

## Report of the Head of Planning, Sport and Green Spaces

**Address** SWAKELEYS HOUSE MILTON ROAD ICKENHAM

**Development:** Change of use of Swakeleys House from Office (B1) use and Sports (D2) use and the erection of 7 buildings for use together as a single residential dwelling (C3) and gardens; alterations to listed building; demolition of 1980s entrance foyer attached to northern elevation of Swakeleys House, Vyners House, the connecting link between Vyners House and Swakeleys House and the Ice House building; and associated landscaping and servicing works within surrounding grounds.

**LBH Ref Nos:** 23202/APP/2013/12

**Drawing Nos:** Agent's email dated 25/2/13  
Agent's letter dated 17/4/13  
Agent's covering email dated 14/5/13  
Bat Survey: Interim Report, May 2013  
Letter from DP9 dated 28/5/13  
1604 (PL)001  
1604 (PL)013  
1604 (PL)255  
1604 (PL)019  
1604 (PL)020  
1604 (PL)021  
1604 (PL)022  
1604 (PL)050  
1604 (PL)051  
1604 (PL)052  
1604 (PL)053  
1604 (PL)054  
1604 (PL)055  
1604 (PL)100  
1604 (PL)101  
1604 (PL)102  
1604 (PL)103  
1604 (PL)104  
1604 (PL)105  
1604 (PL)106  
1604 (PL)107  
1604 (PL)108  
1604 (PL)109  
1604 (PL)120  
1604 (PL)150  
1604 (PL)151  
1604 (PL)153  
1604 (PL)154  
1604 (PL)200  
Agent's covering letter dated 27th June 2013  
Bat Surveys Report, June 2013  
1604 (PL)252  
1604 (PL)253  
1604 (PL)254

1604 (PL)211  
 1604 (PL)212  
 1604 (PL)213  
 1604 (PL)214  
 1604 (PL)215  
 1604 (PL)216  
 1604 (PL)217  
 1604 (PL)218  
 1604 (PL)219  
 1604 (PL)256  
 1604 (PL)257  
 1604 (PL)258  
 1604 (PL)259  
 1604 (PL)260  
 1604 (PL)261  
 1604 (PL)262  
 1604 (PL)263  
 1604 (PL)264  
 1604 (PL)265  
 1604 (PL)018  
 Design & Access Statement  
 Planning Statement  
 Heritage Statement  
 Building Services Strategy  
 Archaeological Desk Based Assessment  
 Archaeological Geophysical Survey Report  
 Arboricultural Impact Appraisal and Method Statement  
 Outline Landscape Masterplan  
 Ecology Assessment  
 Flood Risk Assessment  
 Energy Strategy  
 Code for Sustainable Homes Pre-Assessment  
 Statement of Community Involvement  
 Letter from DTZ, dated 22/11/12  
 Agent's letter dated 18/1/13  
 Great Crested Newt Habitat Assessment  
 Preliminary Roost Assessment  
 Agent's covering email dated 8/5/13  
 Transport Assessment, May 2013  
 1604 (PL)201 rev. A  
 1604 (PL)250 rev. A  
 1604 (PL)251 rev. A  
 1604 (PL)011  
 1604 (PL)012  
 1604 (PL)016  
 1604 (PL)014  
 1604 (PL)015  
 1604 (PL)017

**Date Plans Received:** 21/12/2012

**Date(s) of Amendment(s):**

25/02/2013

17/04/2013

**Date Application Valid:** 22/01/2013

08/05/2013  
28/05/2013  
22/01/2013  
18/01/2013  
14/05/2013  
21/12/2012  
27/06/2012

## **1. SUMMARY**

Swakeleys House and its stable courtyard is a Grade 1 listed building of exceptional historical and architectural merit. The building was converted to office use in the 1980s but since 2003, despite being actively marketed, the property has remained vacant. Any scheme for the conversion of this building to bring it back into productive use needs to afford the greatest weight to the conservation of the historical asset and its setting in order to accord with planning policies. Swakeleys House and its grounds also form part of the Ickenham Village Conservation Area and are located within the Green Belt.

This scheme involves converting the property back to a single family dwelling, its historical use. This would be the preferred use in policy terms, as it reduces the need for invasive alterations of the building. In order to be successful and attract an occupier at the top end of the residential market, various ancillary facilities have been identified that would be required to be provided. In order to avoid excessive alteration and extension to the building, these would be provided away from the building within its grounds.

As part of the proposals, a number of alterations and buildings constructed in the 1980s would be removed, including the office foyer and connecting links to the stable blocks on the north elevation of the house, the two storey Vyners House and its connecting link to the stables and the Ice House, a detached plant room. No objections are raised to the loss of these buildings which are considered to detract from Swakeleys House.

