

Report of the Head of Planning & Enforcement Services

Address FORMER RAF EASTCOTE LIME GROVE RUISLIP

Development: S73 Application to vary the internal layout and external appearance of House Type P (1761) (modifications to conditions 1, 6 and 10 Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development.).

LBH Ref Nos: 10189/APP/2012/3145

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Date Plans Received:	19/12/2012	Date(s) of Amendment(s):	30/11/2007
Date Application Valid:	11/01/2013		02/10/2007
			11/01/2013
			22/02/2013
			20/12/2012
			03/12/2007
			25/02/2013

1. SUMMARY

The application seeks a S.73 amendment to Condition 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 for the redevelopment of RAF Eastcote.

The application is one of five concurrent applications which seeks to regularise the built development at the site, after a number of minor infractions have ensured the scheme has not been built in accordance with the approved plans.

This application relates to House Type P (1761), which is approved in two styles known as Style A and Style B, and seeks to regularise the built development in the following areas:

Plots 290, 293, 308, 318, 322, 324 & 327 (Style A) & Plots 291 & 319 (Style B)

- The approved plans had no roof lights or dormer windows in the rear roof slope with light provided to a 'Bonus Room' from a single dormer window off set in the principal roof slope.

- The development 'as built' has relocated two bedrooms from the first floor of the dwelling into the second floor loft space. Two rooflights have been erected in the rear roof slope to

provide light and outlook to these rooms, which were not on the approved plans. The first floor of the building has been reconfigured to provide an additional living room.

- In addition, the window in the side elevation is proposed to be clear glazed. Condition 7 of reserved matters approval ref: 10189/APP/2007/3046 dated 31/3/2008 required these windows to be obscure glazed.

- On 21st February 2013 the applicant submitted amended plans for plots 318, 319, 322 & 324.

- For Plots 318 & 319 it is proposed that the lower pane of the rooflights would be changed to obscure glazing.

- For Plots 322 & 324 it is proposed that the alignment in the panes of the two rooflights be changed from vertical to horizontal, with the lower cill of the rooflights now being 2 metres above floor level.

The approved consent was for an open plan room at second floor level to avoid the requirement for rooflights on the rear elevation. Under the reserved matters approval the open plan rooms would have been well served for light and outlook by the front and side facing windows.

The applicant has failed to build the dwellings in accordance with the approved plans, due to the splitting of the second floor bonus room into two bedrooms. In order to provide sufficient living conditions for these habitable rooms, the dwellings have been completed with two rooflights in the rear elevation.

It is considered that the roof lights in plots 318, 319, 322 & 324, when combined with the approved rooflights and dormers in plots 316, 317, 320, 321 & 323, would cumulatively result in the unacceptable perception of overlooking from the dwellings on Azalea Walk to the east, causing a significant harm to the residential amenity of these adjoining occupiers. The development is therefore contrary to Policy BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies and is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 R13 Perceived Overlooking Refusal

The proposed development by reason of the accumulation of rooflights and dormer windows on the rear roofslopes of Plots 316 - 324 has resulted in an unacceptable perception of overlooking from the dwellings on the western side of Azalea Walk. This resulting development has not safeguarded a satisfactory residential amenity to the occupiers of these neighboring properties, due a perceived loss of privacy. The development is therefore contrary to Policy BE24 of the Hillingdon Local Plan (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 153 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.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation

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 6.9	(2011) Cycling
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
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

3 159 Councils Local Plan : Part 1 - Strategic Policies

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to nine two storey detached dwellings (Plots 290, 291, 293, 308, 318, 319, 322, 324 & 327) located across the eastern area of the northern section of the former RAF Eastcote site.

Plots 290, 291 are on the western side of the loop road in the northern area of the estate, with their rear elevations facing towards flat Block F within the application site.

Plot 293 is on the eastern side of the loop road in the northern area of the estate, with its rear elevation facing Plot 304 within the application site.

Plot 308 is on the southern side of the loop road in the northern area of the estate, with its rear elevation facing the side boundary line of Plot 292.

