

Report of the Head of Planning & Enforcement Services

Address 47 COPSE WOOD WAY NORTHWOOD

Development: Two storey, 4-bed detached dwelling with habitable roofspace and basement with associated amenity space and parking, involving demolition of existing detached dwelling

LBH Ref Nos: 18371/APP/2011/2505

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Date Plans Received: 13/10/2011 **Date(s) of Amendment(s):**
Date Application Valid: 19/10/2011

1. SUMMARY

This application is for the demolition of the existing house and its replacement with a larger house. It is a revised scheme following on from a previous refusal in September 2011.

The site lies within the Copse Wood Area of Special Local Character and consideration has to be given to the impact that the development has on this area, in addition to the normal planning considerations relating to the impact on the streetscene, impact on neighbours, impact on trees and vegetation and the parking and highway implications.

It is considered that this revised scheme is now acceptable in terms of the design of the house, and its overall bulk and form in relation to the plot and its surroundings. Consequently it would not harm the Area of Special Local Character of which it forms part.

As before, there would be no adverse impact on the amenities of the adjoining occupiers or other material planning considerations that would cause significant harm. The application is therefore recommended for approval, subject to appropriate conditions.

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 BE5, BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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).

4 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. The development shall be constructed in the approved materials and thereafter maintained as such in perpetuity.

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).

5 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 building is occupied. Development shall be carried out in accordance with the approved details and thereafter retained.

REASON

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

6 SUS4 Code for Sustainable Homes

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that the dwelling has been designed to achieve Level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

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

2011) Policies 5.1 and 5.3

7 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 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), London Plan (July 2011) Policy 5.12 and PPS25.

8 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).

9 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 or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 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.

10 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).

11 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).

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).

12 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 or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority 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).

13 TL12 Tree Works - Crown Lifting

The Cedar tree to be pruned shall be crown lifted to a maximum height of 2.5 metres. This work shall involve the removal of low branches to the height specified and result in a tree of balanced appearance. Those branches to be removed shall be removed at their origin and all branch collars shall be left intact. The works shall be carried out in accordance with the recommendations contained in BS3998: 2010 - British Standard Recommendations for Tree Work". Climbing irons or 'spikes' shall not be used during the execution of this work.

REASON

In order to protect health of the tree and the visual amenity of the area.

14 HH-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 at first floor level or above in the side 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).

15 HH-RPD2 Obscured Glazing and Non-Opening Windows

The windows in the side elevation at first floor level and the side dormer window all facing 53 Copse Wood Way shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level and shall remain as such 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).

16 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).

17 RPD6 Fences, Gates, Walls

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

REASON

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

18 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.

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).

19 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 (July 2011) Policy 5.20

20 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 (please refer to informative I15 for maximum permitted working hours).
- (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 footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.
- (viii) Method statement for the construction of the basement to minimise disturbance from removal of excavated material.

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).

21 DIS5 Design to Lifetime Homes Standards

The dwelling hereby approved shall be built in accordance with 'Lifetime Homes' Standards as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

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 (July 2011) and national guidance.

BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

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 I100 Informative for all permissions with side facing windows

You are advised that this permission does not remove the requirement to comply with Building Regulations. You are therefore advised to seek advice on the viability of your works from an Approved Building Regulations Inspector prior to commencing construction works. This is so that you can be aware of any potential issues relating to side facing windows regarding ventilation or means of escape that might conflict with use of obscure glazed/non-opening windows. You should be aware that Building Regulation requirements do not override planning requirements for obscure glazed/non-opening windows to be installed.

5 I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

6 12 Encroachment

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

7 13 Building Regulations - Demolition and Building Works

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

8 15 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

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

9 16 Property Rights/Rights of Light

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

10

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharg

3. CONSIDERATIONS

3.1 Site and Locality

The application property is a detached dwelling sited on the south-eastern side of Copse Wood Way at a point approaching the brow of a hill in the road. The existing dwelling is a two storey building with brick elevations and hipped, tiled roof with prominent gable features on the front elevation.

The property is set back from the road by approximately 15m, broadly in line with other properties in the street. The front garden is landscaped with mature vegetation and a parking and turning area immediately to the front of the house. A single vehicular access at the northern side of the plot leads to the parking area and an attached garage at the southern side of the house.