In terms of the Green Belt, the overall gross internal floorspace of the buildings on site would be reduced, together with the overall volume of buildings on site. The impact of the new buildings on the openness of the site would also not be significant.

The Council's Urban Design/Conservation Officer considers that this is a very carefully researched and sympathetic conversion scheme for Swakeleys House, retaining and restoring so much of the original fabric of the building. The scale, layout and design of the new outbuildings is also considered appropriate.

The scheme would provide a very high standard of residential accommodation and would not adversely affect surrounding residential occupiers. The scheme would not adversely affect highway safety and makes an acceptable contribution towards energy reduction. The scheme also makes adequate provision to safeguard existing trees on site and new tree and landscaping is proposed that would enhance the setting of the listed building.

Bats have been found to be roosting in Vyners House and this is being monitored and appropriate mitigation conditioned, the details of which would be delegated to the Head of Planning, Green Spaces & Culture.

In terms of planning benefits, all the community benefits such as the public footpath running from Swakelys Road to Swakeleys Park on the western side of the site, the Ickenham Festival and access to the house during 'Open House' weekend would be maintained. The proposals would involve the loss of the Swakeleys Bowls Club presently located within the grounds. Whilst the loss of this facility is regrettable, it is accepted that it would not be compatible with residential use of the site on security and privacy grounds. The facility was also not intended to be permanent in the current S106 Agreement and the lease has already expired. A S106 contribution would help to improve facilities at surrounding bowling clubs. This scheme would also make a contribution towards education provision.

English Heritage are also fully supportive of the scheme and the Mayor does not raise any in principle objections to the scheme in the Part 1 report.

This application, together with associated applications for listed building consent (23202/APP/2013/13) and conservation area consent (23202/APP/2013/14) which are also being presented to this committee are recommended for approval.

## **2. RECOMMENDATION**

**That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, and the Secretary of State not calling in the application in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 and that no objections are raised by Natural England as regards bats and the proposed mitigation, that delegated powers be given to the Head of Planning, Green Spaces & Culture to grant planning permission, subject to any relevant amendments agreed by the Head of Planning, Green Spaces & Culture and also those requested by the Greater London Authority and the following:**

**i) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:**

**1. The footpath shown in yellow on the plan (running along the peripheral of the site) be open for public access from 9am until 1 hour before sunset for use as a private footpath.**

**2. That those parts of Swakeleys House shown edged and hatched green on the plan be open to the public for 2 days in any given year for the Ickenham Festival.**

**3. That public access to those parts of Swakeleys House shown on the attached plans, is granted on 1 day per year between 10 am and 4pm during the open house weekend.**

**4. That an education contribution in the sum of £34,693 is secured.**

**5. No work on the outbuildings is to commence until the conversion works on**

Swakeleys House itself are substantially complete (reason: to ensure that the house is bought back into a single occupancy dwelling).

6. **Bowls Club Contribution:** a contribution towards capacity enhancements to local bowls clubs to mitigate against the loss of the cub on site in the sum of £50,000.

7. **Project Management and Monitoring fee** equal to 5% of the total cash contributions.

8. In the event planning permission is granted and implemented the s52 agreement over the land is revoked and replaced with this new s106 agreement.

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

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

iv) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

v) 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.

vi) That if the application is approved, the following conditions be imposed:

**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 NONSC Non Standard Condition**

The use of the application site shall only be as a single family dwellinghouse.

**Reason**

In order to accord with the terms of the application so as to ensure that Swakeleys House returns to its historical use so as to minimise the need for alteration work and to prevent the intensification of the use of this Green Belt site, in accordance with Policies BE8 and OL1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**3 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 1604 (PL)001, 1604 (PL)011, 1604 (PL)012, 1604 (PL)013, 1604 (PL)014, 1604 (PL)015, 1604 (PL)016, 1604 (PL)017, 1604 (PL)018, 1604 (PL)019, 1604 (PL)020, 1604 (PL)021, 1604 (PL)022, 1604 (PL)050, 1604 (PL)051, 1604 (PL)052, 1604 (PL)053, 1604 (PL)054, 1604 (PL)055, 1604 (PL)100, 1604 (PL)101, 1604 (PL)102, 1604 (PL)103, 1604 (PL)104, 1604 (PL)105, 1604 (PL)106, 1604 (PL)107, 1604 (PL)108, 1604 (PL)109, 1604 (PL)120, 1604 (PL)150, 1604 (PL)151, 1604 (PL)153, 1604 (PL)154, 1604 (PL)200, 1604 (PL)201 rev. A, 1604

(PL)211, 1604 (PL)212, 1604 (PL)213, 1604 (PL)214, 1604 (PL)215, 1604 (PL)216, 1604 (PL)217, 1604 (PL)218, 1604 (PL)219, 1604 (PL)250 rev. A, 1604 (PL)251 rev. A, 1604 (PL)252, 1604 (PL)253, 1604 (PL)254, 1604 (PL)255, 1604 (PL)256, 1604 (PL)257, 1604 (PL)258, 1604 (PL)259, 1604 (PL)260, 1604 (PL)261, 1604 (PL)262, 1604 (PL)263, 1604 (PL)264 and 1604 (PL)265 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).