Plots 318, 319, 322, 324 are on the eastern side of the loop road in the northern area of the estate and share their rear boundary lines with the rear gardens of dwelling on Azalea Walk to the west of the former RAF Eastcote Site.

Plot 327 is on the southern side of the loop road in the northern area of the estate, with the right of way footpath to the rear of its curtilage and flat Block H2 further to the south.

The larger site is 7.7 hectares in area and is bisected into northern and southern areas by an existing public footpath.

3.2 Proposed Scheme

The application seeks a S.73 amendment to Condition 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 for the redevelopment of RAF Eastcote.

The application is one of five concurrent applications which seek to regularise the built development at the site, after a number of infractions have ensured the scheme has not been built in accordance with the approved plans.

This application relates to House Type P (1761), which is approved in two styles known as Style A and Style B, and seeks to regularise the built development in the following areas:

Plots 290, 293, 308, 318, 322, 324 & 327 (Style A) & Plots 291 & 319 (Style B)

- The approved plans had no roof lights or dormer windows in the rear roof slope with light provided to a 'Bonus Room' from a single dormer window off set in the principal roofslope.
- The development 'as built' has relocated two bedrooms from the first floor of the dwelling into the second floor loft space. Two rooflights have been erected in the rear roofslope to provide light and outlook to these rooms, which were not on the approved plans. The first floor of the building has been reconfigured to provide an additional living room.
- In addition, the window in the side elevation is proposed to be clear glazed. Condition 7 of reserved matters approval ref: 10189/APP/2007/3046 dated 31/3/2008 required these windows to be obscure glazed.
- On 21st February 2013 the applicant submitted amended plans for plots 318, 319, 322 & 324.
- For Plots 318 & 319 it is proposed that the lower pane of the rooflights would be changed to obscure glazing.
- For Plots 322 & 324 it is proposed that the alignment in the panes of the two rooflights be changed from vertical to horizontal, with the lower cill of the rooflights now being 2 metres above floor level.

3.3 Relevant Planning History

10189/APP/2004/1781 Raf Eastcote Lime Grove Ruislip

REDEVELOPMENT FOR RESIDENTIAL PURPOSES AT A DENSITY OF UP TO 50 DWELLINGS PER HECTARE, INCLUDING AFFORDABLE HOUSING, LIVE-WORK UNITS, A COMMUNITY FACILITY AND OPEN SPACE (OUTLINE APPLICATION)

Decision: 06-03-2006 Approved

10189/APP/2007/2463 Raf Eastcote Lime Grove Ruislip

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) FOR ERECTION OF 385 RESIDENTIAL UNITS IN COMPLIANCE WITH CONDITION 2 TOGETHER WITH DETAILS OF RESIDENTIAL DENSITY, COMMUNITY FACILITY, SUSTAINABILITY AND ENERGY ASSESSMENT, REFUSE AND RECYCLING STORAGE, SITE SURVEY PLAN, LANDSCAPING, FLOOD RISK ASSESSMENT, SURFACE WATER SOURCE CONTROL MEASURES AND ACCESS STATEMENT IN COMPLIANCE WITH CONDITIONS 7, 11, 14, 19, 20, 21, 23, 26, 33, 34 & 37 OF OUTLINE PLANNING

PERMISSION REF: 10189/APP/2007/3383 DATED 21/02/08 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'

Decision: 31-03-2008 Approved

10189/APP/2007/3046 Raf Eastcote Lime Grove Ruislip

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) FOR ERECTION OF 385 RESIDENTIAL UNITS IN COMPLIANCE WITH CONDITION 2 TOGETHER WITH DETAILS OF RESIDENTIAL DENSITY, COMMUNITY FACILITY, SUSTAINABILITY AND ENERGY ASSESSMENT, REFUSE AND RECYCLING STORAGE, SITE SURVEY PLAN, LANDSCAPING, FLOOD RISK ASSESSMENT, SURFACE WATER CONTROL MEASURES AND ACCESS STATEMENT IN COMPLIANCE WITH CONDITIONS 7, 11, 14, 19, 20, 21, 23, 26, 33, 34 & 37 OF OUTLINE PLANNING PERMISSION REF: 10189/APP/2007/3383 DATED 21/02/08 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'