To the rear, the garden slopes down from north-west to south-east and, beyond the patio immediately to the rear, the garden is grassed, with mature trees and shrubs along all boundaries. The overall depth of the rear garden from the rear of the existing house is approximately 38m, with the overall plot depth from front to rear being some 60m.

The street scene is residential in character and appearance comprising substantial two storey detached houses set in spacious plots. There are a number of properties that have been replaced in recent years throughout the estate.

The application site lies within the Copsewood Area of Special Local Character and is within the developed area as identified in the saved UDP, September 2007.

3.2 Proposed Scheme

The application is for the demolition of the existing building and its replacement with a new two storey dwelling with accommodation in the roofspace, and a basement.

The new building would be in a similar position to the existing building although would occupy a greater footprint than that existing. It would be set back from the road by approximately 16.5m (currently 18m) and would have a garden depth of 35m to the rear boundary.

The building would have an eaves height of 5.05m and ridge height of 9.5m (compared with the current 4.9m and 8.3m respectively). The new heights would be higher than those of No.45 but lower than that of No.53, due to the natural slope of the road in this part of the road.

To the front it would be slightly forward of the front elevation of No.45 to the north-east.

It would retain a 1.8m to 2m gap to the side boundaries.

Materials would comprise brick and tile similar to those in the vicinity, with casement windows and detailing across the fenestration, including brick and tile decorative details.

Essentially the change from the previously refused scheme includes a reduction in the width of the house to ensure more reasonable gaps to the side boundaries, the removal of all crown roofs and changes to the roof form and pitch, and the provision of a front gable to mark the entrance door. The proposal also introduces a basement that was not provided in the previous scheme. This would be served by two lightwells, one on the rear elevation and one on the south-western elevation.

3.3 Relevant Planning History

18371/APP/2011/1271 47 Copse Wood Way Northwood

Erection of two storey, five-bedroom, detached dwelling with conversion of roof space to habitable use to include 2 rear dormers and 5 rooflights involving demolition of existing dwelling.

Decision: 15-09-2011 Refused

Comment on Relevant Planning History

The previous application (18371/APP/2011/1271) for a replacement dwelling was refused on the 15th September 2011 for the following reason:

1. The proposal, by reason of its size, scale, bulk, massing, design and position would result in a cramped overdevelopment of the site which would detract from the open character and appearance of the surrounding area and the visual amenities of the street scene and the Copse Wood Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE6, BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

22 adjoining and nearby properties have been notified of the application by means of a letter dated 21st October 2011. Representations have been received from 1 nearby resident raising the same concerns as detailed in the petition (below) and commenting as follows:

1) Basement: We object most strongly to the basement. It has been discussed with our neighbours both to the side and back of this proposed development. We are extremely worried about the effect of large scale excavations on the foundations of our immediate properties and the unknown effect on our gardens of water due to the immense amount of concrete to form the basement.

Without a hydrological survey on the effect of the basement on the surrounding area no prediction can be made for any ground water diversion. There are reports of underground stream water which can be seen in wet weather coming up from the road and pavement. No depth is stated on the plans for the basement depth but it can be assumed it will be up to 9ft deep x 1833 sq ft. area. This means a massive amount of solid wet clay with many lorry movements and all the associated filth and disruption particularly in winter.

2) The plans show the roof line of the bulk of the house well above 53 resulting in an unacceptable blocking of the street scene.

3) The house is shown on the plans brought considerably in advance of the present house of at least 1 metre. It is stated from 18m from the pavement to 17m. We find this not acceptable that the present building front line can be violated.

4) The South West elevation shows a large dormer window in the roof which would completely overlook my patio and garden invading my privacy.

We consider even the revised plans are not in keeping with the Copse Wood area of special character due to the a) increased roof height compared to neighbouring houses.e.g 53, b) front building line brought forward, c) dormer window in south west elevation invading the privacy of 53. d) The proposed basement with the effect of large scale deep excavations on foundations of neighbouring houses, possible flooding of back gardens and houses to the back of the garden of 47. Some insurances companies will not insure for building due to the heavy clay ground and subsidence risk.

We still consider that the revised plans are contrary to policies BE5, BE6, BE13 & BE19 of the Local Plan.

CASE OFFICER COMMENT: These comments are considered in the main report.

