

## Report of the Head of Planning & Enforcement Services

**Address** LONDON SCHOOL OF THEOLOGY GREEN LANE NORTHWOOD

**Development:** Erection of 3 detached 5/6 bedroom houses incorporating integral garages and roofspace accommodation, with associated vehicular access and amenity space (involving removal of existing tennis courts).

**LBH Ref Nos:** 10112/APP/2012/2057

**Drawing Nos:** PL/010729/04 Rev. A  
PL/010729/01  
PL/010729/09 Rev. A  
PL/010729/14 Rev. A  
PL/010729/16 Rev. A  
PL/010729/18 Rev. B  
Design and Access Statement, July 2012  
LAN17811-01D  
01C  
PL/010729/13 Rev. C  
PL/010729/17 Rev. C  
02C  
PL/010729/19  
PL/010729/20  
BAN17811-03  
3029/ATR/004 Rev. B  
Arboricultural Impact Assessment (Ref: BAN17811aiaC)  
Arboricultural Method Statement (Ref: BAN17811ams)  
Tree Report (Ref: BAN17811trb)  
Landscape Specification (Ref: BAN17811trB)  
Archaeological Desk-based Assessment, dated April 2008  
Ecological Appraisal, dated 16/8/11  
Sports Policy Advice Note, dated 31/7/12  
PL/010729/TMP1  
Agent's Covering Email dated 23/10/12  
PL/010729/02 Rev. F  
PL/010729/SR1 Rev. D  
PL/010729/03 Rev. C  
PL/010729/07 Rev. C  
PL/010729/08 Rev. C  
PL/010729/12 Rev. C  
Agent's covering email dated 23/10/12  
Agent's covering email dated 12/11/2012  
PL/010729/11 Rev. A  
PL/010729/05 Rev. D  
PL/010729/06 Rev. E  
PL/010729/10 Rev. E  
PL/010729/15 Rev. E  
BAN17811-11B  
Letter from School

**Date Plans Received:** 21/08/2012  
21/08/2012

**Date(s) of Amendment(s):** 12/11/2012  
23/10/2012

Date Application Valid:

14/11/2012

21/08/2012

07/12/2012

28/11/2012

## 1. SUMMARY

This application seeks permission to erect 3 detached 5/6 bedroom houses on the north western corner of the grounds of the London School of Theology which has a separate access from College Way. This part of the college grounds currently provides two tennis courts, albeit they do not appear to be in use.

This scheme, and a similar previous scheme for residential development on this site has formed the subject of protracted officer discussions which has resulted in various amendments being made to the scheme.

In terms of the principle of the development, the college grounds do not have any specific designation and the S106 contribution towards alternative provision of the tennis courts that would be lost is considered acceptable. On this basis, the Council's Green Spaces Team are supportive of the proposals and Sport England do not raise an objection.

It is considered that the siting, scale and design of the houses is acceptable and the layout would safeguard existing trees and respect the parkland setting provided by the college grounds. Furthermore, the houses would not adversely affect the amenities of surrounding residential occupiers and would provide adequate amenities for their future occupiers. Vehicular access on College Way and Dene Road, which are private roads, although not ideal, is acceptable for residential, servicing and construction traffic. The overall package of S106 contributions, which includes an education contribution is considered to be commensurate with the scale of development.

The scheme is recommended for approval.

## 2. RECOMMENDATION

**That delegated powers be given to the Head of Planning, Sport and Green Spaces to grant planning permission, subject to the following:**

**1. That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:**

**(i) Tennis Court Re-provision: a financial contribution in the sum of £30,116.50**

**(ii) Education Contribution: a financial contribution in the sum of £38,389**

(iii) **Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).**

**2. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.**

**3. If the S106 Agreement has not been finalised within 6 months, the application to be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.**

**4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**

**5. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.**

**6. That if the application is approved, the following conditions be attached:**

**1 RES3 Time Limit**

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

**REASON**

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

**2 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL/010729/01, 02 Rev. F, 03 Rev. C, 04 Rev. A, 05 Rev. D, 06 Rev. E, 07 Rev. C, 08 Rev. C, 09 Rev. A, 10 Rev. E, 11 Rev. A, 12 Rev. C, 13 Rev. C, 14 Rev. A, 15 Rev. E, 16 Rev. A, 17 Rev. C, 18 Rev. B, 19, 20, PL/010729/SR1 Rev. D, LAN17811-01D, BAN17811-03, BAN17811-11B, 3029/ATR/004 Rev. B, PL/010729/TMP1 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (July 2011).

**3 RES6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and 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 RES7 Materials (Submission)**

No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

1. Samples of all materials and external surfaces,
2. Details of timber fenestration, including materials and design of the Juliette balconies,
3. Details of front porch: columns and brick piers etc

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

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan (November 2012).

### **5 RES8 Tree Protection**

No site clearance or construction work shall take place until:

- 1.a The protective fencing has been erected in accordance with the approved details, and
- 1.b The implementation of the approved tree protection measures and all works in full accordance with the approved method statement and relevant details.

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

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

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

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

### **6 RES9 Landscaping (including refuse/cycle storage)**

No development shall take place until details of landscape maintenance have been submitted to and approved in writing by the Local Planning Authority. Details of landscape maintenance shall include: -

- (a) Landscape Maintenance Schedule for a minimum period of 5 years.
- (b) Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies

(November 2012).