Decision: 31-03-2008 Approved

10189/APP/2008/2699 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plot 17 (Application to vary parts of the approved layout under reserved matters approval ref.10189/APP/ 2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/02/2008 'Redevelopment of site for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 07-11-2008 Refused

10189/APP/2008/2702 Raf Eastcote Lime Grove Ruislip

PROVISION OF OPTIONAL CONSERVATORY TO PLOT 13 (APPLICATION TO VARY PART OF THE APPROVED LAYOUT UNDER RESERVED MATTERS APPROVAL REF.10189/APP/ 2007/3046 DATED 13/03/2008) (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING IN COMPLIANCE WITH CONDITION 2 OF OUTLINE PLANNING PERMISSION REF.10189/APP/2007/3383 DATED 21/02/2008 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'.)

Decision: 26-11-2008 Approved

10189/APP/2008/2703 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plot 24 (Application to vary parts of the approved layout under reserved matters approval ref.10189/APP/ 2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/02/2008 'Redevelopment of site for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 07-11-2008 Refused

10189/APP/2008/2704 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plot 83 (Application to vary parts of the approved layout under reserved matters approval ref.10189/APP/ 2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/02/2008 'Redevelopment of site for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 07-11-2008 Refused

10189/APP/2008/2706 Raf Eastcote Lime Grove Ruislip

PROVISION OF OPTIONAL CONSERVATORY TO PLOT 84 (APPLICATION TO VARY PART OF THE APPROVED LAYOUT UNDER RESERVED MATTERS APPROVAL REF.10189/APP/ 2007/3046 DATED 13/03/2008) (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING IN COMPLIANCE WITH CONDITION 2 OF OUTLINE PLANNING PERMISSION REF.10189/APP/2007/3383 DATED 21/02/2008 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'.)

Decision: 26-11-2008 Approved

10189/APP/2008/2708 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plots 147, 148 and 149 (Application to vary parts of the approved layout under reserved matters approval ref. 10189/APP/2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/02/2008 'Redevelopment of site for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 12-11-2008 Refused

10189/APP/2008/2709 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plots 7 and 82 (Application to vary parts of the approved layout under reserved matters approval ref.10189/APP/ 2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/2/2008 'Redevelopment of site for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 07-11-2008 Refused

10189/APP/2008/2711 Raf Eastcote Lime Grove Ruislip

Provision of optional conservatories to Plots 132, 133 and 134 (Application to vary parts of the approved layout under reserved matters approval ref. 10189/APP/2007/3046 dated 31/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref.10189/APP/2007/3383 dated 21/2/2008 'Redevelopment of site

for residential purposes, community facilities, open space and associated parking and landscaping'.)

Decision: 07-11-2008 Refused

10189/APP/2008/2712 Raf Eastcote Lime Grove Ruislip

PROVISION OF OPTIONAL CONSERVATORIES TO PLOTS 3, 5, 90, 91, 92, 126, 127, 128, 130, 181, 182, 195, 196, 197, 198, 299 AND 300 (APPLICATION TO VARY PARTS OF THE APPROVED LAYOUT UNDER RESERVED MATTERS APPROVAL REF. 10189/APP/2007/3046 DATED 13/03/2008) (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING IN COMPLIANCE WITH CONDITION 2 OF OUTLINE PLANNING PERMISSION REF. 10189/APP/2007/3383 DATED 21/02/2008 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'.)

Decision: 26-11-2008 Approved

10189/APP/2010/1976 Raf Eastcote Lime Grove Ruislip

Erection of timber sheds in the rear garden of Nos. 1, 5, 11, 13, 15, 40-48 (evens), and 52-104 (evens) Coleridge Drive, and 38 and 40 Flowers Avenue, as well as Plots 60-63, 82-86, 129, 132-134, 147-149, 184, 236-239 and 253-258 (Part retrospective application.)