A petition with 22 signatures has been received objecting to the development on the same grounds as setout above.

Ward Councillor: Objects to the application on the same grounds as the petition.

Northwood Residents Association:

Wishes to object to this application on the grounds that it fails to comply with UDP policies BE5,6,13 and 19. Furthermore we are concerned that introduction of below ground building may divert the water course and have an adverse effect on neighbouring properties. Also we are concerned that raising the roof above the level of that of the existing building is in all probability contrary to the requirements of the Town and Country Planning Act 2008.

Thames Water:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team.

Thames Water requests that the Applicant should incorporate within their proposal, protection to

the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

With regard to water supply, this comes within the area covered by the Veolia Water Company.

Internal Consultees

CONSERVATION AND URBAN DESIGN:

BACKGROUND: Following refusal of the previous proposal, a meeting was held with the architects, followed by an e-mailed discussion of amended plans. The current application represents a distinct improvement on the one previously refused: the crown roof has been replaced by pitched roofs, part of the rear elevation has been reduced in length to improve the amenity of the neighbour on that side, the side elevation facing the adjacent footpath has been remodelled to provide interest and shadow lines, and the front elevation has been similarly remodelled to provide some articulation and interest.

It is now considered that the design would be an acceptable addition to the street scene in Copse Wood Way.

However, there is a discrepancy between the plan of the roof, which shows a flank wall chimney stack projecting to the edge of the overhanging eaves, and the ground and first floor plans, which shows no such chimney stack. The architect has informed me verbally that this is a mistake, and that the chimney stack should in fact project from the side elevation, an important point discussed and negotiated at the pre-application stage. In the circumstances, an amended drawing of the floor plans will be needed.

RECOMMENDATIONS: Acceptable subject to receipt of amended drawing showing the ground and first floor plans with chimney projecting.

CASE OFFICER COMMENT: Amended plans have been received which address the discrepancy identified above.

TREES AND LANDSCAPE OFFICER:

The site is covered by TPO 398, which protects all Oak, Hornbeam, Silver Birch and Scots Pine.

There are several trees of high amenity value on this site, most noticeably, the Hornbeam, Cedar and Silver Birch within the front garden and the Eucalyptus within the rear garden. These trees significantly contribute to the visual amenity and wooded character of the Copse Wood Estate Area of Special Local Character and are, in terms of Saved Policy BE38, landscape features of merit. The trees should therefore be afforded protection and long-term retention as part of the development. There are several other mature trees within the rear garden, including Oak, Willow and Cedar, which also contribute to the wooded character of the area and are features of merit.

The submitted Arboricultural report, Arboricultural Implications Assessment (AIA) and Arboricultural Method Statement (AMS) outline a good level of tree protection, and the tree work, outlined in the report, is reasonable.

Given the retention of most of the trees on the site, there is no objection to the loss of a few trees (dead Birch T3, Pine T10, and an Ash and two Cherry's within G1) with relatively low amenity values which do not constraint the redevelopment of the site.

Due to the current level of tree cover, replacement planting with trees in the front and rear garden

is not necessary.

The submitted tree-related information appears to be the same as previously submitted for application 18371/APP/2011/1271 (refused), however, the footprint of the building has changed slightly and so has the layout of the front garden (lawn area to be slightly reduced in size to accommodate two parking spaces). Therefore, to avoid confusion, the tree protection plan/other relevant tree-related information should be updated to reflect the new proposed layout.

Subject to the amendment of the tree protection plan/tree-related information and conditions TL2, TL3 (amended to remove part requesting detailed drawings of protective fencing), TL5 (to include materials to be used for car parking areas - that conform to SUDS), TL6, TL12 (lifting of Cedar in front garden to 2.5 m) and TL21, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

CASE OFFICER COMMENT: Appropriate tree protection measures are proposed to be secured through the use of conditions on any planning permission granted.

ACCESS OFFICER

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Level access should be achieved. Entry to the proposed dwelling house appears to be stepped, which would be contrary the above policy requirement.
2. The entrance level WC does not conform to the Lifetime Home Standards, due to its narrow width and layout. At least 700mm should be provided to one side of the toilet pan, with 1100mm between the front edge and any obstruction opposite.
3. A minimum of one bathroom/ensuite facility at first floor level should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
4. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.
5. The plans should indicate the location of a future through the ceiling wheelchair lift.