**7 RES10 Tree 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 BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

**REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

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

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

**REASON**

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

**9 RES12 No additional windows or doors**

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

**REASON**

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

RES13

~~To~~ ~~the~~ ~~first~~ ~~floor~~ ~~bathroom~~ ~~Obscure~~ ~~Glazing~~ windows in the side elevations of the houses shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

**11 HO7 No roof gardens**

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

REASON

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

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

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

REASON

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

**13 RES16 Code for Sustainable Homes**

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

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

REASON

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

**14 NONSC Non Standard Condition**

Prior to the occupation of the houses, a scheme for reducing traffic speeds and the provision of lighting on College Way shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained for so long as the development remains in existence.

REASON



To safeguard highway and pedestrian safety, in accordance with Policy AM7(ii) of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

**15 NONSC Non Standard Condition**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

**REASON**

The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of any remains of archaeological importance prior to development, in accordance with recommendations given by the borough and in the NPPF and Policy BE3 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

**16 NONSC Non Standard Condition**

Prior to the commencement of development a plan showing the incorporation of at least 2 bat boxes on the buildings, shall be submitted to and approved in writing by the Local Planning Authority. The development must proceed in accordance with the approved plan.

**REASON**

To provide environmental enhancements in accordance with London Plan Policy 7.19 and Policy EC5 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

**17 RES24 Secured by Design**

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

**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 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.

NPPF1	
NPPF6	
NPPF7	
NPPF11	
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.18	(2011) Education Facilities
LPP 3.19	(2011) Sports Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
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
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
EC2	Nature conservation considerations and ecological assessments
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE10	Proposals detrimental to the setting of a listed building
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.
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H5	Dwellings suitable for large families
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community,



R17	religious, cultural or entertainment facilities Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

### **3            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).

### **4            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.

### **5            115            Control of Environmental Nuisance from Construction Work**

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

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

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

## **6 121 Street Naming and Numbering**

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

## **7 159 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies.

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

## **8**

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development.

## **9**

The development of this site is likely to damage historic assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines. Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site. The findings will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further archaeological fieldwork is likely to be necessary.

### **3. CONSIDERATIONS**

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

The proposed development site has an area of approximately 0.2ha and forms the north western corner of the grounds of the London School of Theology which is situated on the north side of Green Lane. The main college buildings are located to the south west of the proposed development site, with the college's main access taken from Green Lane. The proposed development site mainly comprises hard surfaced tennis courts and boundary vegetation. There is a significant change in levels across the college site, with this site occupying higher ground to the north.

Adjoining the site to the north and west are traditional residential areas. To the west of the adjoining rear garden of No. 9 Green Lane is the Grade II listed No. 7 Green Lane, The

Grange Country House and The Hall School. Beyond the more modern houses which front College Way immediately to the north of the site are houses on Dene Road which form part of an Area of Special Local Character, a designation which also includes a small corner of the college grounds further to the east. To the west of the houses on College Way is a secondary vehicular access into the college grounds taken from Dene Road, via College Way, which is not currently used. On the southern side of Green Lane, opposite the college, residential properties form part of The Glen Conservation Area. The site is covered by TPO\_481.

### **3.2 Proposed Scheme**

The proposal is for the erection of 3 two storey detached five bedroom houses with roof space accommodation, on part of the college grounds which currently provide two tennis courts, with associated access, amenity space and landscaping. The houses would incorporate an integral single garage and the accommodation in the roof would comprise a fifth bedroom and TV/Games room/possible additional bedroom.

The houses would front an extended access road and have a similar siting, scale and design. The properties would have a typical width of 9.4m and maintain a spacing between the properties of 3.1m and 4.1m between their two storey flank elevations and the houses at each end would maintain a 3m spacing to the side boundaries of the application site. The properties would have an overall two storey depth of 15.4m which includes a projecting two storey front gable. The houses would have hipped roofs, with a small crown roof element with small front and rear dormers and side rooflights and have a typical eaves height of 5.6m and ridge height of 9.05m. They would incorporate a front mono-pitched canopy over the garage and entrance door which returns along the side to cover a projecting single storey side element. At the rear, the houses incorporate single storey flat roofed additions. Access would be from College Way.

The application is supported by the following documents:

Design and Access Statement:

This describes the site and its planning history and summarises relevant planning policy and government guidance. It goes on to describe the planning history and provide a brief assessment of the impact of the proposals. It concludes by stating that this is a high quality development appropriate to the area. There are no constraints that preclude residential development on this site and the proposal satisfies all relevant criteria.

Sports Policy Advice Note:

This provides the background to the report and advises that the existing tennis courts are disused, not required for use by the school, and are not accessible by the public. It discusses consultation procedures and considers status of Sport England response to be non-statutory. However, the note goes on to advise that the applicant is committed to the principle of re-provision and enabling community access to new sporting facilities. The note then goes on to describe the policy background and the need for replacement facilities. It concludes by stating that the Council has made clear that this is an area where tennis court provision exceeds demand. Furthermore, the school do not require a replacement tennis court and any facility would be underused and a waste of resources. An alternative mitigation strategy has therefore been developed with the Council's Open Spaces Team, with the applicant providing an equivalent capital sum of replacing tennis courts or replacing existing tennis facilities within the area.