Decision: 18-03-2011 Approved

10189/APP/2010/736 Raf Eastcote Lime Grove Ruislip

Provision of glazed conservatories to Plots 338, 344, 345 and 349 (Application to vary parts of the approved layout under Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008) (Details of siting, design external appearance and landscaping in compliance with Condition 2 of Planning Permission ref: 10189/APP/2007/3383 dated 21/02/2008: Residential Development.)

Decision: 22-06-2010 Approved

10189/APP/2010/737 Raf Eastcote Lime Grove Ruislip

Provision of glazed conservatories to Plots 262, 265, 278-282 (Application to vary parts of the approved layout under Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008) (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref: 10189/APP/2007/ 3383 dated 21/02/2008: Residential Development.)

Decision: 22-06-2010 Approved

10189/APP/2011/1119 Raf Eastcote Lime Grove Ruislip

Erection of a glazed conservatory at Plot 296. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008 - residential development)

Decision: 14-07-2011 Approved

10189/APP/2011/1677 Former R A F Eastcote Lime Grove Eastcote

Replacement of one 5 bedroom unit (type 2000D) with an alternative 5 bedroom dwelling at plot 325. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008.

Decision: 06-10-2011 Refused

10189/APP/2011/1724 Former R A F Eastcote Lime Grove Ruislip

Replacement of one 5 Bedroom dwelling (type 2000 D) with an alternative 5 bedroom dwelling at plot 314. (Amendment to reserved matters approval ref: 10189/APP/2007/3046 dated 31/03/2008)

Decision: 25-10-2011 Approved

10189/APP/2011/2278 Former Raf Eastcote Lime Grove Ruislip

3 no additional 2 bedroom apartments within Blocks C and W and re-design of 1 no 1 bedroom apartment within Block V approved under permission ref: 10189/APP/2007/3046

Decision: 10-11-2011 Withdrawn

10189/APP/2011/281 Land At Former R.A.F. Eastcote, Off Eastcote Road High Road East

Provision of glazed conservatory to plot 261: Application to vary parts of the approved layout under Reserved Matters approval ref: 10189/APP/2007/3046 Dated 13/03/2008 (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development.)

Decision: 07-04-2011 Approved

10189/APP/2011/282 Land At Former R.A.F. Eastcote, Off Eastcote Road High Road East

Provision of glazed conservatory to plot 259: Application to vary parts of the approved layout under Reserved Matters approval ref: 10189/APP/2007/3046 Dated 13/03/2008: (Details of siting, design, external appearance and landscaping in compliance with condition 2 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development.)

Decision: 07-04-2011 Approved

10189/APP/2012/106 Former Raf Eastcote Lime Grove Ruislip

Conversion of 3, one bedroom live work units to 6, one bedroom bedroom flats (Block R)

Decision: 30-08-2012 Refused

10189/APP/2012/108 Former Raf Eastcote Lime Grove Ruislip

Conversion of 3 one bedroom live work units to 6, one bedroom flats (Block H1)

Decision: 30-08-2012 Refused

10189/APP/2012/109 Former Raf Eastcote Lime Grove Ruislip

Conversion of 3 one bedroom live work units to 6 x one bedroom flats (Block L)

Decision: 30-08-2012 Refused

10189/APP/2012/112 Former Raf Eastcote Lime Grove Ruislip
Conversion of 3 one bedroom live work units to 6 x one bedroom flats (Block J)

Decision: 30-08-2012 Refused

10189/APP/2012/3143 Former Raf Eastcote Lime Grove Ruislip
S73 Application to vary the design, internal layout and external appearance of Block C (modifications of conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 dated 21/02/2008: Residential development).

Decision:

10189/APP/2012/3144 Former Raf Eastcote Lime Grove Ruislip
S73 Application to vary the external appearance of House Type B (1882) (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development).

