

## Report of the Head of Planning & Enforcement Services

**Address** 39 COPSE WOOD WAY NORTHWOOD

**Development:** Two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of existing detached dwelling

**LBH Ref Nos:** 11007/APP/2012/2233

**Drawing Nos:** Tree report (Ref: SHAH001)  
10921-P006  
10921-S001-B  
10921-P001-L  
Photographs  
Design and Access Statement  
10921-P005-J

**Date Plans Received:** 12/09/2012                      **Date(s) of Amendment(s):**

**Date Application Valid:** 19/10/2012

### 1. SUMMARY

The application is for planning permission for the erection of a two storey, 5-bedroom detached dwelling with habitable rooms in the roof space involving the demolition of the existing dwelling.

The proposal is unacceptable by reasons of its design and the impact on the residential amenities of neighbouring properties.

The principle of the demolition of the existing property, whilst regrettable, would be acceptable subject to its replacement with a dwelling of similar or better design which would relate better to the established character and local identity of the Copse Wood Estate Area of Special Local Character. However, the proposed scheme would not reach the standard expected for the Copse Wood Estate, it would fail to respond to the local Supplementary Planning Document Residential Layouts and it does not respond to the aims of Policies BE5, BE13 and BE15 of the Hillingdon Local Plan.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1            NON2            **Non Standard reason for refusal**

The proposed development by reason of its size, scale, bulk, width and design would result in a dwelling, at odds with the local vernacular character of the area and further exacerbated by the cramped appearance of the site that would be harmful and detrimental to the visual amenities of the application site, the street scene and the wider Copse Wood Estate Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE13, BE15 and BE19 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### 2            NON2            **Non Standard reason for refusal**

The proposed development, by reason of its size, design, mass, bulk and proximity, would result in an overly dominant feature that would overshadow the adjoining property at 37 Copse Wood Way, resulting in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity to the occupiers of 37 Copse Wood Way. Therefore the proposal would be contrary to Policies BE19, BE20 and BE21 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Document HDAS Residential Layouts.

### **3 NON2 Non Standard reason for refusal**

In the absence of an accurate site plan and tree survey (to BS5837:2005) showing all of the existing trees (on and close to the site) between the houses and at the front of the site, details of existing and proposed levels and services, and a complete Arboricultural Implication Assessment and Method Statement (to BS5837: 2005) taking account of all the baseline tree-related information and all of the proposed works, including additional hard-standing, and any associated changes in levels and/or services, the application has failed to demonstrate that the development makes adequate provision for the protection and long-term retention of the valuable existing trees, many of which are subject to a tree preservation order. The premature decline or loss of any of the trees, in particular the protected Oak at the front of the site would be detrimental to the amenity and wooded character of the street scene and the wider Copse Wood Estate Area of Special Local Character. The proposal is, therefore, contrary to Policy BE38 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### **4 NON2 Non Standard reason for refusal**

The proposal would fail to meet relevant Lifetime Home Standards, to the detriment of the residential amenity of future occupiers and contrary to Policy 3.8 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

## **INFORMATIVES**

### **1 I52 Compulsory Informative (1)**

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

### **2 I53 Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.3	(2011) Sustainable design and construction
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

### 3

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

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located on the south east side of Copse Wood Way and comprises a large detached two storey house with a two storey front gable set within a large plot characteristic of houses in the street. The application property is typical of the street characterised by large detached properties with red/brown brick, timber detailing, front gables and attractive front gardens.

To the north east on lower ground is No.37 Copse Wood Way, and No.41 Copse Wood Way lies to the south west on a slightly higher ground level towards the brow of the hill, both comprising detached two storey houses.

The street scene is characterised by similar sized detached two storey houses set within spacious plots interspersed with mature trees. The application site lies within a Developed Area and the Copse Wood Estate Area of Special Local Character as identified in the policies of the Hillingdon Local Plan - Part 2. The application site is covered by TPO 398 and TPO 398 A1.