Tree Report:

This describes the methodology of the study and assesses existing trees on site.

Arboricultural Impact Assessment:

This provides the background to the proposals and assesses the impact of the development on retained trees. Its main conclusions are that no tree would need to be removed to facilitate the development and that where development does encroach upon the root protection areas of retained trees, sensitive surface construction techniques will be required. The overall relationship between proposed buildings and trees is sustainable.

Arboricultural Method Statement:

This provides an introduction to the report and describes the phasing of operations on site and then goes on to provide a detailed description of those works.

Landscape Specification:

This provides a detailed specification for the planting works.

Ecological Appraisal:

This describes the methodology and describes the findings. It concludes that the site has minimal ecological value, mainly provided by the scattered mature trees and suggests that introducing bat boxes could be a low cost ecological enhancement of the site.

Archaeological Desk-based Assessment:

This describes the larger college site, the methodology employed and relevant planning policy. The archaeological and historical background is provided, together with an overview of past archaeological investigations and findings. The archaeological potential of the site is assessed, together with the impacts of development. It concludes by suggesting that a further programme of archaeological evaluation should be undertaken.

Letter from the School:

A letter has also been received from the school stating that they are facing financial difficulties and the land in question is a financial burden and surplus to operational requirements. They advise that the sale of the land will put the school on a more secure footing and the tennis courts are not available to the public and due to lack of use, have become dilapidated and unplayable and will continue to decline further. Through the mechanism of a S106 agreement, a substantial payment is being made to upgrading tennis facilities within the Borough which will result in significant benefits to the community given local courts at Northwood Recreation Ground are in need of modernisation. The houses would be a high quality residential development that will help the school to continue to be a vital part of the local community. The school respectfully ask that the committee approve the development.

### **3.3 Relevant Planning History**

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

Prior to the grant of a hybrid application on 14/07/09, which was subsequently renewed on

the 15/04/11 for works to the college (Refs. 10112/APP/2009/707 and 2010/2915 refer respectively), an earlier application for the work to the school also included two houses on the north western half of the current proposed development site, accessed from College Way and a new multi-use games area (MUGA) on the south eastern half (Ref: 10112/APP/2008/2564 refers). This earlier application was refused on the 3/3/09 due to the impact of the use of the MUGA and its 5 metre high fencing on the future occupiers of the new houses and that it had not been adequately demonstrated that the residential units would afford adequate amenity, particularly having regard to the need for a turning head on the site to allow vehicles to service the units, compliance with Council standards for new houses, the proximity of adjoining residential properties and the use of the MUGA, including that of the community required by Sport England.

A subsequent application on this site (10112/APP/2011/2345) for 4 x four-bedroom semi-detached houses and 1 x five-bedroom detached house with associated access, parking and landscaping was withdrawn on 15/8/12.

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

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

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

Part 1 Policies:

- PT1.7 To promote the conservation, protection and enhancement of the archaeological heritage of the Borough. Replaced by PT1.HE1 (2012)
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area. Replaced by PT1.BE1 (2012)
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere. Replaced by PT1.EM6 (2012)
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards. Replaced by PT1.BE1 (2012)
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

NPPF1

NPPF6

NPPF7

NPPF11

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 3.8 (2011) Housing Choice

LPP 3.18	(2011) Education Facilities
LPP 3.19	(2011) Sports Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
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
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
EC2	Nature conservation considerations and ecological assessments
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE10	Proposals detrimental to the setting of a listed building
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.
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H5	Dwellings suitable for large families
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion



	and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

159 neighbouring properties have been consulted and a notice has been displayed on site. 9 individual responses and a petition with 35 signatures has been received and received. The petition states:

'The undersigned residents would urge the Planning Committee North to reject the above applications since the proposal is;

Overdevelopment;

Out of keeping with houses already in the immediate locality;

Too close to the boundary with existing houses;

Would cause major traffic and access problems along College Way and Dene Road if permitted to use these roads during any construction.'

The individual responses make the following points:

### Density

(i) 3 houses on this plot is too dense for the surrounding area where immediately surrounding houses, including those in College Way, Dene Road and Green Lane have significant gardens. Previous application for 2 houses on a slightly smaller area was rejected by planning committee in February 2009 on density grounds,

(ii) Current proposal is for 3 houses on a 0.75 acre site giving a superficial density of 0.25 acre per site but this is misleading as includes parking, pavement and turning areas. The norm locally is 0.25 acre per house, not including pavements etc. This density should be maintained if any development is to blend with neighbourhood. Most recent development approved by committee close to College Way near corner of Dene Road was for a single house on a 0.25 - 0.3 acre plot,

### Character

(iii) Development must be sensitive to the local environment and in keeping with the neighbouring houses which this proposal does not do. House size and style represent a significant departure

from surrounding housing,

#### Proximity and screening

(iv) Side walls of houses are too close to the boundary with the gardens of the houses in College Way, which although they may possibly comply with standards, are well below the already established standards in the area which should be maintained,

(v) Proposed 3 storey houses are on land considerably higher than properties to the south west: Westwood and Green Close (7 and 9 Green Lane), from where the properties would appear bulky and intrusive and block attractive vistas, harmful to living conditions,

#### Impact upon listed building

(vi) 7 Green Close is a listed building dating back to c1600 and this proposal would harm its setting,