Decision:

10189/APP/2012/3146 Former Raf Eastcote Lime Grove Ruislip
S73 Application to vary the internal layout and external appearance of Block D (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 Dated 21/02/2008: Residential development).

Decision:

10189/APP/2012/3147 Former Raf Eastcote Lime Grove Ruislip
Section 73 Application to vary the internal layout and external appearance of Block W (modifications to conditions 1, 6 and 10 of Reserved Matters approval ref: 10189/APP/2007/3046 dated 13/03/2008: (details of siting, design, external appearance and landscaping), in compliance with conditions 2 and 3 of outline planning permission ref: 10189/APP/2007/3383 dated 21/02/2008: Residential development).

Decision:

Comment on Relevant Planning History

An enforcement case ENF/350/12 was opened on 4 July 2012 following complaint from a neighbour that an extra rooflight had been inserted in block D, and a dormer in Block C. In November 2012, it came to the Council's attention that there may also be discrepancies

with Block W. Further investigation and neighbour complaints highlighted that House Types B & P have not been built in accordance with the approved plans.

The applicant has submitted five concurrent applications, inclusive of the current application, to regularise the breaches at the site.

Outline planning permission was granted on 9th March 2006, for residential development at the former RAF Eastcote site. On February 21st 2008, four separate applications pertaining to the former RAF Eastcote site were considered by the North Planning Committee.

A S73 application to vary this outline planning permission was approved on 21st February 2008 (application ref:10189/APP/2007/3383), to allow flexibility in how vehicular access was to be achieved into the northern portion of the site from High Road Eastcote Road. The location and specific details of an alternative access were the subject of a full planning approval for the necessary works to provide a priority junction and an access link road to the development site utilising the access currently serving the Highgrove House site. (Ref: 10189/APP/2007/2954). This was approved on 3rd March 2008 and has been implemented.

Reserved matters covering details of siting, design, external appearance and landscaping for 385 residential units (ref: 10189/APP/2007/3046) were approved on 31 March 2008. In addition to the reserved matters details, details pursuant to the discharge of various outline planning conditions; namely residential density, community facility, sustainability and energy assessment, refuse and recycling storage, site survey plan, landscaping, and access statements were approved by Committee on 21st February 2008 and have been discharged.

Various applications to vary the layout, design and landscaping of the alternative access scheme approved under reserved matters consent ref:10189/APP/2007/3046, to allow for the provision of conservatories to various plots have subsequently been approved. Details pursuant to the discharge of various outline and reserved matters conditions have also been approved.

4. Planning Policies and Standards

No additional Planning Policies and Standards for Consideration.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
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 6.9	(2011) Cycling
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
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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **6th February 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Site Notice: Erected 16th January 2013.

Press Advertisement: Printed 23rd January.

29 neighbouring occupiers along with the Eastcote and Pembroke Park Residents Associations were notified of the application on 14th January 2013. By the close of the consultation period the Eastcote Residents Association had returned a petition with 33 signatures to the Local Planning Authority. This petition objected to all five concurrent applications as they believe the aggregated effects of all five applications are as follows:

- Loss of Privacy
- Unacceptable Increase in Density across the Scheme

A second petition of 26 residents on Eastcote Road was also received during the consultation period. The signatories on the second petition were not the same as those on the first petition. These neighbouring occupiers also objected to all five applications on the following grounds:

- Loss of Privacy
- Unacceptable Increase in Density across the scheme
- Harm the Character and Appearance of the Eastcote Villages Conservation Area
- Harm to the Appearance of the Approved Building.

A third petition of 21 residents from Azalea Walk was also received during the consultation period. These neighbouring occupiers objected to application references 10189/APP/2012/3144 and 10189/APP/2012/3145 relating to house type B & P only. These objections stated on the petition were as follows:

- Loss of Privacy

- Loss of Light

Two neighbouring occupiers returned individual consultation response in objection to the application. These objections were on the following grounds:

- Loss of Privacy
- Loss of Light

The above issues will be discussed in the main body of the report.