### 3.2 Proposed Scheme

The application is for planning permission for the erection of a two storey, 5-bedroom detached dwelling with habitable rooms in the roof space and a juliet balcony to the rear at first floor level and a single storey rear element. The proposal involves the demolition of the existing dwelling.

The proposed replacement dwelling would be sited in the same position as the existing dwelling on site and extend further rearwards beyond the existing two storey element by 7.6m. The new dwelling would be sited 1.56m away from the western site boundary and 1.39m away from the eastern site boundary, to No. 37 at a lower level. On this side, the current property has a single storey extension beginning 0.47m away, which has a sloping roof, raking back into the site by 2.3m to the flank wall of the two-storey part of the existing dwelling. This contrasts with the proposal where the flank wall of the replacement dwelling would begin 1.5m from the boundary, coming 0.8m closer to No. 37 and with a 0.5m increased eaves height. The dwelling would be characterised with a crown roof with hipped sections to all sides and two dormers to the front and be approximately 0.6m higher than the existing dwelling. The front elevation would have a pseudo-georgian appearance with a large arched feature window in a front gable projection with flat roof porch below and an integral garage to the side. The rear elevation would be largely plain with a first floor juliet balcony window. A flat roofed single storey element would project a further 3.3m for approximately 1/3 of the elevation's width, on the side facing No. 41. The flank elevations would remain largely blank with a total of 6 windows and 1 access door.

### 3.3 Relevant Planning History

11007/A/98/1755                      39 Copse Wood Way Northwood  
Tree surgery to six Hornbeam stems in Area A1 on TPO 398

**Decision:** 14-10-1998    Approved

11007/B/99/2060                      39 Copse Wood Way Northwood  
Tree surgery to one Oak and four Hornbeam trees in area A1 on TPO 398

**Decision:** 08-11-1999    Approved

11007/TRE/2000/95                      39 Copse Wood Way Northwood  
TREE SURGERY TO ONE OAK TREE AND FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

**Decision:** 18-09-2000    Approved

11007/TRE/2001/18      39 Copse Wood Way Northwood  
TREE SURGERY TO ONE SIX-STEMMED HORNBEAM COPPICE STOOL IN AREA A1 ON  
TPO 398, INCLUDING THINNING THREE STEMS BY 20% AND COPPICING (THREE  
STEMS)

**Decision:** 09-03-2001    Approved

11007/TRE/2001/73      39 Copse Wood Way Northwood  
TREE SURGERY TO FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

**Decision:** 08-08-2001    Approved

11007/TRE/2004/108      39 Copse Wood Way Northwood  
TO CARRY OUT TREE SURGERY TO ONE OAK TREE WITHIN AREA A1 BY REMOVAL OF  
LOWEST SIX BRANCHES TO LIFT CROWN AND REMOVAL OF DEADWOOD ON TPO 398

**Decision:** 05-11-2004    Approved

11007/TRE/2007/120      39 Copse Wood Way Northwood  
TO FELL TWO OAK TREES IN AREA A1 ON TPO 398 (REF: 33866/2442455)

**Decision:** 10-10-2008    NFA

11007/TRE/2011/122      39 Copse Wood Way Northwood  
To fell two Oak trees in area A1 on TPO 398.

**Decision:** 27-01-2012    SD

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

None.

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

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

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

Part 1 Policies:

PT1.BE1      (2012) Built Environment

Part 2 Policies:

BE5            New development within areas of special local character

BE6            New development within Gate Hill Farm and Copsewood Estates areas of special  
local character

BE13           New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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BE23	Requires the provision of adequate amenity space.
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AM7	Consideration of traffic generated by proposed developments.
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LPP 3.1	(2011) Ensuring equal life chances for all
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LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.3	(2011) Sustainable design and construction
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

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

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

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

## **6. Consultations**

### **External Consultees**

6 neighbouring properties and the Northwood Residents Association were consulted on 23 October 2012. A site notice has also been displayed.

The Northwood Residents Association object to the application on the grounds that it fails to comply with Local Plan Policies BE5, BE6, BE13, BE15, BE20, BE22 and BE24.