Conclusion: Revised plans should be submitted to address the above standards as a pre-requisite to any planning approval.

CASE OFFICER COMMENT: The comments made above would not preclude a planning permission from being granted and can be addressed through the imposition of a condition.

WASTE STRATEGY

The plan does show that a space has been allocated for the storage of waste which is good practice. However, Hillingdon is not a wheeled bin borough. Bins or other containment would have

to be provided by the developer.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Whilst the site is in an Area of Special Local Character, the principle of demolishing the existing building is acceptable, subject to the replacement dwelling being acceptable in terms of its siting, size, bulk, design, appearance and impact on adjoining occupiers. These issues are discussed in detail below.

7.02 Density of the proposed development

The replacement dwelling would not substantially alter the density of development in the area, either in terms of dwellings or habitable rooms.

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

Policy BE22 states developments of two or more stories should be set away a minimum of 1.5 metre from the side boundary in the Copsewood Estate for the full height of the building. This is to protect the gaps between properties. The proposal would comply with this advice and would not result in the visual closing of the gap between built development.

With regard to design, the SPD HDAS: Residential Layouts, Section 5.11 states that the intensification of sites within an existing streetscape, if carefully designed, can enhance the appearance of the surrounding area, and the form and type of development should be largely determined by its townscape context. In areas of varied townscape of little quality, new developments should aim to make a positive contribution to improve the quality of the area, although they should relate to the scale and form of their surroundings.

The street scene is characterised by large detached houses set, in the main, within long, spacious plots with mature trees. The siting of the building, slightly forward of its current position, would bring it in line with the forwardmost part of the adjoining property, No.45, but would still result in the property being set some 16.5m from the road. Furthermore, this part of the road does not have a rigid building line, but does in fact have slight variations in siting, such that the siting of this building would be in character. Thus, given this, the distance between the building and the road and the extensive tree and landscaping coverage on the frontage of this and adjoining properties, it is considered that the siting of the new building is acceptable.

In terms of its height, the proposed dwelling would be approximately 500mm higher than the existing property, which, given the slope in the road, would result in it being at a similar height to No.53 and some 1m higher than No.45. Again, as with the siting of the building, there is not a rigid height line within the street scene, which is due to the existing slope and thus the height of this building in relation to the adjoining properties would follow the prevailing pattern of development in the street.

In comparison to the refused scheme, the scheme has also been amended so that the crown roof has been replaced by pitched roofs, part of the rear elevation has been reduced in length thus reducing its overall bulk, the side elevation facing the adjacent footpath has been remodelled to provide interest and shadow lines and the front elevation has been similarly remodelled to provide some articulation and interest. The Council's Urban Design and Conservation officer now considers the design of the proposed dwelling to be acceptable in the context of the existing property and the design of properties in the vicinity of the site.

The proposed house would retain sufficient gaps between it and side boundaries and this together with the overall size of the plot, would result in a form of development that would not appear cramped in the street scene.

Overall, it is considered that the proposed house would not detract from the character and appearance of the street scene and the surrounding area generally and would comply with policies BE5, BE6, BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the requirements of Supplementary Planning Document HDAS: Residential Layouts.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

See Section 7.03.

7.08 Impact on neighbours

The property that would be most affected by the development would be No.45 to the north-east. Whilst there is an attached garage between the boundary of the property and its main southern elevation, there is also a first floor window in the flank wall that has clear glazing and assumed to be that of a habitable room. However, given the relationship of the existing buildings it is considered that there would not be a material adverse impact to the light into, or outlook from that window to justify a refusal of permission. There is a birch tree and laurel hedge along this boundary that provide some screening between the properties and it would be desirable to retain these to ensure adequate levels of privacy. This can be secured with an appropriate condition.

No.53 to the south is separated from the application site by an unmade vehicular access between the two properties that leads to Nos. 49 and 51 Copse Wood Way that are sited beyond the rear gardens. There is however a small dormer window in the side elevation of the roofspace facing towards No.53 that serves a playroom. This window could reasonably be fitted with obscure glazing to ensure that there is no overlooking or loss of privacy to the adjoining occupiers.

Given the length of the garden and the intervening vegetation with the properties at the rear of the site there would be no adverse impact on the amenities of those occupiers.