Internal Consultees

CONSERVATION AND URBAN DESIGN

Style A & B - The changes to the elevational detailing, through the dropping of the eaves position of the dormer and the amendment of its fenestration, are considered to have negatively impacted the appearance of the dwelling. The ad-hoc position of the rooflights have also harmed the appearance of the dwellings. Whilst the as built development is a less convincing design, on balance, no objection is raised in this instance.

ACCESSIBILITY OFFICER

It is noted that the living accommodation on the proposed plans has been relocated to the first floor. The Lifetime Home Standards stipulate that a living or family room should be provided on the entrance level of a dwelling. The revised internal layout is therefore considered to be inappropriate.

Case Officer Comments: The proposal has created an open plan kitchen and dining room at ground floor level. Whilst Criterion 8 of the Lifetime Homes Standard does require a living space at ground floor level, the criterion states that a "dining area (e.g. within a kitchen/diner)" is classified as living space in this context.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application seeks a S.73 amendment to regularise the completed development, due to a number of breaches of the reserved matters approval. The amendments are outlined in the proposed development section of this report.

All of the proposed amendments are considered not to significantly alter the proposed scheme to an extent where a new consent would be required. Therefore, the use of the s.73 application in this instance is considered acceptable.

7.02 Density of the proposed development

A number of neighbouring occupiers have objected to the proposed development on the grounds on an unacceptable increase in density across the site. This application forms one of five concurrent application and the neighbouring occupier have objected to the accumulative impact on density from all five application.

The completed development has created no additional dwellings or habitable rooms within the Type B houses

Across the five applications there has been a no additional residential units created and two bedrooms and two studies, totaling four habitable rooms, have been added across the whole site. The addition of four habitable rooms across a 385 unit scheme is not considered to increase the residential density to an unacceptable level. Therefore, no objection is raised in regard to the impact on the density of the scheme.

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

None of the House Type B plots would be visible from the Eastcote Villages Conservation

Area. Therefore, the completed dwellings have not caused harm to the setting of the Conservation Area.

7.04 Airport safeguarding

The completed development has not increased in height of the dwellings above the level approved in the reserved matters application. Therefore, no objection is raised on airport safeguarding grounds.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The Conservation and Urban Design officer has reviewed the amended plans and provided no objection to the amended designs. The relocation of the dormer window in the roof slope has lost the balance between itself, the first floor strip window and gable above the garage in the Style B dwellings. However, the level of harm from this loss of symmetry is considered not to be so great as to warrant a refusal of the application. The additional rooflights on the rear elevation, whilst not evenly spread across the roof slope are considered to have an acceptable impact on the appearance of the property. Therefore, the application is considered to comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan Part 2: Saved UDP Policies.

7.08 Impact on neighbours

DAYLIGHT & SUNLIGHT

The amendments which the applicant is seeking to regularise in this application have not increased the height or the siting of the building. Therefore, the existing unapproved alterations are considered not to have caused significant harm to the residential amenity of any neighbouring occupier in terms of loss of light, loss of outlook or sense of dominance.

PRIVACY

A petition was received during the course of the consultation process from the neighbouring dwellings on Azalea Walk who objected to the proposed development due to overlooking from the creation of rooflights on Plot nos. 318, 319, 322, 324. The nearest residential dwelling on Azalea Walk is located 25.9 metres from the rear elevation of the nearest new dwelling (Plot 324). Therefore, the approved dwellings meet the 21 metre distance separation guideline contained by the Hillingdon Design and Accessibility Statement Residential Layouts.

The approved scheme included the erection of 10 dwellings (Plots 315 - 324) in the northern area of the site whose rear boundary lines would be shared with the rear gardens of dwellings on Azalea Walk. Of these 10 dwellings, 5 were to be house Type B (Plots 316, 317, 320, 321 & 323), 4 to be house Type P (Plots 318, 319, 322 & 324) with one dwelling being house Type 2000 (Plot 315). House Type B was approved with a rear dormer being erected on the rear roof slope of the dwelling, whereas House Type P was approved with no rooflights or dormers in the rear roof slope.