Two letters of objection and one petition has been received, raising the following objections:

1. Adverse impact on property (No.37) through overshadowing and overbearing nature of proposal due to relative site levels, orientation and proposed rear projection. Proposal would result in a property more than one storey above.
2. Overlooking from side windows facing into neighbouring property.
3. Loss of Arts and Crafts style house.
4. Poorly designed replacement property resulting in a more assertive property in the streetscene.
5. Flat, crown roof details create a poor appearance.
6. Potentially an 8 or 9 bedroomed house which would be considerable for this modest plot.
7. Greater space is required at the sides of the property than the 1.5m policy guidelines as No. 37 is at such a low level. It will also prejudice future development potential of this property.
8. Tree report drawings are inconsistent with the main drawings.
9. Ground levels should be shown at this stage.
10. Question accuracy of tree canopy spread on plans.
11. Replacement of a Lawson Cypress with a three-storey flank wall is unacceptable.
12. Inappropriate, intrusive development for the neighbourhood, by reason of scale, bulk, architectural style, crown roof, and distance from the side boundaries would dominate the houses in the immediate area.
13. Detrimental to visual amenities of the designated Copse Wood Area of special Local character and fail to comply with Local Plan Built Environment Policies.
14. Drawings show inaccuracies, omissions and inconsistencies particularly site levels.
15. Concern over potential damage to trees on the site.
16. Surface water drainage by soakaway is inappropriate in this local clay ground.

Ward Councillor: Please register my unequivocal support for the Petition in objection and allow me as much notice as possible about when it is to be heard so I can speak at the Committee.

Thames Water: No objections. Suggest informatives to be added to any permission regarding connections to waste and water services.

### **Internal Consultees**

#### **CONSERVATION AND URBAN DESIGN OFFICER:**

This is one of a group of original houses, which step quite steeply up Copse Wood Way towards the summit. The house has been built and extended in the vernacular cottage ornee tradition of leaded windows, quirky asymmetry, chimneys and steep flowing roof pitches. It has an attractive mature garden setting, with a TPO'd Oak tree in the front garden, which recently had permission refused for its removal.

A pre-application letter sent to the applicants in July 2012 advised that the proposed scheme did not reach the standard expected for an Area of Special Local Character. The reasons cited, inter alia, its symmetry, Georgian porch, crown roof, lack of subordinate roof or chimney and poor articulation or interest to the plan. Whilst a few improvements have been made to the original scheme since that time, there remain serious concerns as to its design. These include:

1. The building is little more than a box, without articulation or interest. It has a large crown roof, rather than the traditional pitches required.
2. The Georgian features would be inappropriate and incongruous in this setting, viz the symmetrical facade, columned portico and large Georgian window above the central gable.

3. The building would be too wide for this plot. Although the minimum requirement for distances to the boundaries have been observed, these houses have been built on stepped platforms, and they need space either side to ensure planting between each house. This scheme would necessitate the removal of the planting around this house.

4. The houses should step up the hill in height. It is not clear how this proposal would relate to No. 41 adjacent in terms of its height.

In summary, whilst there are elements of grand, Georgian design in Linksway, Copse Wood Way, and particularly this part of Copse Wood Way, retains a much more informal, vernacular character, with views through to the woodland beyond. The design of this house would be at odds with this character and identity, and would detract from this Area of Special Local Character.

RECOMMENDATIONS: Unacceptable.

ACCESS OFFICER:

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

The following access observations are provided:

1. Level access should be achieved. Entry to the proposed dwelling appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to the ground floor entrance door.

2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.

3. A minimum of one bathrooms/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 gully drainage.

5. The plans should indicate the location of a future "through the ceiling" wheelchair lift.

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

ADDITIONAL CONDITION

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

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



## TREES AND LANDSCAPE OFFICER:

There are several protected trees on and close to this sloping site, including an Oak at the front. However, the Site Plan seems to show trees, such as the one between the houses, that do not exist and not show others, such as the Cedar and Hornbeam at the front, that do.

