



21/10/2010  
25/08/2010  
12/10/2010  
22/10/2012

## 1. **SUMMARY**

This application seeks to vary Condition 4 (Approved Plans) to allow the enlargement of the single storey rear additions on the semi-detached houses on Plots 4 and 5 and make changes to the internal layout and fenestration details which were previously approved as part of a scheme for 8 detached and 6 semi-detached houses on this site at the North Planning Committee meeting on 27th October 2010.

It is considered that the changes would not materially affect the character and appearance of the area and the amenities of adjoining residential properties would not be affected. The standard of residential accommodation provided is acceptable and the application is recommended for approval.

## 2. **RECOMMENDATION**

**That subject to no additional responses being received that raise relevant material planning considerations that have not already been considered in this report, delegated powers be given to the Head of Planning, Sport and Green Spaces to grant planning permission, subject to the following:**

- (i) A financial contribution of £117,713 for education facilities and places**
- (ii) A financial contribution of £11,678.51 for healthcare facilities and places.**
- (iii) A financial contribution of £20,000 towards community facilities/the public realm.**
- (iv) A financial contribution of £1,239.70 towards libraries.**
- (v) A financial contribution towards training initiatives equal to £2,500 for every £1 million build cost.**
- (vi) The applicants pay a sum to the Council of 5% of the value of contributions for specified requirements to project manage and oversee implementation of elements of the completed planning (and/or highways) agreement(s).**
- (vii) The applicant shall agree to the full and complete costs to undertake the necessary works, as identified by the Council, for off site highway works, including:**
  - a) Junction improvements to the site access with Ducks Hill Road**
- (viii) Agreement that if the applicant implements this permission, they will not implement permission 59214/APP/2005/951 or any part there of.**

**2. That in respect of the application for planning permission, 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. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by the 08th July 2013, or any other period deemed appropriate by the Head of Planning, Sport and Green Spaces then delegated authority be granted to the Head of Planning, Sport and Green Spaces to refuse the application for the following reason:

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, health, community facilities and libraries, construction and employment training facilities, monitoring and highway junction works). The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4. That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

5. 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 1834/PL00 Rev. A, 1834/PL01 Rev. C, 1834/PL02 Rev. B, 1834/PL03 Rev. A, 1834/PL05 Rev. B, 1834/PL06 Rev. A, 1834/PL07 Rev. C, 1834/PL08 Rev. A, 1834/PL09 Rev. A, 1834/PL10 Rev. B, 1834/PL011 Rev. A, 1834/PL012 Rev. A, 1834/PL013, 1834/PL014, 1834/PL015, 1834/PL016, 1834/PL017 and 1834/PL102 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: Part Two Saved UDP Policies (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 Local Plan: Part Two Saved UDP Policies (November 2012).

#### **4 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, , including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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: Part Two Saved UDP Policies (November 2012).

#### **5 RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation
5. Other
  - 5.a Existing and proposed functional services above and below ground
  - 5.b Proposed finishing levels or contours

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

## 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 Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

### **6 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

## REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Local Plan - Saved Policies Unitary Development Plan (November 2012).

### **7 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 hereby approved.

## REASON

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

### **8 RES13 Obscure Glazing**

With the exception of the south elevations of the houses on Plots 1 and 12 and the north west elevation on Plot 8, the first floor and rooflight windows on 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 and proposed properties in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**9 NONSC Non Standard Condition**

The flat roof area of the single storey rear projecting additions hereby permitted on Plots 4, 5, 6 and 7 shall not be used as a balcony, roof garden or similar amenity area.

**REASON**

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

**10 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**11 NONSC Non Standard Condition**

Notwithstanding the approved plans, side screens glazed with permanently obscured glass shall be provided to the rear balconies on Plots 2, 3, 11, 12, 13 and 14 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 Saved UDP Policies (November 2012).