#### Screening

(vii) The houses could have been screened by the large trees and bushes that were on site but were removed in October 2011. Although not subject to TPOs, they were significant mature trees. Even new planting will take many years until previous situation is restored,

#### Loss of tennis courts

(viii) Object to demolition of tennis courts as provide important facility to students,

#### Service road

(ix) Service road would be situated on ground that is steeply sloping and no information has been provided. It is therefore possible that a retaining wall would be required which could affect adjoining mature trees and be intrusive. It is also not clear how the service road would drain,

#### Occupation

(x) Assume the large houses are for members of the public and not the college,

#### Road Access

(xi) Access to these properties would be from College Way via Dene Road. This is a private road and will increase unwanted traffic which would be inconvenient within this over-developed area, resulting in road becoming dangerous and unsafe for children who use it,

(xii) There is a narrow point, adjacent to 9 College Way which restricts access. Refuse collection and recycling vehicles have to reverse into College Way as there is no realistic opportunity to turn a large vehicle once in College Way and the turn into the cul-de-sac is restricted and difficult,

(xiii) When trees cleared in October 2011, one of machines needed to be loaded onto a transporter in College Way which blocked traffic,

(xiv) In past, residents of College Way have received written undertaking from college that construction traffic would not use this road. There is an alternative route through the college grounds which could be conditioned,

(xv) Important any building work for any development on this site is totally serviced through college grounds, as any access via College Way is restricted via a narrow passage next to 9 College Way and any construction traffic will block narrow cul-de-sac and cause problems at narrow junction with Dene Road. Site can be accessed through college's property from Green Lane and school previously agreed that College Way would be used for construction traffic,

(xvi) Building works will damage private road, which is paid for by residents,

Dene Road Residents Association:

1. We fully support our College Way residents in their opposition to the development on the grounds of its scale inappropriate to the environment and will respond to application through correct channels,
2. Any building works on the London School of Theology land must be conditional on development traffic gaining access to the site only from Green Lane via the School property. Access via Dene Road (a private road with public access), is completely inappropriate due to the following:-
  - a. The light construction of Dene Road, a consequence of it being one of Northwood's earliest established streets from the late Victoria period,
  - b. The residents have recently spent £165,000 to make the road structure suitable to take the traffic levels appropriate for a local residential street. Our engineers made it abundantly clear that the road cannot be subjected to heavy plant traffic without sustaining structural damage,
  - c. The turning into College Way from Dene Road cannot be negotiated by heavy plant and is difficult for the 6-wheel LBH refuse vehicles,
  - d. The narrowing entrance from College Way onto the School property gives insufficient width for the safe passage of heavy plant.

I hope that you can appreciate our concerns on this matter and would like you to add the appropriate planning conditions to the application regarding site access during the development phase.

Environment Agency:

This site is in Flood Zone 1 and is under a hectare. Therefore cell F5 of the consultation matrix applies and you did not need to consult us.

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

We recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development.

Sport England:

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies.'

Reason: Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities.

Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

The application comprises the erection of three residential dwellings on some former tennis courts. The site falls within the definition of playing field land, albeit the application does not propose the loss of any grass pitches, only the two former tennis courts. The applicant has submitted a 'Sports Policy Advice Note' as part of the application which seeks specifically to address the 'loss of tennis court' issue. Within this document is a commentary stating that Sport England is not a statutory consultee to this application. I would request that this statement be disregarded as it is factually incorrect. Sport England itself and the local planning authority is best placed to determine the role of statutory consultees and the applicant is mistaken in his advice in this regard.

Notwithstanding the above, you will recall that Sport England commented on the previous application. Initially, Sport England registered an objection on the basis of the loss of the tennis courts. However, subsequent to that, further information was received from Stuart Hunt [LB of Hillingdon Green Spaces Manager] confirming a surplus of tennis courts in the area and that the local authority are keen to improve the courts at Northwood, through a financial contribution. It is understood that these courts are currently under used due to their condition.

On the basis of that information, Sport England was minded to withdraw its objection in lieu of a financial contribution towards the improvement of the tennis courts at Northwood.

As part of this current application, it is understood that a sum of monies has been agreed. That sum, as stated within the submitted 'Sports Policy Advice Note', is £30,116. From a Sport England perspective, our review remains consistent with that previously given, and we are minded to raise no objection subject to a financial contribution towards the improvement of the tennis courts at Northwood.

As such Sport England raises no objection to the proposed development subject to:

- i. Confirmation from the local planning authority that the sum of £30,116 is agreeable and sufficient
- ii. The successful completion of a S106 agreement securing the agreed sum and committing the local authority to spending said sum on qualitative improvements to Northwood tennis courts.

Should your Authority be minded to approve the application without an acceptable section 106 agreement or other legal mechanism in place, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG Sport England, letter of 10 March 2011, the application should be referred to the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

English Heritage (Archaeology):

The site is situated in an area where archaeological remains may be anticipated, primarily the presence of a 13th century medieval monastic grange to the immediate west of the site. Map and documentary regression shows that the Northwood area gradually developed throughout the

medieval period, although the site was likely in pasture or used as arable land for much of that period. The proposed development may, therefore, affect remains of archaeological importance.

I do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition and appropriate informative to any consent granted under this application. This is in accordance with the NPPF and local policies.

Natural England:

This application is in close proximity to Ruislip Woods Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites.

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected by this application.