The front garden slopes downhill to the north, and the trees could be affected by any change in levels or any new drains or other services in their root protection areas.

Whilst the application includes a lot of tree-related information, it does NOT include a topographical survey (existing levels) or a plan showing proposed levels. Nor is there any information about existing and proposed drains and other services.

Furthermore, the tree report seems to indicate that much of the front garden (not built or surfaced) will be fenced off to protect the Oak tree at the front. However, the layout seems to include more hard-surfacing (drive/parking) within that tree protection area.

The applicants should provide a site plan (tree survey) showing ALL of the existing trees, a site survey and proposed layout plan showing the trees, levels, drains and other services (existing and proposed), and the AIA should, if necessary, be amended to take account of this additional baseline information, as it is vital that they show that the scheme makes provision for the protection and long-term retention of the TPO trees on and close to the site.

### **7. MAIN PLANNING ISSUES**

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

The current proposal is considered unacceptable by reason of its size, design and impact on neighbouring properties. However, the principle of a replacement dwelling is considered acceptable in this location, subject to all other material planning considerations being satisfactory.

#### **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, which would be below 6 additional rooms and as such this aspect of the proposal would not conflict with policy 3.4 of the London Plan.

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

The proposal would have a harmful impact on the Copse Wood Estate Area of Special Local Character as detailed in section 7.07 of this report.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

The existing dwelling on site is attractive and well proportioned, sitting comfortably within the site. The existing dwelling benefits from open space to the eastern and western side of the site between the neighbouring dwellings, with mature landscaping between.

The footprint of the front and sides of the proposed dwelling would be sited in a similar location as the existing dwelling on site. However it proposes extending the existing single storey elements into full two storeys and with greater height of eaves. This, together with the significant increase in length of the flank walls by some 7.6m would reduce views between the neighbouring buildings to the trees behind, significantly reducing the pleasant mature landscaped character of the site and its surroundings. Meaningful visual breaks

between dwellings is a defining characteristic of the surrounding dwellings which significantly contribute towards the open and sylvan character of the surrounding area. The reduction in these to a level where such views are virtually lost is considered to be unacceptable in terms of the character of the street scene and the wider area.

In terms of detailed design, the pseudo-georgian features of the proposal, the excessive amount of flat, crown, roof and massing presented to the front, sides and rear, are all considered inappropriate for the area, as detailed in the Conservation and Design Officer's response. Whilst it is considered that a larger dwelling than existing could be accommodated on the site, this particular proposal fails to address basic issues arising from the context of the site.

The Design and Access statement accompanying the application cites other properties within the estate of the size and design proposed. These examples are considered to not reflect the context of this particular site. The example properties are on either larger plots, amongst other similarly designed and proportioned dwellings, and/or are on sites without such sharp changes in gradient or in areas which do not benefit from such a picturesque setting afforded to this area.

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 current proposal is contrary to these aims.

In raising objections to the design of the proposal, the Council is not seeking to replicate the current design. Inevitably an element of style does come into the assessment, this is however tempered with considering relationships to boundaries and other properties, spaces in between and response to cadence of heights of this sloping wooded site which all impact on considerations of form and dispersment of volume for a larger dwelling within the site. Equally such fundamental considerations would be brought in to play for a contemporary design for this site.

The current proposal is not of a quality commensurate with the character and appearance of the Copse Wood Estate Area of Special Local Character, through loss of space between the dwellings and in the manner proposed and exhibits none of the elements of vernacular design critical to the streetscene. Therefore, the proposed development would be contrary to Policy BE5, BE13, BE19 and BE22 of the Hillingdon Local Plan - Part 1 and Part 2, London Plan Policy 7.4 and Section 5.11 of HDAS: Residential Layouts.