To conclude on the impact of the development on neighbours, subject to conditions, there would be no adverse impact in terms of loss of light, privacy, overlooking or any overbearing impact or visual intrusion that would justify a refusal of planning permission. As such, the application proposal would not represent an unneighbourly form of development and would thus be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

7.09 Living conditions for future occupiers

The proposed development would provide a satisfactory standard of living accommodation for the occupiers with the size of the dwelling being in excess of the Council's and London Plan Standards and all rooms receiving an appropriate level of natural light and ventilation.

The amount of amenity space retained in the rear garden would still be sufficient and appropriate to this dwelling in accordance with HDAS: Residential Layouts and policy BE23 of the saved UDP. However, it is unclear as to the extent of rear patio areas and engineering works that may be required to accommodate the changes in level between the house and garden to enable access to the rear garden area.

7.10 Traffic impact, car/cycle parking, pedestrian safety

It is considered that the proposal would not give rise to any concern regarding traffic impact or highway safety. Whilst the replacement dwelling is larger, it would not result in any significant additional increase in traffic generation and the existing crossover into the site would be utilised.

The application proposal would include the provision of a garage and off-street parking is available to the front of the property so as to accommodate two off-street car parking spaces and some soft/hard landscaping. This would be in compliance with policies AM14 and BE38 of the saved UDP and the Council's adopted Car Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

7.11 Urban design, access and security

See Section 7.03.

7.12 Disabled access

The design allows for a level access to the front of the property. The detailed internal layout so that it would comply with lifetime homes standards is the subject of a condition.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The site is covered by TPO 398, which protects all Oak, Hornbeam, Silver Birch and Scots Pine.

There are several trees of high amenity value on this site, most noticeably, the Hornbeam, Cedar and Silver Birch within the front garden and the Eucalyptus within the rear garden. These trees significantly contribute to the visual amenity and wooded character of the Copse Wood Estate Area of Special Local Character and are, in terms of Saved Policy BE38, landscape features of merit. The trees should therefore be afforded protection and long-term retention as part of the development. There are several other mature trees within the rear garden, including Oak, Willow and Cedar, which also contribute to the wooded character of the area and are features of merit.

The submitted Arboricultural report, Arboricultural Implications Assessment (AIA) and Arboricultural Method Statement (AMS) outline a good level of tree protection, and the tree work, outlined in the report, is acceptable.

Given the retention of most of the trees on the site, there is no objection to the loss of a few trees (dead Birch T3, Pine T10, and an Ash and two Cherry's within G1) with relatively low amenity values which do not constraint the redevelopment of the site.

With the addition of a number of conditions requiring details of tree protection and landscaping the proposal is considered to comply with Policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.15 Sustainable waste management

Adequate refuse storage can be accommodated within the property.

7.16 Renewable energy / Sustainability

A condition is attached requiring the development to meet level 4 of the Code for Sustainable Homes.

7.17 Flooding or Drainage Issues

It is considered that the proposed basement, subject to appropriate conditions, would not give rise to any significant flooding or drainage issues. Other legislation outside of planning would need to ensure that local drainage and sewerage measures are implemented in a satisfactory manner. A condition requiring details of sustainable urban drainage is recommended.

7.18 Noise or Air Quality Issues

There are no noise or air quality issues arising from this development.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning Obligations

There would be no Planning Obligations arising from this proposal as the proposal does not result in a net gain of six habitable rooms.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The proposal includes the provision of a basement contained below the footprint of the building. Other than the two lightwells to it, it would not be visible from outside of the site, and would be acceptable in planning terms.

The site is not within an area at risk of flooding but in any case the Building Regulations and the Part Wall etc Act 1996 will ensure that the construction is carried out in a manner that minimises disruption to the surrounding area and provides adequately for water drainage and run-off.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