**4 RES5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:  
Reduction in energy use and renewable technology installation [Energy Strategy]  
Code for Sustainable Homes [Code for Sustainable Homes Pre-Assessment]  
SUDS [Flood Risk Assessment]  
Lifetime Homes Standards [Design & Access Statement]  
Refuse storage and collection details [Design & Access Statement]

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

**REASON**

To ensure that the development complies with the objectives of Policies 3.8, 5.2, 5.3, 5.7 and 5.13 of the London Plan (July 2011).

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

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

**7 RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

#### REASON

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

#### **8 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 surfacing/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 Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011).

### **9 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.

### **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**

Prior to the commencement of development on site, full details of how the development satisfies 'Lifetime Homes' Standards (except for criteria 5, 9 and 10) as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon', to include details of an entrance ramp to and lift replacement within Swakeleys House, level changes within the new glazed link and arrangements to ensure at least one of the guest suites could be easily adapted for wheelchair user occupation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

#### REASON

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

#### **12 OTH2 Archaeology**

A) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

#### REASON

Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with recommendations given by the borough and in PPS 5 and Policy BE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **13 NONSC Non Standard Condition**

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 how it follows the strategy set out in Flood Risk Assessment, produced by PellFrischmann dated December 2012 Reference S12661-FRA-001 Rev C, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. Provide details of the surface water design including all suds features and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.

- ii. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime.
- iii. Provide details of the body legally responsible for the implementation of the management and maintenance plan.
- iv. Any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards.

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

- v. Incorporate water saving measures and equipment.
- vi. Provide details of water collection facilities to capture excess rainwater;
- vii. 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 that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

#### **14 NONSC Non Standard Condition**

Prior to the commencement of development a scheme for the inclusion of wildlife enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan showing the type and location of enhancement measures, including bat and bird boxes; habitat walls and log piles; and a nectar rich vegetation within the landscaping scheme. The inclusion of a new pond would be welcomed. The development should proceed in accordance with the approved scheme and supporting plan.

#### Reason

To ensure the development contributes to a net gain in specific wildlife enhancing features in accordance with with the NPPF, London Plan Policy 7.19 and Local Plan Part 1 Policy EM7.

#### **15 NONSC Non Standard Condition**

Prior to commencement of development a 'design stage certificate' demonstrating the new residential accommodation on the site will be built to Code for Sustainable Homes Level 4 shall be submitted to the Local Planning Authority. The design stage certificate will be signed by an approved assessor. The development should proceed in accordance with the approved designs and sustainability principles.

Prior to occupation of the development, a 'completion stage certificate' should be submitted to the Local Planning Authority demonstrating that the residential units have met Code for Sustainable Homes Level 4.

#### Reason

To ensure the developer delivers a sustainable development in accordance with Policies 5.2, 5.3 and 5.15 of the London Plan (July 2011).

**16 NONSC Non Standard Condition**

A register of all commercial, business and charitable events held in the banqueting hall shall be maintained on site and made available for inspection upon request by the Council. The number of such events shall not exceed 12 in any 12 month period.

Reason:

To ensure that the use of the site accords with the terms of the application and to ensure that the use does not result in frequent periods of traffic generation and disturbance to surrounding residential occupiers, in accordance with Policies OE1 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**17 NONSC Non Standard Condition**

A Parking and Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to formal entertaining events being held on site. All formal entertaining events at the site shall be carried out in strict accordance with the approved plan.

Reason

To ensure that parking and traffic generated by formal entertaining at the site does not prejudice the free flow of traffic and highway safety on the adjoining highway network in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**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

NPPF11

NPPF12

LPP 3.1

(2011) Ensuring equal life chances for all

LPP 3.2

(2011) Improving health and addressing health inequalities

LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.19	(2011) Sports Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.4	(2011) Retrofitting
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
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 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.9	(2011) Heritage-led regeneration
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
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**

The development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

Should significant archaeological remains be encountered in the course of the initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.

### **5**

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require

further information please refer to the Council's Website  
[www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738).

### **3. CONSIDERATIONS**

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

Swakeleys House is a Grade I listed, 17th century mansion house set within extensive grounds that extend to 8.6ha, located in the centre of Ickenham. The house and its grounds is surrounded by suburban development, with Milton Road to the north, Court Drive to the east and Swakeleys Drive and a tennis club to the south with Swakeleys Park and the River Pinn beyond adjoining the site to the west. The grounds provide an open parkland type setting, with mature tree planting mainly on the site boundaries. Vehicular access is provided from Milton Road, although there is a tree lined gated access from Swakeleys Drive which is not in general use.