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

With regard to the relationship with the neighbouring properties it is considered that the proposed dwelling would have a significantly adverse impact on the adjoining dwelling to the west at No. 37 Copse Wood Way to warrant refusal on this issue. The current relationship between the existing dwelling on the application site and No. 37 is finely balanced. The substantial drop in ground level between the two, at approx. 2.3m, is managed by the existing dwelling through having the two storey element set away from this boundary and with lowered eaves that permit a first storey with rooms partially in the roofspace. The current proposal would bring the two storey elements much closer to the side, from the current 2.3m reducing to 1.5 and further out to the rear by 7.6m and to a greater eaves height of 0.5m across the full length. This aspect of the building would

appear exceptionally dominant, obtrusive and overbearing when viewed from the rear garden and rear aspects of the main dwelling of No. 37. This impact is further exacerbated due to the lower ground level setting of No. 37 and the orientation which would cause a significant degree of overshadowing during the afternoon and evening periods.

The Design and Access statement accompanying the application cites other properties within the estate of this size. However, these are on either larger plots or do not have the same sharp difference in gradients.

Paragraph 4.12 of the Hillingdon Design and Access Statement: Residential Layouts requires a 21 metre distance separation between facing habitable room windows to ensure no loss of privacy would occur. There exists more than this distance to the front and rear of the property. Therefore it is considered the most pertinent consideration would be overshadowing and overlooking to the properties either side. No windows to primary rooms are proposed to the sides of the property, therefore it is considered that there is unlikely to be a problem of overlooking.

The relationship of the proposal with the dwelling to the west at No. 41 is considered to be satisfactory given the siting and layout of No.41 in relation to the development and the fact that No.41 is sited on higher ground level.

As such, the proposal is considered as an un-neighbourly, dominant and obtrusive form of development which would be contrary to Policies BE19 BE20 and BE21 of the Hillingdon Local Plan - Part 1 and Part 2, Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions and the London Plan (2011).

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

The size of the dwelling at well over 400 sq.m and the size of the amenity space at over 400 sq.m would easily meet London Plan and Council standards. It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policies 3.5 and 5.3 of the London Plan (2011).

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

The driveway is proposed to remain in the same place as existing and the present parking arrangements would suffice for the new dwelling. The proposed dwelling would continue to benefit from sufficient off road parking to the front driveway. Therefore, the proposed development would comply with Policy AM7, AM14 and BE19 of the Hillingdon Local Plan - Part 1 and Part 2 Strategic Policies.

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

The issues relating to urban design have been covered in Section 7.07 of the report. Issues relating to security would be covered by the imposition of a secure by design condition in the event of any approval.

#### **7.12 Disabled access**

The proposed dwelling incorporates some of the Lifetime Home standards. However, a significant number of amendments are required to make the proposal compliant, as set out in the comments of the Council's Access Officer. As such, the proposal would fail to meet relevant Lifetime Home Standards, contrary to Policy 3.8 of the London Plan (2011) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

#### **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 and TPO 398 A1.

The proposal suggests maintaining the current trees at the front of the site, although the accuracy of the planning application plans compared with those submitted with the independent tree report is in question. In the absence of sufficient information, highlighted in the Landscape Officer's response, a reason for refusal is recommended on these grounds.

**7.15 Sustainable waste management**

Adequate refuse storage can be accommodated within the property.

**7.16 Renewable energy / Sustainability**

No specific measures are highlighted in the design, although appropriate measures could be included in the proposal, and secured through the imposition of appropriate conditions.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

The objections raised are responded to 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**

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**

Not applicable to this application.

**10. CONCLUSION**

The proposal in its current form is unacceptable by reason of design, bulk and massing and impact on residential amenities of the neighbouring property, No.37. The application is therefore recommended for refusal.

