4, 8AP
drawing	Existing Site,Ground Floor Plan.
scale	
drawn	by
Feb 09	A.P.L.
dig nos	
	LBH/09/1/1.



Site Plan 1:500



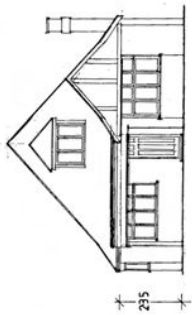
Roof Plan 1:100



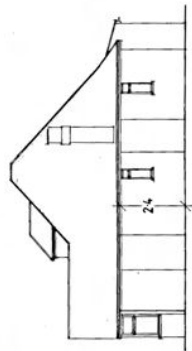
Ground Floor Plan.

client	Mr and Mrs I Boyne.
project	Raise Roof, Rear Dormer, Front Dormer, Ground Floor Extension to form fireplace at 10, Meadow Close, Ruislip, Middx, HA 4, 8AP
drawing	Proposed Site, Floor, Roof Plan
scale	1:50, 1:100, 1:500.
drawn	Feb 09
by	A.P.L
drg nos	
	LBH/09/1/2.

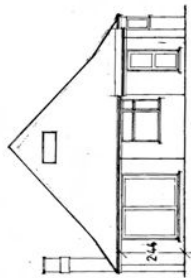
PLANNING & CONSTRUCTION  
 CONSULTANTS  
 19 M28 239  
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 PLANNING & CONSTRUCTION



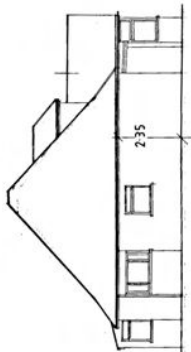
front



side

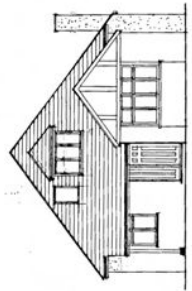


rear

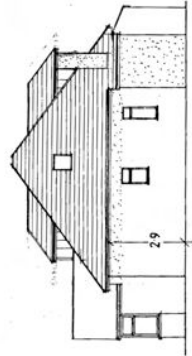


side

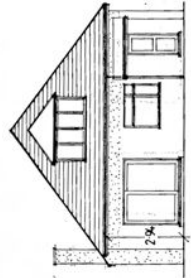
Existing Elevations.



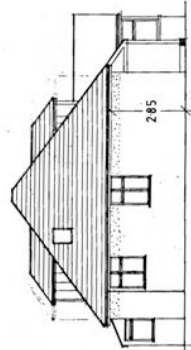
front



side

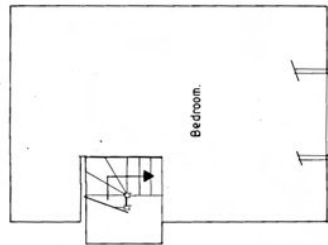


rear

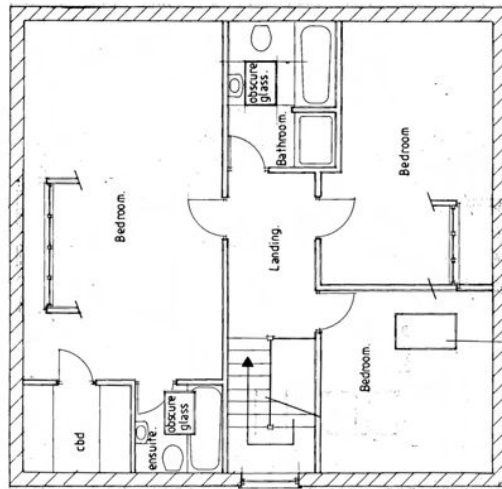


side

Proposed Elevations.



Existing First Floor.