The house was built in 1638 by Edmund Wright, a wealthy London merchant as a family home, entertaining space and retreat from the city. The 'H' shaped house in red brick with stone and stucco dressings has a distinctive 17th century architecture which has become known as 'Artisan Mannerism' and is one of the key examples of its type. It has five bays on the main fronts and four on the side. There are two main floors with a third in the roof space. It remained in residential use through to the early 1900s, but fell into decline in the 1950s, despite gaining listed building status. It was refurbished and converted to offices in the 1980s, although the building has been vacant since 2003. The external elevations of the building and much of its interior, including the screen in the Great Hall and ornate ceiling in the Great Chamber are remarkably well-preserved.

The building has two single storey 'L' shaped stables on its northern elevation which form a stable courtyard. Linked to the stables is a purpose built 1980s office block, Vyners House which occupies part of a former walled garden. Another separate office building, Harlington House is sited to the east of Vyners House which does not form part of the application site. The extensive grounds also incorporate a large car park to the north of the house, a bowling green and clubhouse in the north west corner of the grounds and outside the application site, a historic lake which borders Swakeleys Park. A footpath also runs along part of the southern and western boundaries of the site.

The house and its grounds form part of the Ickenham Village Conservation Area and the Metropolitan Green Belt. The site has a public transport accessibility level (PTAL) of 1 (based on a scale of 1 to 6 (where 1 is the least accessible and 6 the highest)). Tree Preservation Orders cover the eastern and northern edges of the grounds. The western part of the site, adjacent to the River Pinn also lies within a Flood Risk Area, Zones 2 and 3. The adjoining public open space is also proposed to be a designated site for nature conservation.

#### **3.2 Proposed Scheme**

This application seeks planning permission to change the use of Swakeleys House from office use (Class B1) and indoor and outdoor sports and leisure use (Class D2) and the erection of 7 buildings for use together as a single residential dwelling (Class C3) and gardens; alterations to listed building; demolition of 1980s entrance foyer attached to northern elevation of Swakeleys House, Vyners House, the connecting link between Vyners House and Swakeleys House and the Ice House building; and associated landscaping and servicing works within the surrounding grounds.



The scheme has been developed having regard to the need to conserve the house and its setting and to ensure a successful conversion of Swakeleys House back to residential use. To this end, in consultation with London agents, a number of key elements that the scheme needs to provide were identified if the scheme were to compete at the highest end of the residential market. These include excellent master suite facilities, en-suite guest bedrooms within the main house and additional guest suites within the grounds, nanny and personal assistant facilities within or close to the house with further accommodation for a travelling entourage and on-site staff, garaging and site servicing facilities, site security and privacy, leisure facilities including swimming pools and gymnasium and formal entertaining space.

Swakeleys House would provide the main family accommodation including an entrance hall in the Great Hall, family dining, sitting, breakfast rooms, kitchen, study, music/sitting room and staff pantry with cloak and storage room on the ground floor. On the first floor, the master bedroom would have his and her dressing room/bathrooms, 2 further bedrooms with connecting sitting and dressing rooms and bathroom facilities. The top floor would provide an additional 4 bedrooms with en-suite bathrooms, some with connecting dressing rooms, a family room and play space.

The stable block would mainly provide a long gallery, orangery, family room, library, reading/collection/hobby rooms, dog wash facilities and private secretary/staff office facilities and postal room. The new connecting link buildings would provide plant room facilities and a boot and safe room.

The proposed restoration of Swakeleys House and stables has been carefully considered and the subject of much discussion with Council and English Heritage officers. In general, highly significant historic fabric and 1980s fabric that preserves the overall significance or is of neutral significance would be retained wherever possible in order to minimise the need for invasive alterations and 1980s fabric that is considered to generally detract from the overall significance of the building would be removed. This process has been informed by a submitted Heritage Statement.

Internally, historic room proportions would be retained and where possible, restored. Door positions moved in the 1980s to facilitate office circulation would be reinstated. After careful consideration, some further alterations to doors are proposed, for example a door would be added from the entrance hall to the cloaks/storage area in order to optimise the room layout and to create a symmetrical appearance to the wall that addresses the Entrance Hall Screen. The existing door shall be retained but closed off to preserve the history of the house.

Where new partitions are to be installed, their detail and fittings would match the existing and existing fabric, where possible would be upgraded to improve the thermal performance of the building, in particular the 1980s timber windows would be refurbished and upgraded to eliminate draughts.

In the stable blocks, many of the 1980s partitions and suspended ceilings detract and would be removed to open up the spaces and to expose historic fabric.