**12 NONSC Non Standard Condition**

The houses shall not be occupied until the access and parking spaces have been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority. The access road and parking spaces shall be permanently maintained and available for such at all times thereafter to the reasonable satisfaction of the Local Planning Authority.

**REASON**

To ensure the provision of a safe and convenient access for vehicular traffic, and adequate facilities are provided prior to occupation in accordance with Policies AM7(ii) and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

**13 NONSC Non Standard Condition**

The development hereby approved shall not commence on site until full details of the access road junction have been submitted to and approved in writing by the Local Planning Authority. The houses shall not be occupied until the junction has been constructed in accordance with the approved details.

**REASON**

To ensure the provision of a safe and convenient access for vehicular traffic in accordance with Policy AM7(ii) of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

**14 NONSC Non Standard Condition**

The accesses to the proposed car parking spaces shall be provided with those parts of a 2.4m x 2.4m visibility splay which can be accommodated within the site in both directions and shall be maintained free of all obstacles to visibility between heights of 0.6m and 2.0m above the level of the adjoining highways.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**15 NONSC Non Standard Condition**

The proposed access to the site shall be provided with driver visibility splays of 2.4m x 90m in both directions and shall be maintained free of all obstacles to visibility (unless otherwise agreed by the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**16 NONSC Non Standard Condition**

Before the development hereby permitted commences, details of street lighting shall be submitted to and agreed in writing by the Local Planning Authority. The access road shall be lit in accordance with BS5489 - 1:2003, and the lighting shall be permanently maintained thereafter.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**17 NONSC Non Standard Condition**

Notwithstanding the details shown on Drw. No. 1834/PL00, revised details of the siting of the vehicle and pedestrian gates shall be submitted to and approved in writing by the Local Planning Authority, to ensure that the gates would be set back at least 10m from the edge of the highway. The development shall be carried out in strict accordance with the approved revised details.

**REASON**

To ensure, in the interests of highway and pedestrian safety, that adequate space would be available to allow vehicles entering the site to wait off the public highway whilst the gates opened, in accordance with Policy AM7(ii) of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**18 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 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **19 NONSC Non Standard Condition**

No site clearance works or development shall be commenced until the fencing shown on Drw. No. DS19080901.04 Rev. B has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **20 NONSC Non Standard Condition**

The works shall be carried out in strict accordance with the revised Arboricultural Method Statement, dated 15th October 2010 received 18/10/2010.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **21 NONSC Non Standard Condition**

The development shall proceed in accordance with the Reptile Mitigation Plan shown in Appendix 4 of the Phase 2 Ecological Survey (Bat and Reptiles) Ref: R116/Final.

#### REASON

To ensure the ongoing protection of slow worm (UK Protected Species) in accordance with Policy 7.19 of the London Plan (July 2011) and Policy EC2 of the Hillingdon Local



Plan: Part Two Saved UDP Policies (November 2012).

**22 NONSC Non Standard Condition**

No trees shall be removed during the summer bat breeding season (May to August inclusive) and the winter bat hibernation season (December to February inclusive).

**REASON**

To minimise the risk of harm to Bats (a European Protected Species) in accordance with Policy 7.19 of the London Plan (July 2011) and Policy EC2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**23 RES19 Ecology**

No development shall take place until a scheme to protect and enhance the nature conservation interest of the site has been submitted to and approved by the Local Planning Authority.

**REASON**

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy 7.19 of the London Plan (July 2011) and Policy EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**24 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with

Policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**25 RES15 Sustainable Water Management (changed from SUDS)**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.12 of the London Plan (July 2011).

**26 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 exercising 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 Policies 7.1 and 7.3 of the London Plan (July 2011).