Our Standing Advice Species Sheet: Bats provides advice to planners on deciding if there is a reasonable likelihood of bats being present. It also provides advice on survey and mitigation requirements.

We have not assessed the survey for badgers, barn owls and breeding birds, water voles, widespread reptiles or white-clawed crayfish. These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

Using Nature on the Map we determined that the application is not within/close to a SSSI or SAC notified for bats. We looked at the survey report and determined that it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. We determined that whilst detailed visual inspections (internal and external where appropriate) had been undertaken, no evidence of a roost was found. We determined that the application does not involve a medium or high risk building as defined in our standing advice. Thus, permission could be granted (subject to other constraints) and that the authority should consider requesting enhancements.

Thames Water:

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. 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.

#### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

Background: The site is located within the grounds of a locally listed building and adjacent to the grade II listed Grange Hall School. There is an existing tennis court on site. The residential area to the immediate vicinity of the site is characterised by large detached dwellings set within spacious gardens.

There have been previous planning refusals and subsequent pre-application discussions re the proposed development.

Comments: The scheme proposes three detached dwellings. The proposed residential dwellings, the footprints are considered large and tight on the boundaries with each other. Given the site's location off the main road and its limited visibility from the surrounding area, the proposed scale and layout would be considered optimum and acceptable in this instance.

The proposed design reflect the 1920s Arts and Crafts architectural style established in the area with features such as the front porch, chimneys, windows and steeply pitched roofs. The appearance of the new dwelling would, therefore, be coherent with the neighbouring areas and would be acceptable.

Given the width of the properties, the design would result in small crown roofs. Whilst not ideal, these would not be visible from main street frontages and as such would be acceptable in this instance.

Conclusion: New houses acceptable with following conditions:

1. Samples of materials to be submitted prior to works on site.
2. All windows should be in timber and details of the fenestration should be submitted at prior to works on site.
3. Details of front porch: columns and brick piers etc should be submitted prior to works.
4. Boundary treatment and landscaping should also be subject to further condition.

HIGHWAY OFFICER:

Each of the proposed 3 dwellings will have a garage and parking within the front curtilage, which is considered adequate. The garages will be of generous width, allowing for cycle parking as well.

It is noted that the access road adjacent to No. 9 College Way leading to the proposed development is narrow and without any provision for pedestrians to walk and/or take refuge. The access road is relatively straight without any speed reduction features, which should be provided and covered by way of a condition. In addition the access road should be adequately lit and drained, which should also be covered by of condition(s).

The applicant has submitted swept path analysis, showing a 10.5m long refuse vehicles can access and egress the site in a forward gear. However, due to the narrow width of the access road, the refuse vehicle will be required to move slowly.

College Way is a private road. Therefore it is the developer's responsibility to ensure that suitable arrangements for access, including construction traffic over College Way are in place before commencing works on site. Likewise, any damage to this private road is also a matter between the owners/management of College Way and the developer.

In light of NPPF and on balance, the proposals are not considered to merit refusal on highways ground.

TREE/LANDSCAPE OFFICER:



The site, which is accessed from College Way, forms part of the sloping grounds of the London School of Theology (LST). The trees and grounds provide a high quality, open, parkland setting to the school.

There are many trees close to this site. Several of those trees in the grounds of the school are subject to tree preservation order number 481 (TPO 481). Most of the trees are, in terms of Saved Policy BE38 of the UDP, landscape features of merit that constrain the development of the site. In relation to the same policy, there is also scope and space on the site for landscaping and tree planting, which should reflect the parkland character of the local landscape and reinforce the vegetation/buffer between the site and neighbouring residential properties.

The revised application contains a comprehensive package of tree-related and landscaping details, including a tree survey report, arboricultural implications assessment (AIA), tree protection plan (TPP) and details of tree protection, and a method statement (AMS) (based on the recommendations of BS 5837:2012), landscaping proposals and specification, and details of levels and services.

The latest revised scheme has been designed to protect all of the existing trees close to the site and to provide landscaping and tree planting that reflects the existing landscape and parkland setting of the school and reinforces the existing buffers.

Subject to conditions RES8 [modified to require that (a) no site clearance works or development shall be commenced until the protective fencing has been erected in accordance with the approved details, and (b) the implementation of the approved tree protection measures and all works in full accordance with the approved method statement and relevant details], RES9 [modified to require (a) the implementation of the approved details of landscaping, (b) the submission and approval of details of landscape maintenance, and (c) that the landscaping shall be maintained in full accordance with the approved details], and RES10, the revised application is acceptable in terms of Saved Policy BE38 of the UDP.

ACCESS OFFICER:

The revised plans are now acceptable.

S106 OFFICER:

The planning obligations sought from this scheme and deemed necessary to make the scheme acceptable in planning terms are:

1. Tennis Court Re-provision: a financial contribution in the sum of £30,116.50
2. Education Contribution: a financial contribution in the sum of £38,389
3. Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).

## **7. MAIN PLANNING ISSUES**

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

The London School of Theology and its grounds have no specific planning designation and are therefore considered to form part of the 'developed area'. As such there would be no objection in principle to a residential use, subject to normal development control criteria.