#### New Build Elements

The 1980s built office foyer and connecting wings with the stable block are to be removed and replaced with smaller links to re-expose the north-east facade of the house. The link



buildings would be smaller, low-key enclosures built close into the corners of the stable courtyard, with their height matching that of the historic garden wall that links the east stable wing with the main house, minimising views of the buildings from the wider landscape. Although both Swakeleys and the stable block are built of a red/brown brick blend, there are subtle differences in their tone and in the coursing and mortar joint sizes of each building, making a good match with new brick very difficult. It is therefore proposed that the new links would be clad in stone to match that used for detailing on the main building with lightweight glazed northern ends addressing the stable courtyard.

The new outbuildings would be located to the north of the retained stable buildings, within the footprint of demolished 1980s buildings and areas of hardstanding to maintain the existing open spaces and minimise risk of disturbance to archaeological remains. Buildings would have a courtyard configuration, similar to the layout of outbuildings shown to have existed on this part of the estate on historic maps. The materials and ornament on the new build elements would reflect the material hierarchy on the existing buildings.

#### Guest Accommodation

The guest accommodation would be sited within the footprint of the demolished Vyners House to the east of the access road and comprises 4 detached essentially single storey gable end buildings with accommodation in the roof space arranged around an internal courtyard which would provide shared amenity space. The buildings would be approximately 7m wide and range from 11m to 18m in length, with an eaves height of some 4.5m and ridge height of 8m. The buildings are of a simple modern design, with a number of skylights and dormers incorporated into the roof. The buildings would provide 7 guest suites, 4 x two-bed and 3 x one-bed suites, with each of the suites catering for the varied needs of family, friends and business guests.

#### Banqueting Hall

This would be sited to the north of the retained stable block, on the western side of the access road. The building would be 'T' shaped, with the entrance hall and service wing aligning on a roughly north-south axis, parallel with the access road and the banqueting hall wing perpendicular to it. The building would have a 27m long frontage along, but set back from the access road, with the banqueting hall extending to some 25m at the rear. The building would be single storey, with a gabled end roof that would conceal the eaves and guttering behind parapet walls some 5.4m high, with a 8.3m main ridge height. The roof would comprise various materials, including clay tiles at the front and a glazed section over the entrance, with the banqueting hall being bronze clad and incorporates a flat roofed element. The building would include a basement which would house the main kitchen, plant room, toilet facilities and cloak room. In addition to the entrance and banqueting halls on the ground floor, there would also be a finishing kitchen, with lift access through to the main kitchen below. The building would be set back from the access road to create a cloister walk on the western side of the access road which would connect the stable block with the leisure building. To the south of the entrance hall would be a glazed link which would provide a covered drop-off point and forms part of the cloister walk.

#### Leisure Building

The leisure building would be sited to the north of the banqueting hall and be 'L' shaped. The main building housing the indoor pool would be perpendicular to the access road, with a length of 36m and overall width of some 9.5m, with a small wing housing a gymnasium

projecting some 13.5m from the south elevation parallel to but set back from the access road to continue the cloister walk. The entrance to the building would be formed by the gap between the two wings of the building. Behind the gymnasium would be the outdoor pool and pool terrace. The building would be predominantly single storey, with the main pool building having a gabled roof with a small area of the roofspace at the front providing additional social space and a treatment room. The building would be broken up with the ends of the building being of brick and clay tiles, with eaves heights of some 3.8 - 4.0m and ridge heights of 8.0 - 8.2m, whereas within the central section, over the pool, glazing would address the pool terrace, with the eaves of the building being concealed behind parapet walls some 5.4m high, with a bronze roof with a raised ridge height of 9.4m over the pool. The southern wing has been designed as a lightweight timber box, glazed along the western elevation overlooking the pool terrace which would sit behind the cloister wall, with a flat roof, with an overall height of 3.6m.

#### Staff Accommodation/Garaging

The service buildings would be sited at the northern end of the existing car park. They comprise two main blocks, approximately 8m wide and 22m long sited on opposite sides of an enclosed, working courtyard. The blocks would be essentially single storey with gabled roofs, with an eaves height of approximately 3.6m and ridge height of 7.6m. The ground floor would comprise garages accessed from the courtyard and would also incorporate a cycle and refuse stores, laundry and plant rooms. The roof space of the eastern block, adjacent to the access road would accommodate 2 staff apartments, one a one bedroom, the other a two bedroom unit. Connecting the two blocks on the northern side would be an open sided canopy structure with a connecting ridged roof.

#### Landscaping

In contrast to Swakeleys House itself, the grounds have been much altered. This proposal involves a Landscape Masterplan which seeks to enhance views of the house, improve its setting and re-introduce historic landscape elements, such as walled gardens around the proposed guest suites. Existing planting would be complemented by new trees, hedges and shrubs aimed at reinforcing views, creating a more structured layout and re-establishing a fitting setting for the house. The removal of some recently planted, non-native trees is also proposed to allow historic trees to regain their prominence.