**27 NONSC Non Standard Condition**

Prior to the commencement of works on site, full details of the bin collection point shown on Drw. No. 1834/PL15 received on 12/10/10 shall be submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that adequate facilities are provided, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**28 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 Policies 5.1 and 5.3 of the London Plan (July 2011).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

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

**2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF1

NPPF4

NPPF6

NPPF7

NPPF8

NPPF9

NPPF10

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 3.13 (2011) Affordable housing thresholds

LPP 5.2 (2011) Minimising Carbon Dioxide Emissions

LPP 5.3 (2011) Sustainable design and construction

LPP 5.6 (2011) Decentralised Energy in Development Proposals

LPP 5.7 (2011) Renewable energy

LPP 5.9 (2011) Overheating and cooling

LPP 5.10 (2011) Urban Greening

LPP 5.11 (2011) Green roofs and development site environs

LPP 5.12 (2011) Flood risk management

LPP 5.13 (2011) Sustainable drainage

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| LPP 5.14 | (2011) Water quality and wastewater infrastructure  |
| LPP 5.15 | (2011) Water use and supplies   |
| LPP 6.10 | (2011) Walking  |
| LPP 6.12 | (2011) Road Network Capacity  |
| 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 7.5  | (2011) Public realm   |
| LPP 7.6  | (2011) Architecture   |
| LPP 7.19 | (2011) Biodiversity and access to nature  |
| LPP 7.21 | (2011) Trees and woodland   |
| OL5      | Development proposals adjacent to the Green Belt  |
| OL26     | Protection and enhancement of trees, woodland and landscape features  |
| EC1      | Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012)           |
| EC2      | Nature conservation considerations and ecological assessments   |
| EC3      | Potential effects of development on sites of nature conservation importance   |
| EC5      | Retention of ecological features and creation of new habitats   |
| BE7      | Development schemes on the south-east side of Ducks Hill Road   |
| BE13     | New development must harmonise with the existing street scene.  |
| BE18     | Design considerations - pedestrian security and safety  |
| BE19     | New development must improve or complement the character of the area.   |
| BE20     | Daylight and sunlight considerations.   |
| BE21     | Siting, bulk and proximity of new buildings/extensions.   |
| BE22     | Residential extensions/buildings of two or more storeys.  |
| BE23     | Requires the provision of adequate amenity space.   |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.  |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.                   |
| BE39     | Protection of trees and woodland - tree preservation orders   |
| OE1      | Protection of the character and amenities of surrounding properties and the local area  |
| OE5      | Siting of noise-sensitive developments  |
| H4       | Mix of housing units  |
| 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.  |
| AM9      | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM14     | New development and car parking standards.  |
| AM15     | Provision of reserved parking spaces for disabled persons   |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement,  |

|        |  |
|--------|--|
| LDF-AH | Supplementary Planning Document, adopted July 2006<br>Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| SPG-CS | Community Safety by Design, Supplementary Planning Guidance, adopted July 2004   |
| SPD-PO | Planning Obligations Supplementary Planning Document, adopted July 2008  |

### **3            I15                    Control of Environmental Nuisance from Construction Work**

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

A. Demolition and construction works 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.

### **4            I21                    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).

### **5**

It is contrary to Section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

### **6**

The applicant should enter into a S278 Agreement to carry out the access and lighting works on the highway as required.

### **7**

As regards Condition 26 (Slow Worm Mitigation Strategy) of planning permission 59214/APP/2010/1776, which following the submission of further details was discharged on 19/12/12 (59214/APP/2012/2584), the Local Planning Authority wishes to bring to the attention of the developer the following:

1. No works should commence on site until the translocation has been completed (probably towards the end of April - subject to suitable weather conditions).
2. Improved reptile hibernacula should be in place prior to the translocation starting.
3. The reptiles should be removed from the developable area of the site prior to works beginning and prevented from returning to the areas to be worked by appropriate fencing.
4. The reptiles should ideally be relocated to areas with negligible or no disturbance such as the Site of Importance for Nature Conservation (SINC) adjacent.
5. A method statement should be drawn up and available to workers on the site about the roles and responsibility regarding reptiles. It should also provide clear instructions on what needs to be done should any reptiles be encountered on site during the works.