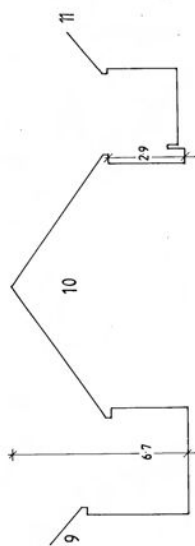


Proposed First Floor.

Client: Mr and Mrs J. Boyne.  
 Project: Raise Roof/Rear Dormer, Front Dormer, Ground Floor Extension to form fireplace at 10 Meadow Close, Ruislip, Middx, HA4 8AP.  
 Drawing: Existing, Proposed Elevations, First Floor Plan.  
 Scale: 1:50, 1:100.  
 Drawn: Feb 09  
 By: A.P.L.  
 Date: LBH/09/1/3.



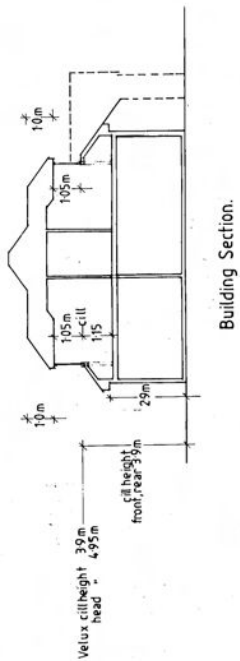
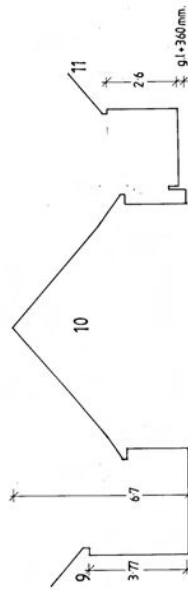
Proposed Lateral Site Section



Lateral Sections (LS-LS)