Although the Class D2 bowls club within the grounds would close to the public, the existing clubhouse building would be retained, together with the bowling green as a 'sports area'.

#### Parking and Vehicular access

As part of the proposals, vehicle access into the site would be split, with the north gate, off Milton Road continuing to serve as a general access point for staff, services and deliveries with the south gate, off Swakeleys Drive becoming the formal, ceremonial entrance for the owners and guests. The gate off The Avenue, serving the bowls club would be closed. A total of 14 garage/covered parking bays are proposed, with further parking available in the service courtyard. The existing area of hardstanding in the north-west corner of the site can provide additional capacity for parking in the event of a function at the house.

The scheme has been subject to pre-application discussions with officers, both from Hillingdon and the GLA. The proposals have been amended prior to being submitted following feedback received from officers and from comments received to the applicant's

public consultation exercise. In particular, the public footpath is now being retained and no changes are proposed to the current level of internal public access to Swakeleys House.

#### Use

It is anticipated that the house would be fully occupied and the separate guest suite accommodation would be used by visiting members of the family and friends. Family occupation may involve lavish entertaining, particularly for key family celebrations with further visitors joining the family. The proposed entertaining space would be used in an informal manner and on an infrequent basis.

Formal entertaining may or may not coincide with family occupation of the house and might include formal family celebrations where there are guests from outside the family; formal business gatherings; or even quasi-civic events (eg. private, charitable dinners) would be held with the banqueting hall having capacity for a seated dinner event for 80 people. It is expected that no more than one formal event would be held a month.

The application is supported by the following documents:-

#### Design & Access Statement:

This provides the background to the application and describes the site's location. The history of the site is outlined and the heritage significance of the site is discussed. The statement goes on to assess the planning issues raised by the application and identifies the constraints to development. As a specific end user has not been identified, the statement identifies the facilities that are required to make the property attractive to a future occupier. A detailed brief and strategy for the proposed conversion is presented and the estate plan described. Implications for the views of the house and objectives of the Landscape Masterplan are discussed. The statement then goes on to discuss the restoration of the house and stables and describes the new link building. The strategy for providing the services required to bring new facilities expected in a modern household is described. The document goes on to describe the layout and scale, together with the appearance and materials of the new build elements. The report briefly describes energy, sustainability and flood risk issues and provides an access statement.

#### Planning Statement:

This provides a general introduction to the proposals, describes the site and the surrounding area. The building and its history is assessed and the extent of consultation undertaken on the proposals outlined, together with the changes made to the scheme. The application proposal is described and justification for the elements of the scheme advanced. The planning policy framework for the consideration of the application is then identified and planning policies are assessed. The report concludes by stating that the proposals have been driven by the need to secure the future of the Grade 1 listed building of exceptional interest, and that a significant number of benefits would be secured, which is supported by national, regional and local planning policies.

#### Heritage Statement:

This provides an introduction to the proposals, describing the site, its statutory designations, and the aims, purpose and structure of the report. The report goes on to describe the history and development of the site, noting important internal features and contributions made by successive owners. The landscape is also assessed. The report

goes on to consider the cultural importance and significance of the site. The policy context for the works are described and the a summary of the proposals are provided. A heritage impact assessment is provided to identify the impact of the proposals on the significance of the listed building and conservation area. The report concludes that in order to provide a sustainable future for this unused building of outstanding architectural significance, returning it to the use for which it was designed and fulfilled for almost 300 years represents a highly sympathetic objective, but even this will involve some minor harm to the historic significance in some areas, but this is largely unavoidable. Any harm is far outweighed by the major benefits resulting from the proposals and the proposals satisfy local and national policies for the historic environment and should be supported.

#### Building Services Strategy:

This report identifies the services that will be required within the development and provides plans and details as to how these would be accommodated within the buildings.

#### Transport Assessment:

This provides a background to the assessment and describes the site and its access and the scope of the report. The scale of the proposed scheme is identified, together with the key transport aspects of the development. Relevant transport policy is then assessed and existing transport facilities and road accidents identified. Baseline traffic conditions are identified and a transport strategy provided. Trip generation is then assessed, based upon three scenarios, the existing situation with Swakeleys House and Vyners House in office use, the proposed 'normal' situation with use as a single family dwelling on a typical weekday and the proposed 'formal entertaining' situation when the banqueting hall is in use. The report concludes that the traffic flows from the development, even taking the worse case scenario can be easily accommodated on the surrounding road network and parking provision exists on site to accommodate all the 'formal entertaining' traffic.