## **8 IT05 Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or other protected species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

### **3. CONSIDERATIONS**

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

The site is located to the east of Ducks Hill Road, south of Mallard Way with the main part of the site set back by approximately 60m from the road, linked by a vehicular access. The irregular shaped site extends to approximately 0.76 hectares and generally slopes down towards the south and east. The site formerly comprised 5 residential properties but it has now been cleared and is currently vacant, and the access has been closed with hoarding. There are many mature trees on site, mainly located on the site boundaries with an open grassed area in the centre. The site is covered by TPO 41.

To the north, the site adjoins a two storey residential terrace in Mallard Way and further to the north, two detached houses in Chelwood Close. To the west of the site, north of the access, is Marchbank House, a detached block of 16 flats. To the east, south and west of the site (south of the access road) is a wooded area, which was previously worked as part of the Northwood Gravel Pits and now forms public open space and is part of the Green Belt and a designated Nature Conservation Site of Borough Grade II or Local Importance. The site forms part of the 'developed area' as identified in the adopted Unitary Development Plan Saved Policies (September 2007).

#### **3.2 Proposed Scheme**

This application seeks to vary the approved plans for the houses on Plots 4 and 5 in order to allow the previously approved 3.0m deep half width single storey rear additions, which would have been sited centrally on this pair of semi-detached houses to extend across the full width of the houses. The height of the parapet walls on the rear addition would increase from 3.1m to 3.6m and larger triple pane windows would be provided in each of its side elevations.

Alterations to the ground and first floor layouts and provisions to comply with Lifetime

homes provision are also proposed.

Other external alterations involve omitting the rearmost ground floor windows in the side elevations and adding an additional first floor side window which would serve an en-suite wc on each of the houses.

### 3.3 Relevant Planning History

59214/APP/2010/1776 Land At 37-45 Ducks Hill Road Northwood

Erection of 8 detached and 6 semi-detached dwellings with associated access, parking and landscaping.

**Decision:** 16-11-2010 Approved

59214/APP/2011/1681 Land At 37-45 Ducks Hill Road Northwood

Variation of condition 3 of planning permission ref. 59214/APP/2005/951 (dated 11th January 2006 for the erection of 6 two storey buildings with accommodation in roofspace to provide 21 residential flats with associated car parking) to allow for ongoing cyclical tree work to be carried out

**Decision:** 27-09-2011 Approved

59214/APP/2011/585 Land At 37-45 Ducks Hill Road Northwood

Variation of condition 8 (obscure glazed and non-opening first floor and rooflight windows) of planning permission ref: 59214/APP/2010/1776 dated 16/11/2010: Erection of 8 detached and 6 semi-detached dwellings with associated access, parking and landscaping; to allow clear glazed and opening windows to be fitted on the south elevation of the house on Plot 1, the north-west elevation of the house on Plot 8 and the south elevation of the house on Plot 12.

**Decision:** 24-05-2011 Approved

#### Comment on Relevant Planning History

The original planning permission (59214/APP/2010/1776) for the erection of 8 detached and 6 semi-detached dwellings with associated access, parking and landscaping which this application seeks to amend was presented to the North Planning Committee meeting on the 27th October 2010 and permission was granted on 16th November 2010.

Subsequently, an application to vary Condition 8 (Obscure glazing and non-opening first and second floor and rooflight windows) so that it did not apply to one of the side elevations of the houses on Plots 1, 8 and 12 was approved on 24/5/11 (59214/APP/2011/585).

A further application to discharge Condition 26 (Reptile Mitigation Strategy) was approved on 19/12/12 (59214/APP/2012/2514).

A number of other applications have also been submitted, which seek to make various alterations to the originally approved scheme have also been submitted which are also being presented to this committee meeting.