In an attempt to address the issue of overlooking, the applicant submitted amended plans on 21st February 2013. These amendments proposed the lower pane of each rooflight to be obscure glazed in Plots 318 & 319 and realigned the panes from vertical to horizontal in Plots 322 & 324. The impact of these amendments is that no outlook will be available from the second floor of these plots until a height of 1.95 metres above floor level. Given this amendment, the proposal could not be considered to result in actual overlooking of

the neighbouring occupiers on Azalea Walk.

However, these windows would be readily visible from the rear gardens and dwellings on Azalea Walk. Whilst the windows would be between 24.95 metres and 31.2 metres from the rear elevations of the dwellings on Azalea Walk, the accumulative impact of every dwelling in Plots 316 - 324 having rooflights and/or dormer is considered to result in unacceptable perception of overlooking for the neighbouring occupiers on Azalea Walk. Therefore, the application is considered contrary to Policy BE24 of the Hillingdon Local Plan Part 2: Saved UDP Policies.

The creation of rooflights on Plots 290, 291, 293 & 327 are considered not to cause unacceptable overlooking of any neighbouring occupier.

The approval of the Reserved Matters (ref:10189/APP/2007/3046) came with Condition 6, which removed permitted development rights for any windows or doors in the walls or roofslopes of all the approved dwellings. Therefore, the rooflights being considered in this application required planning consent. These windows would face the blank gable end wall of the neighbouring building, ensuring no significant loss of residential amenity would occur.

7.09 Living conditions for future occupiers

The development has been built to ensure that sufficient sunlight and daylight would be provided to the habitable rooms at second floor level. Notwithstanding the previous comments with regards to harm to the neighbouring occupiers, the completed roof lights are considered to provide an adequate outlook and source of natural light, therefore complying with Policy BE20 of the Hillingdon Local Plan Part 2: Saved UDP Policies and Policy 3.5 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The development of House Type P has been completed with the same number of dwellings and bedrooms as the reserved matters approval. The car parking and cycle parking has been provided in accordance with the reserved matters approval and no objection is raised in relation to car parking, cycling parking and pedestrian access

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

The completed House Type P has relocated the living room to the first floor. The Accessibility Officer raised an objection to having the primary living space on the first floor. Whilst Criterion 8 of the Lifetime Homes Standard does require a living space at ground floor level, the criterion states that a "dining area (e.g. within a kitchen/diner)" is classified as living space in this context. Therefore, as the dwellings have a kitchen / diner at ground floor level, no objection is raised in this regard.

7.13 Provision of affordable & special needs housing

No alteration to the approved landscaping at the site is being proposed.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

No further comments in relation to the public consultation is required.

7.20 Planning Obligations

None received.

7.21 Expediency of enforcement action

The enforcement notice served in relation to the unapproved development to remain extant.

7.22 Other Issues

No further issues for consideration.

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

None received.

10. CONCLUSION

The approved consent was for an open plan room at second floor level to avoid the requirement for rooflights on the rear elevation. Under the reserved matters approval the open plan rooms would have been well served for light and outlook by the front and side facing windows.

The applicant has failed to build the dwellings in accordance with the approved plans, due to the splitting of the second floor bonus room into two bedrooms. In order to provide sufficient living conditions for these habitable rooms, the dwellings have been completed with two rooflights in the rear elevation.

It is considered that the roof lights in plots 318, 319, 322 & 324, when combined with the approved rooflights and dormers in plots 316, 317, 320, 321 & 323, would accumulatively result in the unacceptable perception overlooking from the dwellings on Azalea Walk to the east, causing a significant harm to the residential amenity of these adjoining occupiers. The development is therefore contrary to Policy BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies and is recommended for refusal.

11. Reference Documents

The Hillingdon Local Plan.