#### Archaeological Desk Based Assessment:

This provides the policy background to the report, and describes its aims and methodology. The geology and topography of the site are briefly assessed, and information from archaeological records presented. Of particular relevance is that this site is likely to be the site of the original moated Swakeleys Manor house. The likely impact of the development is then assessed, and the report concludes that as there is a high potential for archaeological deposits across the site, the proposed development is likely to have a high impact on any surviving remains and it is recommended that a geophysical survey be undertaken.

#### Archaeological Geophysical Survey Report:

This provides an introduction to the study, advising that a geophysical survey was conducted between 10 and 20/9/12. The geology and topography of the site are described and an abridged account of the archaeology record from the Desk Based Assessment presented. The aims and methodology of the assessment are outlined. Results are described and interpretations presented. These include distinct linear features in the Swakeleys House car park area which may either be the footprint of former outbuildings or modern service runs, linear features running across the open area to the south and west of the house, which may be associated with the remains of the 17th century garden and several broad areas of high amplitude to the east of Swakeleys House, which could represent a section of former moat and edge of the medieval phase of the estate,

although the depth of the features may be more indicative of landscaping works.

#### Arboricultural Impact Appraisal and Method Statement (including a Tree Protection Plan):

The impact appraisal assesses the impact of the development upon existing trees and the impact of any tree loss upon visual amenity. Proposals to mitigate any impact are presented. The method statement describes how trees will be protected and managed during the development process.

#### Outline Landscape Masterplan:

This advises that the landscape at Swakeleys House has not been well preserved and the historic setting of the building has been eroded away over time. Current views around the site and existing landscape features are analyzed. The Masterplan then formulates key landscape design objectives for the restoration of the grounds. This includes ground level remodelling and vistas improved, woodland belt planting on the parkland edges, kitchen garden reinstated within boundaries of existing walled gardens, lawns to be provided on southern side of the house, contemporary gardens provided with the new ancillary buildings, boundary treatment strengthened. The main grounds however would be retained as open space. The second half of the report provides a range of hard and soft landscape images which convey the materials and character of the landscape restoration envisaged.

#### Ecology Assessment:

This describes the background to the study, the site and methodology employed, together with its limitations. Results of the desk top study, habitat survey carried out on 7/8/12 and protected species assessment are presented and discussed and the assessment concludes with recommendations for mitigation and habitat management and enhancement.

#### Great Crested Newt Habitat Assessment:

This provides the background to the report, describes the site and the development proposals. Relevant legislation is identified and the assessment methodology is discussed. The report assesses the lake adjacent to Swakeleys House and surrounding habitat as regards their potential to support Great Crested Newts. Results are presented, with the lake being of 'poor' suitability for Great Crested Newts. Although there is suitable terrestrial habitat (native semi-natural woodland) to the north and west and bordering the site, habitat connectivity to suitable breeding ponds is absent, with surrounding residential development, the River Pinn and busy roads acting as barriers to dispersal. The report goes on to advise that the development proposals would not impinge upon this habitat and although the risk of finding Great Crested Newts on site is low so that additional surveys are not required, adopting a precautionary approach is recommended to deal with this risk.

#### Preliminary Roost Assessment:

This provides the background to the survey and describes the scope of the report, the site context and status and the development proposals. Legislation and planning policy is then assessed and the methodology of the assessment presented which included a full internal and external inspection of all the buildings on site and a ground level inspection of the two trees proposed to be removed in the car park. Results are presented and conclusions and



recommendations are made, together with suggested mitigation.

Bat Survey: Interim Report, May 2013:

This describes the background and scope of the study, the site context and development proposals. Relevant legislation and planning policy is assessed and methodology is described. Results are presented and recommendations are presented.

Bat Surveys Report, June 2013:

This updates the Interim Report.

Flood Risk Assessment:

This provides an introduction to the study and describes the site and proposed development. The assessment advises that the house is within Flood Zone 1 and a sequential test is not appropriate. The house and ancillary buildings sit astride a low hill and its thresholds are above the predicted flood level for the area. It is understood that the hard standing areas discharge to the lake within the grounds. There may be limited ponding to the parking areas, but this does not represent a significant flood risk. The report advises that the scheme represents a minimal change to the existing situation from a flood risk/drainage perspective, but the proposals do present the opportunity to provide a small improvement with the inclusion of SuDS features, which will provide attenuation to off-site flows, although the historic character of the site requires SuDS features to be restrained and in keeping with the illustrative masterplan so should be limited to mini swales and shallow detention depressions only.

Energy Strategy:

The report identifies the policy framework for carbon emission reductions, describes the report's methodology and assesses the various alternative technologies available within each of the building elements. Recommendations are made, including the use of air source heat pumps, solar thermal and photovoltaic panels.