Of critical importance in this respect are the existing tennis courts on the site. Policy R4 of

the Hillingdon Local Plan (November 2012) advises that proposals involving the loss of land used (or land last used) for recreational open space, including private or school playing fields, will not normally be permitted, with the supporting text advising that an assessment would need to be made, having regard to any local deficiency of accessible open space, the suitability of the site for other types of open land uses and the ecological, structural and other functions of the open space. Policy R5 advises that proposals which involve the loss of land or buildings used (or last used) for outdoor and indoor sports uses (amongst other leisure uses) will not be permitted unless adequate, accessible alternative facilities are available.

The grounds of the college are not publicly accessible. Furthermore, this is not an area that is deficient in open space (London Borough of Hillingdon Open Space Strategy Issue No. 3 dated 9/7/11). As such, it is considered that no objections can be raised to the scheme in terms of Policy R4. Furthermore, as a S106 contribution of £30,116.50, based on quotes for necessary re-furbishment/improvement works for the tennis courts on Northwood Recreation Ground is being offered, the scheme does make alternative provision for tennis court provision that would be likely to be of greater benefit to the wider community. On this basis, the scheme is supported by the Council's Green Spaces Team and Sport England do not raise objection to the scheme.

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

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 2, where 6 is the most accessible and 1 the least. Paragraph 4.2 of the Council's HDAS: Residential Layouts advises that for the purposes of calculating habitable room density, habitable rooms over 20sqm should be counted as two rooms where they could be sub-divided.

Taking the site parameters into account, and using the largest average unit size (3.8 - 4.6 hr/u), the matrix recommends a density of 35-65 u/ha and 150-250 hr/ha. This proposal equates to a density of 15 u/ha and 180 hr/ha, which is below the Mayor's recommended unit density guidance. However, in this locality, the predominant character of the surrounding area comprises low density residential development and it is considered that a higher unit density, more in accordance with the Mayor's guidelines would not be appropriate.

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

Policy BE3 of the Hillingdon Local Plan (November 2012) advises that sites of archaeological interest are investigated and recorded before development and development which destroys important remains will not be permitted.

The application is accompanied by a Archaeological Desk-based Assessment which advises that the site does have archaeological potential and concludes by suggesting that a further programme of archaeological evaluation should be undertaken.

English Heritage (Archaeology) advise that a condition should be attached to any approval, requiring that further investigatory work is carried out.

The proposed houses would be sufficiently remote from the Dene Road Area of Special

Local Character and The Glen Conservation Area on the opposite side of Green Lane so that the character and appearance of these areas would not be unduly affected.

The proposed houses would be sited some 35m from the curtilage of No. 7 Green Lane, separated from this listed property by the width of the curtilage of No. 9 Green Lane and screened by existing mature trees on the boundary. With such a relationship, it is not considered that the proposal would harm the setting of the adjoining listed building.

**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 proposed houses would be sited on land adjoining existing residential development which currently forms part of the grounds of the college, and be sited at the end and fronting an extended College Way. Furthermore, the houses would mainly be sited on the levelled ground which accommodates the tennis courts and therefore the proposal does not involve any significant alteration to existing ground levels. As such, the siting of the houses would not appear unduly conspicuous from surrounding roads.

Also of importance is the impact of the houses upon the parkland setting of the college buildings. Although the proposed houses would be sited in the north western corner of the site, the nearest property would still be sited close (approximately 13m away) to the nearest college building (The Guthrie Centre) to the south east. However, this separation distance is similar to the existing relationship of the main college building with the nearest residential property in Firs Walk to the north. Furthermore, the scheme has been designed, with the grouping of trees in the rear garden and 1.2m high wood and rail fencing with hedging behind along the rear garden boundaries that will help to soften the residential curtilages and help to visually assimilate the gardens into the parkland setting. It is therefore considered that a refusal of permission could not be justified on the encroachment and impact on the college's parkland setting, given the existing relationship of surrounding residential development.

The houses would be sited close to their side boundaries, as compared to some of the more traditional surrounding residential properties, but they would still be set back by some 1.5m from their side boundaries and maintain gaps of 3.1m and 4.1m between their facing two storey side elevations, which accords with Policy BE22 of the Hillingdon Local Plan (November 2012) and would allow views between the houses to the college grounds beyond.

The houses are considered to be well proportioned and detailed, having an appropriate 1920s Arts and Crafts styling, with features such as front canopy/porch, decorative chimneys and steeply pitched roofs. Although the use of crown roofs is not ideal, the flat roof element has been kept to a minimum and given the siting of the houses, the properties would not be visible from main street frontages. On this basis, the Council's Urban Design/Conservation Officer advises that the appearance of the new dwellings would harmonise with neighbouring areas and would be acceptable, subject to details of the materials being submitted.

**7.08 Impact on neighbours**

The nearest residential properties to the proposed houses are Nos. 7 and 9 College Way and No. 9 Green Lane.

As regards Nos. 7 and 9 College Way, the flank wall of the nearest proposed property would be sited some 26m from the rear wall of a rear conservatory at No. 7 and 25m from the main rear elevation of No. 9. These distances would satisfy the Council's minimum 15m separation distance and are considered to be broadly compatible with the more generous separation distances between properties and the overall spacious character of the surrounding area. The only loss of sunlight would be to the end of the rear gardens of adjoining properties in College Way, areas which are already overshadowed by existing boundary vegetation, particularly during the summer months.