### 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.H1  | (2012) Housing Growth  |
| PT1.H2  | (2012) Affordable Housing  |
| PT1.BE1 | (2012) Built Environment   |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation  |
| PT1.EM6 | (2012) Flood Risk Management   |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation  |
| PT1.EM8 | (2012) Land, Water, Air and Noise  |
| PT1.T1  | (2012) Accessible Local Destinations   |
| PT1.CI1 | (2012) Community Infrastructure Provision  |
| 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    |  |
| NPPF4    |  |
| NPPF6    |  |
| NPPF7    |  |
| NPPF8    |  |
| NPPF9    |  |
| NPPF10   |  |
| 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 3.13 | (2011) Affordable housing thresholds                 |
| LPP 5.2  | (2011) Minimising Carbon Dioxide Emissions           |
| LPP 5.3  | (2011) Sustainable design and construction           |
| LPP 5.6  | (2011) Decentralised Energy in Development Proposals |
| LPP 5.7  | (2011) Renewable energy                              |
| LPP 5.9  | (2011) Overheating and cooling                       |
| LPP 5.10 | (2011) Urban Greening                                |
| LPP 5.11 | (2011) Green roofs and development site environs     |
| LPP 5.12 | (2011) Flood risk management                         |
| LPP 5.13 | (2011) Sustainable drainage                          |



|          |   |
|----------|---|
| LPP 5.14 | (2011) Water quality and wastewater infrastructure  |
| LPP 5.15 | (2011) Water use and supplies   |
| LPP 6.10 | (2011) Walking  |
| LPP 6.12 | (2011) Road Network Capacity  |
| 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 7.5  | (2011) Public realm   |
| LPP 7.6  | (2011) Architecture   |
| LPP 7.19 | (2011) Biodiversity and access to nature  |
| LPP 7.21 | (2011) Trees and woodland   |
| OL5      | Development proposals adjacent to the Green Belt  |
| OL26     | Protection and enhancement of trees, woodland and landscape features  |
| EC1      | Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012) |
| EC2      | Nature conservation considerations and ecological assessments   |
| EC3      | Potential effects of development on sites of nature conservation importance   |
| EC5      | Retention of ecological features and creation of new habitats   |
| BE7      | Development schemes on the south-east side of Ducks Hill Road   |
| BE13     | New development must harmonise with the existing street scene.  |
| BE18     | Design considerations - pedestrian security and safety  |
| BE19     | New development must improve or complement the character of the area.   |
| BE20     | Daylight and sunlight considerations.   |
| BE21     | Siting, bulk and proximity of new buildings/extensions.   |
| BE22     | Residential extensions/buildings of two or more storeys.  |
| BE23     | Requires the provision of adequate amenity space.   |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.  |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.         |
| BE39     | Protection of trees and woodland - tree preservation orders   |
| OE1      | Protection of the character and amenities of surrounding properties and the local area  |
| OE5      | Siting of noise-sensitive developments  |
| H4       | Mix of housing units  |
| 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.  |
| AM9      | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM14     | New development and car parking standards.  |
| AM15     | Provision of reserved parking spaces for disabled persons   |
| 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                                  |
| SPG-CS   | Community Safety by Design, Supplementary Planning Guidance, adopted July 2004  |
| SPD-PO   | Planning Obligations Supplementary Planning Document, adopted July 2008   |

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

**5.1** Advertisement Expiry Date:- **24th May 2013**

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

## **6. Consultations**

### **External Consultees**

29 neighbouring properties have been consulted and a site notice has been displayed at the entrance to the site. No comments have been received to date.

Northwood Residents' Association: No response received.

### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

The internal layouts have been changed from the approved drawings to accommodate accessibility requirements. However these alterations will impinge very little on the exterior appearance of the buildings, so there are no design objections.

Recommendation - Acceptable

S106 OFFICER:

A deed of variation will be required to the main s106 over the land to tie in these new planning references for any or all of the ones that are to be approved.

## **7. MAIN PLANNING ISSUES**

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

The acceptance of the principle of providing 14 houses on this site has already been established by the granting of the original permission. There has been no change in site circumstances or planning policy to suggest that the residential re-development of this site is no longer acceptable.