Scale 1:100

Existing Lateral Site Section

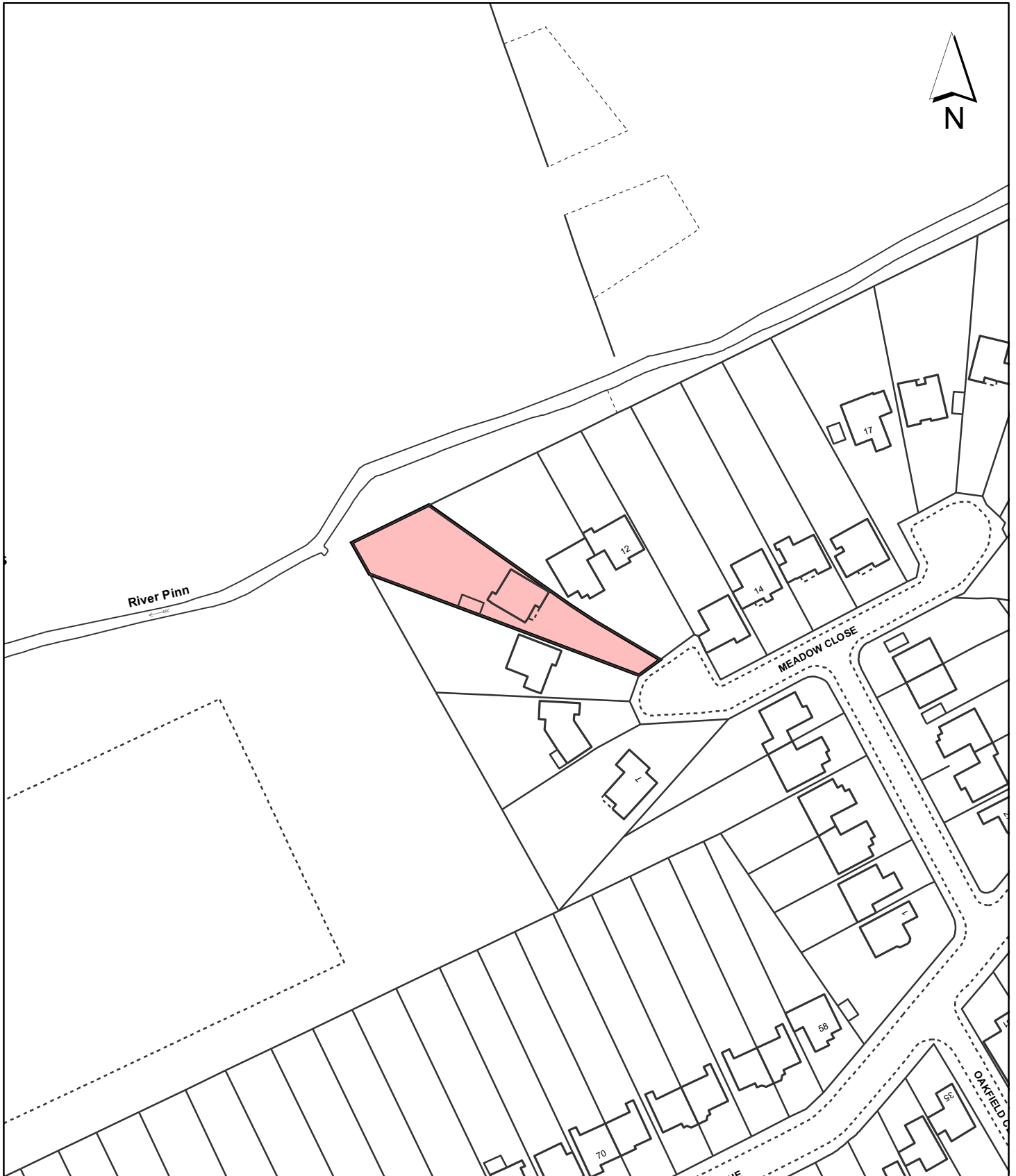


Building Section.


EDUCATION BOARD OF  
MIDDLESBROUGH  
19 MAR 2009  
PLANNING & COMMUNITY  
SERVICES

Client	Mr and Mrs I Boyne.
Project	Raise Roof, Rear, Dormer, Front Dormer, Ground Floor Extension to form fireplace at 10 Meadow Close, Ruislip Middx, HA4, 8AP.
Drawing	Proposed Building, Lateral Site Section.
Scale	1:100
Drawn	Feb 09
By	A.P.L.
Drwg nos	LBH/09/1/4

LOWRY ARCHITECTS  
PLANNING & COMMUNITY  
SERVICES  
15 MAR 2009



**Notes**

 Site boundary

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Site Address

**10 Meadow Close  
Ruislip**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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

Planning Application Ref:  
**19443/APP/2009/553**

Scale  
**1:1,250**

Planning Committee  
**North** Page 146

Date  
**May 2009**



**HILLINGDON**  
Page 44

**Item No. 5      Report of the Corporate Director of Planning & Community Services**

**Address**                      HIGHWAY VERGE NEAR JCT OF BREAKSPEAR ROAD & FINE BUSH  
LANE BREAKSPEAR ROAD RUISLIP

**Development:**      INSTALLATION OF A 11.5M HIGH IMITATION TELEGRAPH POLE MOBILE  
PHONE MAST AND ANCILLARY EQUIPMENT CABINET (CONSULTATION  
UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY  
PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS  
AMENDED)