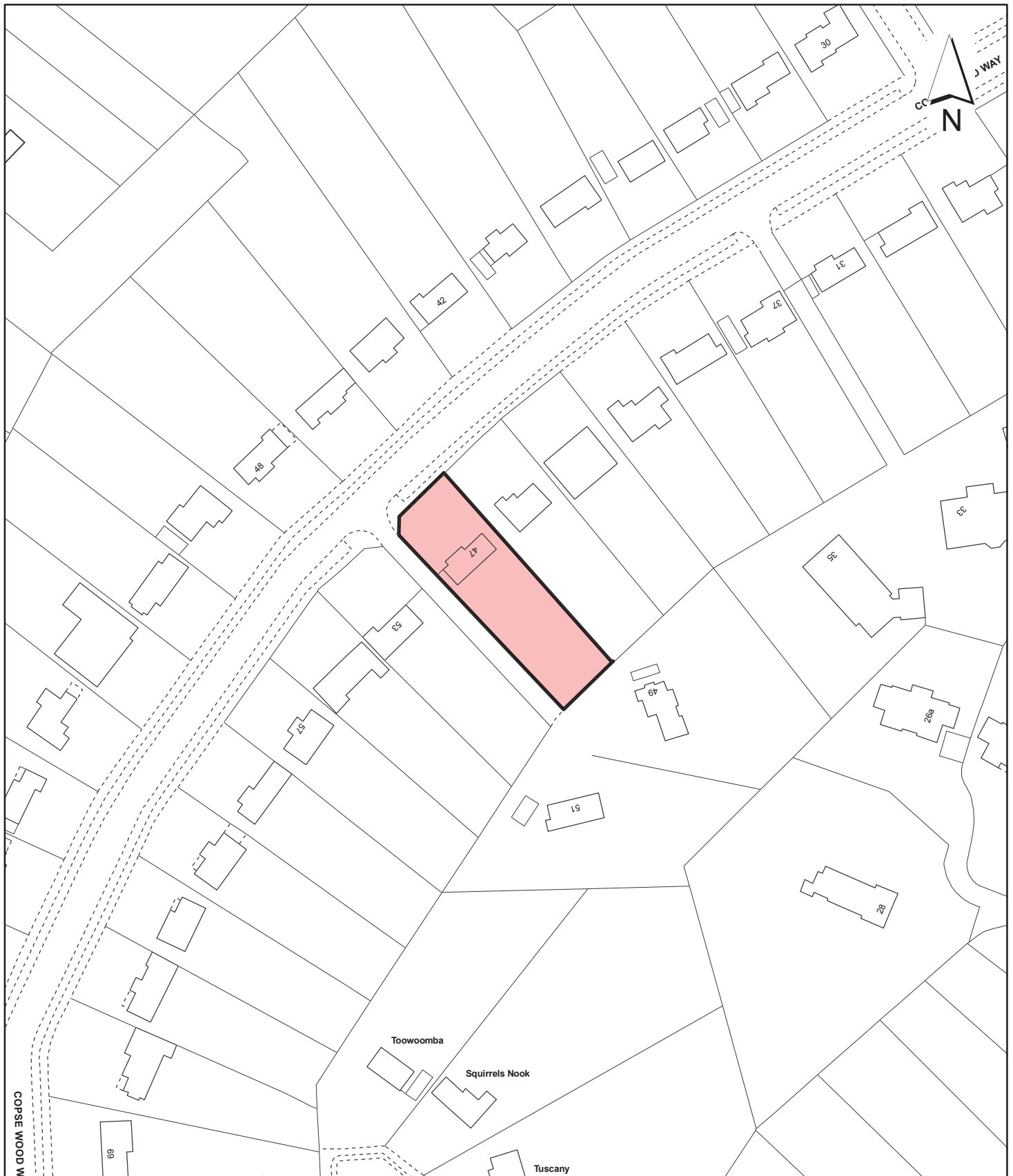
This revised proposal overcomes the concerns raised in respect of the previous application and the scale, form and design of the revised building would now sit more comfortably in its plot, and would retain the important landscape features that are characteristic of the area. Whilst the proposal now incorporates a basement, this is contained within the footprint of the building (other than the lightwells) and would not be visible from outside of the site. The application is therefore recommended for approval, subject to conditions.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
HDAS: Residential Layouts
PPS3: Housing
London Plan (2011)

Contact Officer: Warren Pierson

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Notes

 Site boundary

For identification purposes only.

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Site Address

**47 Copse Wood Way
Northwood**

Planning Application Ref:

18371/APP/2011/2505

Planning Committee

North

Scale

1:1,250

Date

**December
2011**

**LONDON BOROUGH
OF HILLINGDON**
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