As regards loss of privacy, it is only the rear patio at No. 9 Green Lane that would potentially be directly overlooked by first floor habitable room windows, but at over 30m away, this property and its rear patio area would be sufficiently remote to retain its privacy, particularly as there are a number of mature trees that would screen its rear garden.

As such, it is considered that the scheme complies with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012).

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

The proposed houses would have in excess of 300 sq. m of internal floor area which would satisfy the London Plan floor space standards for new development.

All the habitable rooms would have an adequate outlook and natural lighting to provide adequate amenity for future occupiers. First floor en-suite and bathroom windows have been conditioned to be obscure glazed to prevent mutual overlooking and a typical cross section plan shows the side rooflights positioned 1.7m above finished floor level to prevent loss of privacy. The scheme has also been amended so that access onto the flat roof of the rear addition is prevented and a condition has been added to restrict use of the flat roof area that would result in a loss of privacy to neighbouring properties.

The areas of rear amenity space range from 220sqm on Plots 2 and 3 to 250sqm on Plot 1 which satisfies the Council's 100sqm minimum standard for a 4 bedroom plus house.

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

The proposed houses would each have an integral garage with internal dimensions of (5.4m x 3.3m) and the driveway in front to park an additional car. This level of off-street parking satisfies adopted car parking standards. The garages would also allow cycles to be securely stored.

The Council's Highway Engineer advises that the access road adjacent to No. 9 College Way leading to the proposed development is narrow and without any provision for pedestrians to walk and/or take refuge. Furthermore, the access road is relatively straight without any speed reduction features, which should be provided and covered by way of a condition. In addition the access road should also be adequately lit and drained, which should also be covered by condition(s).

The officer goes on to advise that the applicant has submitted swept path analysis, showing a 10.5m long refuse vehicles can access and egress the site in a forward gear. However, due to the narrow width of the access road, the refuse vehicle will be required to move slowly.

College Way is a private road. Therefore it is the developer's responsibility to ensure that suitable arrangements for access, including construction traffic over College Way are in place before commencing works on site. Likewise, any damage to this private road is also a matter between the owners/management of College Way and the developer.

The Highway Engineer concludes that in light of NPPF and on balance, the proposals are not considered to merit refusal on highway grounds.

**7.11 Urban design, access and security**

A security by design condition has been added.

**7.12 Disabled access**

The scheme has undergone a number of revisions based upon the Access Officer's advice. The Access Officer confirms that the revised scheme is fully compliant with the relevant Lifetime homes standards and raises no further concerns.

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

Not applicable to this application.

**7.14 Trees, Landscaping and Ecology**

Policy BE38 of the Hillingdon Local Plan (November 2012) requires development proposals to retain and utilise topographical and landscaper features of merit and provide new planting and landscaping where necessary.

The Council's Tree/Landscape Officer advises that the site forms part of the sloping grounds of the college and that the trees and grounds provide a high quality, open, parkland setting to the school.

Furthermore, the officer advises that there are many trees close to this site, several of which in the grounds of the school are subject to tree preservation order number 481 (TPO 481). It is considered that most of the trees are, in terms of Policy BE38, landscape features of merit that constrain the development of the site. There is also scope and space on the site for landscaping and tree planting, which should reflect the parkland character of the local landscape and reinforce the vegetation/buffer between the site and neighbouring residential properties.

The Tree/Landscape Officer is satisfied with the package of tree information that has been submitted in the revised application which allows a proper assessment of the proposals to be made.

The officer concludes that the latest revised scheme has been designed to protect all of the existing trees close to the site and to provided landscaping and tree planting that reflects the existing landscape and parkland setting of the school and reinforces the existing buffers. In particular, the garden boundaries adjoining the retained college grounds at the rear would be marked by 1.2m high wooden post and rail fencing with hedging behind which will help soften the boundaries.

Subject to conditions, the Tree Officer advises that the scheme is acceptable in terms of Policy BE38 of the Hillingdon Local Plan (November 2012).

**7.15 Sustainable waste management**

No specific issues are raised by the proposed scheme.

**7.16 Renewable energy / Sustainability**

A condition has been attached to ensure that the houses satisfy Level 4 of the Code for Sustainable Homes.

**7.17 Flooding or Drainage Issues**

The application site is not within an area at risk of flooding. A sustainable drainage condition has been attached.

**7.18 Noise or Air Quality Issues**



No specific noise or air quality issues are raised by this application.

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

As regards the comments raised by the petitioners, these have been dealt with in the main report. In terms of the points raised by individuals, (i), (iii) - (ix) and (xi - xvi) have been dealt with in the main report. As regards point (ii), the access road still contributes to the general openness of the area and if the area of the access road is excluded from the density calculation, the scheme would have a density of 19, still well below the Mayor's density guidelines. As regards point (x) the housing would be for members of the public and not the college.

#### **7.20 Planning Obligations**

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Should the application be approved, a number of planning obligations would be sought to mitigate the impact of the development. These include a £30,116.50 contribution for tennis court re-provision, an education contribution of £38,389 and a project management and monitoring sum: a financial contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement (£3,425.28).

The applicant has agreed to these proposed Heads of Terms, which are to be secured by way of a S106 Agreement/Unilateral Undertaking. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the UDP and relevant supplementary planning guidance.

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

Not applicable to this application.

#### **7.22 Other Issues**

There are no other relevant planning issues on this site.