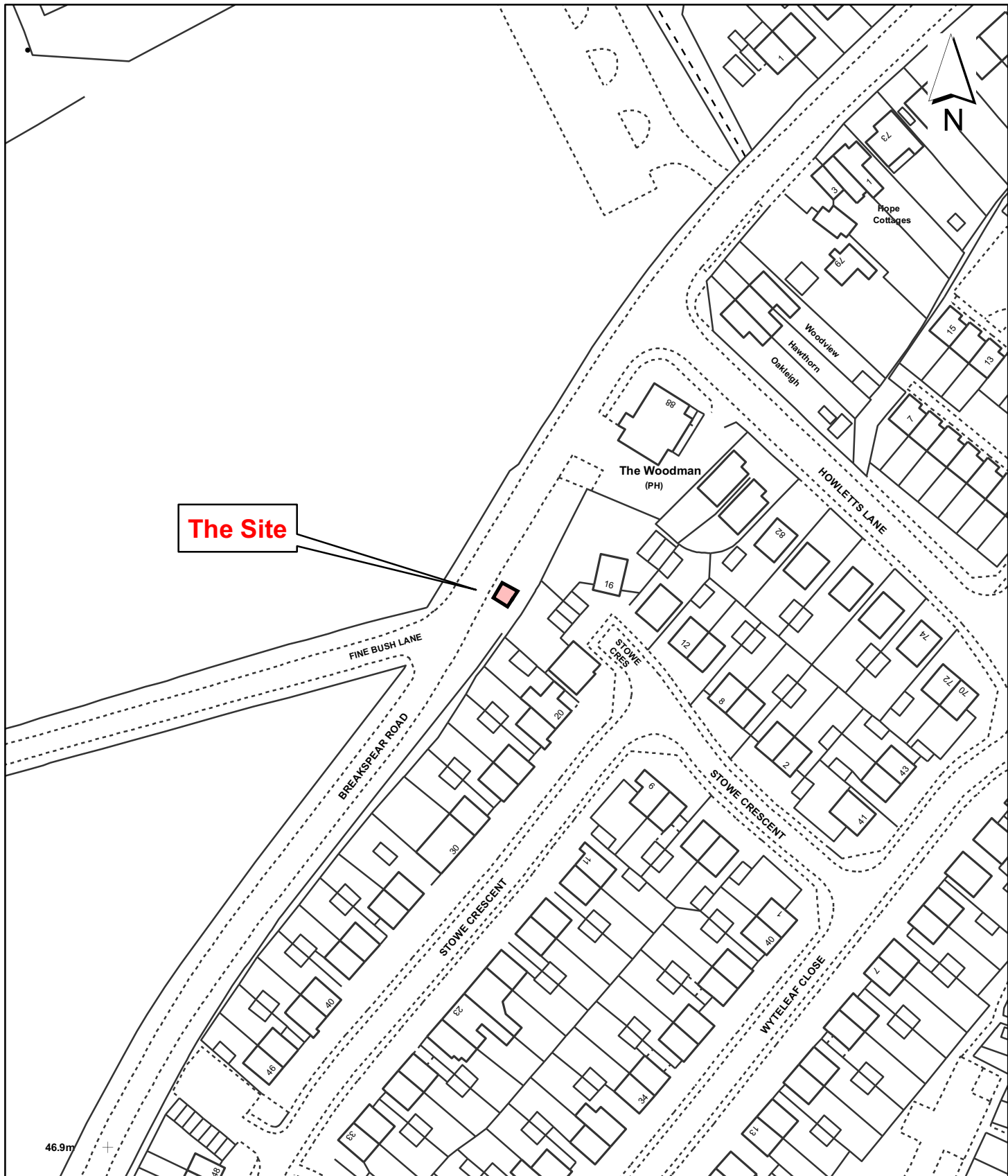
**LBH Ref Nos:**      65930/APP/2009/915

**Date Plans Received:**      30/04/2009


**Date(s) of Amendment(s):**

**Date Application Valid:**      30/04/2009





**Notes**

 Site boundary

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Site Address

**Highway verge near junction of Breakspear Road and Fine Bush Lane, Breakspear Road, Ruislip**

Planning Application Ref:

**65930/APP/2009/915**

Planning Committee

**North** Page 149

Scale

**1:1,250**

Date

**May 2009**

**LONDON BOROUGH OF HILLINGDON**

**Planning & Community Services**

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



**HILLINGDON**  
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