**11. Reference Documents**

Hillingdon Local Plan (November 2012)

HDAS: Residential Layouts

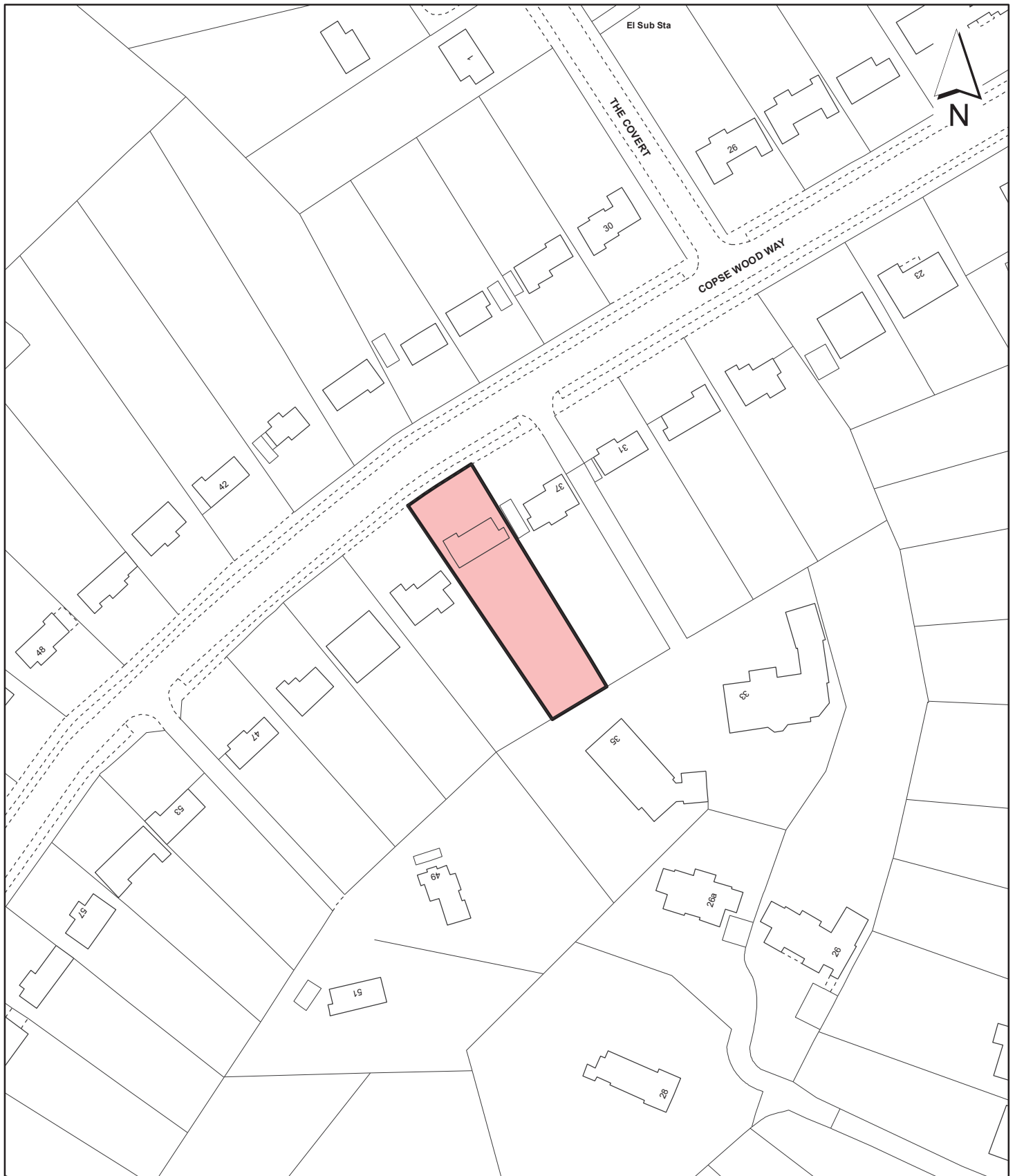
HDAS: Residential Extensions



The London Plan 2011

Supplementary Planning Document: Accessible Hillingdon

**Contact Officer:** Clare Wright

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<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;"><b>39 Copse Wood Way Northwood</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>11007/APP/2012/2233</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>North</b></p>	<p>Date</p> <p style="text-align: center;"><b>December 2012</b></p>	
		 <b>HILLINGDON</b> <small>LONDON</small>	