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

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

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

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

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of



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

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

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

Not applicable to this application.

#### **10. CONCLUSION**

The college grounds do not have any specific designation and are not publicly accessible. The S106 contribution towards alternative provision of the tennis courts is considered acceptable to mitigate the loss of the existing courts. On this basis, the Council's Green Spaces Team are supportive of the proposals and Sport England do not raise an objection.

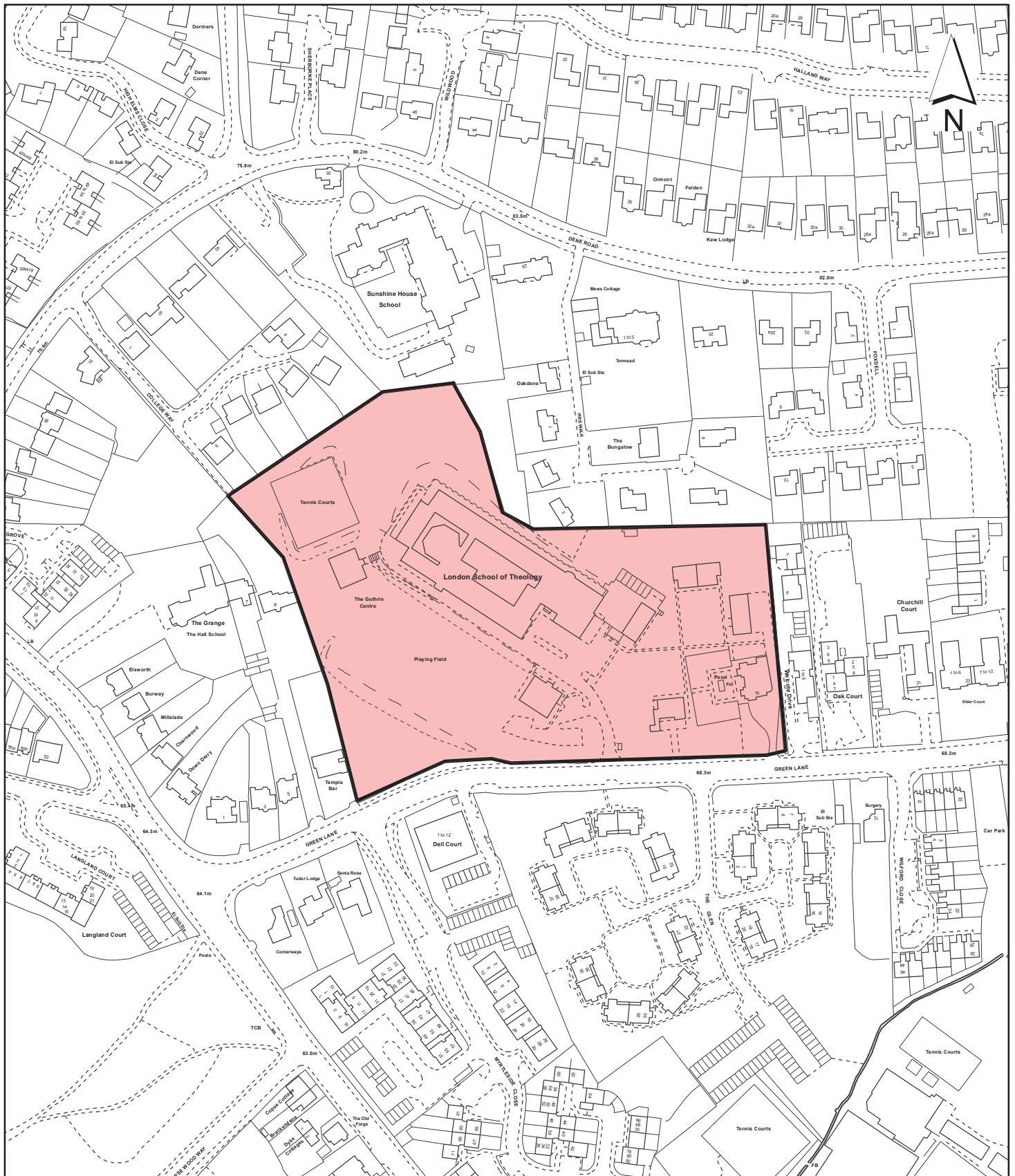
It is considered that the siting, scale and design of the houses is acceptable and the layout would safeguard existing trees and respect the parkland setting provided by the college grounds. Furthermore, the houses would not adversely affect the amenities of surrounding residential occupiers and would provide adequate amenities for their future occupiers. Vehicular access on College Way and Dene Road, which are private roads, although not ideal is acceptable for residential, servicing and construction traffic. The overall package of S106 contributions, which includes an education contribution is considered to be commensurate with the scale of development and the scheme is therefore recommended for approval.

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

National Planning Policy Framework (March 2012)  
London Plan (July 2011)  
Hillingdon Local Plan (November 2012)  
HDAS: Residential Layouts  
HDAS: Accessible Hillingdon  
Consultation responses

**Contact Officer:** Richard Phillips

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**Notes**

Site boundary

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Site Address

**London School of Theology  
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**LONDON BOROUGH  
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 Residents Services**

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 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**10112/APP/2012/2057**

Scale  
**1:2,500**

Planning Committee  
**North**

Date  
**November  
 2012**



**HILLINGDON**  
 LONDON