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

The proposed alteration does not alter the unit or habitable room density of the scheme and the Mayor's density guidelines have not altered in relation to this scheme since the original application was previously considered.

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

It was previously considered that the proposal would not affect any known archaeological remains, or impact upon any statutory or locally listed building, conservation area or area of special local character. There has been no change in site circumstances to suggest that this assessment is no longer valid.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues raised by this application.

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

The proposed variation is sufficiently remote from the Green Belt boundary so that it would not have any impact upon the openness of the adjoining Green Belt.

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

The proposed variation to extend the width of the previously approved half width single storey additions at the rear of this pair of semi-detached houses across their full width would not have any material impact upon the character and appearance of the area. Furthermore, the height increase allows the rear elevation of these houses to be better proportioned. No objections are raised to the altered fenestration.

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

The proposed enlarged rear additions would be separated from the nearest adjoining residential properties at Nos. 36 to 48 Mallard Way by over 10m and would not project beyond their rear elevation. Furthermore, this terrace has a blank side elevation facing the application site and the boundary at this point is well screened by mature trees and shrubs. The extended rear addition would also be set over 25m away from the rear elevation of the flats in Marchbank House, the boundary of which is also well screened by mature vegetation which would also screen Nos. 50 - 60, the terraced block sited further to the west on Mallard Way. The addition would also be sufficiently distant from the proposed adjoining property on Plot 3 so that the 45 degree line of sight taken from the nearest ground floor window would not be breached.

Privacy would be protected at ground floor level by boundary fencing and windows in the side elevations above would be obscure glazed and non-opening which has been controlled by condition.

As such, there would be no adverse residential impact upon neighbouring properties by reason of loss of light, dominance or loss of privacy.

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

As the proposed houses with over 200 sqm. of internal floor space easily satisfy the Mayor's minimum floor spaces standards, the main impact of the revised proposal is upon the amount of retained amenity space. As the smallest of the rear gardens on Plot 4 would still provide over 120 sqm. of private amenity space, the proposal complies with the minimum 100 sqm. standard for houses for 5+ bedroom houses.

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

No traffic or highway issues are raised by this application.

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

No specific issues are raised by this application.

#### **7.12 Disabled access**

The Council's Access Officer has confirmed that the provisions made to satisfy Lifetime

homes standards are acceptable.

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

A Financial Viability Appraisal was submitted with the original application. At that time, officers were satisfied that the scheme was not capable of generating sufficient funds to contribute towards affordable housing and there has not been any material changes in circumstance to suggest that this assessment is no longer valid.

#### **7.14 Trees, landscaping and Ecology**

The proposed amendment does not have any particular implications for trees, landscaping or ecology.

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

The proposed amendment has no implications for sustainable waste management.

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

A revised condition has been attached to ensure that the scheme satisfies Code Level 4 for Sustainable Homes.

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

Previously it was advised that the site does not fall within an area prone to flooding and therefore no specific flooding issues were raised by the proposal.

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

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

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

No comments to date have been received.

#### **7.20 Planning obligations**

The S106 Officer advises that a Deed of Variation for the S106 Agreement would be required.

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

There are no enforcement issues raised by this application.

#### **7.22 Other Issues**

There are no other relevant planning issues raised by this application.

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

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

### **10. CONCLUSION**

The proposed variation of Condition 4 to allow an enlarged single storey rear additions on Plots 4 and 5 and make relatively minor alterations to the configuration of the internal layout and fenestration is considered acceptable. The application is recommended accordingly.

### **11. Reference Documents**

NPPF (March 2012)

London Plan (July 2011)

Hillingdon Local Plan - Saved Unitary Development Plan Policies (November 2012)

HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)

Planning Obligations Supplementary Planning Document, July 2007

Consultation responses

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**Telephone No:** 01895 250230