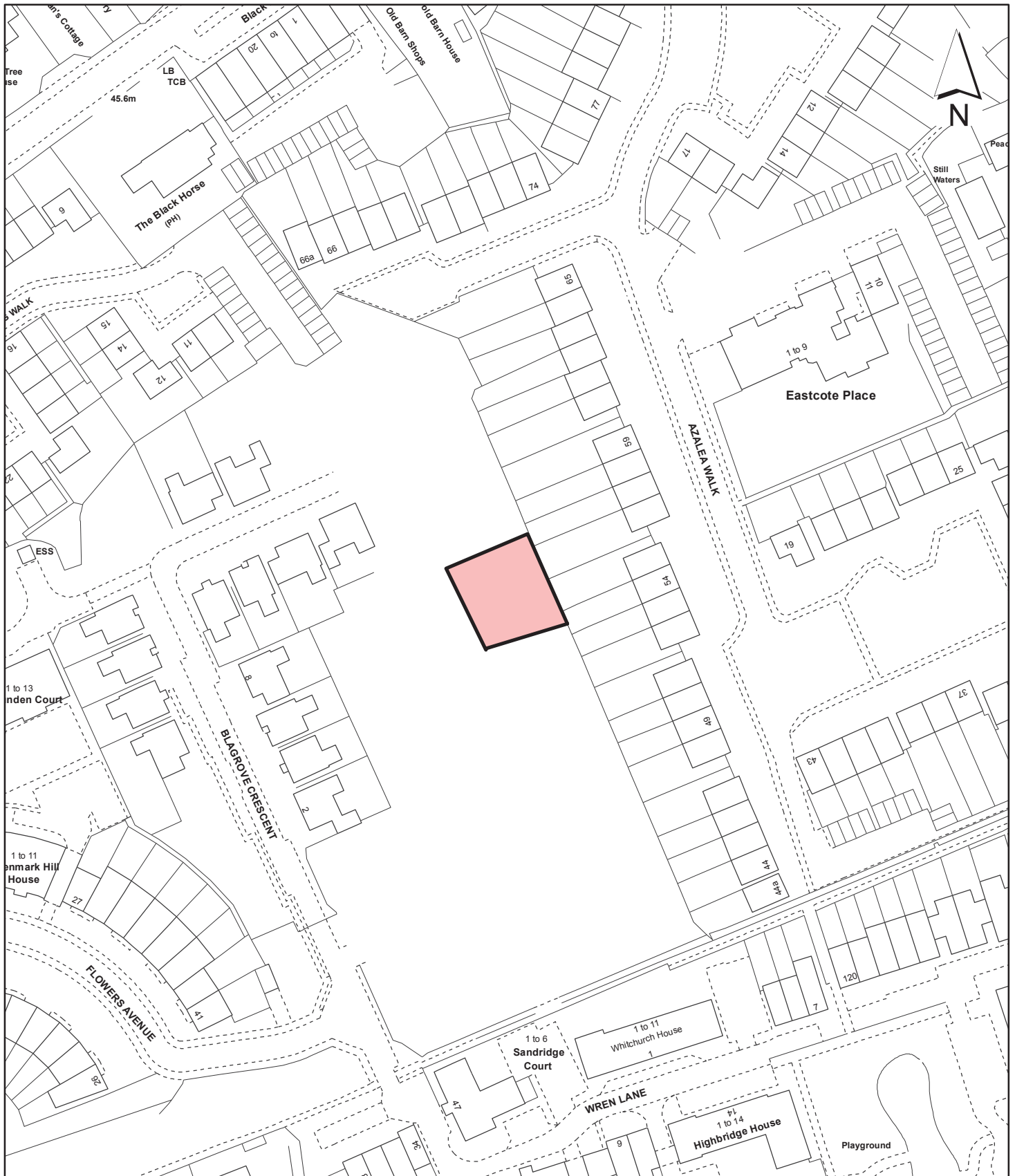
The London Plan (July 2011).



National Planning Policy Framework.

Hillingdon Design and Accessibility Statement Accessible Hillingdon.

Contact Officer: Alex Smith

Telephone No: 01895 250230



<p>Notes</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 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">Former RAF Eastcote Lime Grove Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">10189/APP/2012/3145</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">February 2013</p>	