Code for Sustainable Homes Pre-Assessment:

This advises that it is only applicable to the guesthouses and staff accommodation as the Grade I listed Swakeleys House is excluded from the assessment. The assessment advises of the measures that will be put in place to ensure that the new build accommodation satisfies Code Level 4 of for Sustainable Homes.

Statement of Community Involvement:

This report sets out the programme of consultation undertaken with residents and community groups and identifies the methods of consultation, including public meetings and exhibitions. The feedback received is presented and changes made in response to the feedback is discussed.

Letter from DTZ, dated 22/11/12:

This advises that a comprehensive marketing campaign for Swakeleys House has been underway since September 2003, including colour brochures, mailing potentially interested companies including overseas embassies and agents, letting boards, agent

open days, listing the property on the DTZ website, advertising on various databases, including Focus and Egi and monitoring of market requirements and responding to interested parties. The letter advises that a tenant or purchaser has yet to be secured, which is mainly attributed to the public access rights due to a company's need for privacy and security.

The letter goes on to advise that there has been a significant change in the office market over the past 3 years, making occupiers for accommodation such as Swakeleys House increasingly difficult to find. Historically, a number of commercial occupiers would have sought premises such as this which are full of character for their headquarters, but now occupiers seek office space which is:

- close to amenities and public transport,
- accommodation with large, efficient open floor plans,
- modern facilities and specification providing lower running costs and stronger sustainability/green credentials.

The letter also states that the Uxbridge office market has seen little activity in 2012 with reported take up of just 30,000 sq ft whereas there is currently supply of 550,000 sq ft and better quality office accommodation is increasingly becoming available in the borough.

Letter from agent, dated 18/1/13:

This deals with the possible trigger, given the size of the development and site that the scheme might need to contribute towards affordable housing. The letter advises that this issue has not been previously raised by the Council or the GLA and additional housing on this site would not be appropriate in Green Belt policy terms and should permission be granted, controls are expected to be put in place to prevent the future creation of separate distinctive uses or residential units which the applicant readily accepts. The letter goes on to advise that there are examples where single residential dwellings in London have been asked for affordable housing, but in those situations, the Boroughs have been through a plan making process to establish a policy that triggers affordable housing on a floorspace basis which is not the situation here.

Letter from agent, dated 17/4/13:

This details the benefits of the scheme.

Letter from DP9 dated 28/5/13:

This provides the justification for the scheme in relation to the three derogation tests identified by the Council's Sustainability Officer in relation to bats.

### **3.3 Relevant Planning History**

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

Planning permission (23202/E/80/1688) was granted on 9/6/81 for the change of use of Swakeleys House and grounds from sports club to office accommodation with ancillary car parking and provision of a new access road from Milton Road.

Subsequently, planning permission (23202/F/81/1435) and listed building consent (23202/G/81/1434) were granted on 5/11/81 for the restoration of Swakeleys House and adjoining stables in connection with conversion to offices and the erection of new office building (now known as Vyners House), construction of new access from Milton Road and ancillary car parking facilities.



In 1984, planning permission (23202/H/82/1504) was granted at appeal for the erection of 23,063 sq ft of offices (now known as Harrington House) along with additional car parking and formation of a new access road. A Section 52 Agreement dated 12/7/84 was entered pursuant to the granting of planning permission at appeal which made provision inter alia for the following:

- The grounds of Swakeleys House to be open on one day a year to coincide with the Ickenham Festival;
- The provision for certain areas of Swakeleys House to be open to the public on three specified days in the year and at other times by written appointment;
- The provision for a pathway around the southern and western part of the perimeter of the site;
- An area for public access with a lease for a term of 21 years at a peppercorn rent to Swakeleys Bowls Club for use as a bowling green.

In 2009, in an attempt to make the property more attractive to prospective office tenants following nearly 6 year vacant period, an application to vary some of the provisions contained within the S.52 was submitted and a Deed of Variation was subsequently entered into dated 12/5/09 which reduced the level of internal access to the main house from three days to one day a year to coincide with the Open City Weekend (now known as the Open House weekend).

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

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

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.HE1 (2012) Heritage
- 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
- NPPF11
- NPPF12
- LPP 3.1 (2011) Ensuring equal life chances for all

LPP 3.2	(2011) Improving health and addressing health inequalities
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.19	(2011) Sports Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.4	(2011) Retrofitting
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
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 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.9	(2011) Heritage-led regeneration
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building

BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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:- **15th February 2013**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

111 neighbouring properties have been consulted, the application has been advertised in the local press and 3 site notices have been displayed around the site. 14 individual responses raising concerns about the proposals have been received, 3 individual letters in support and 17 standard letters in support of the proposals. 3 petitions against and 1 in support of the development have also been received:-

In objection:-

1. The Ickenham Residents' Association petition with 70 signatories states:-

'We, the undersigned, fully support the Ickenham Residents' Association in their objective of ensuring that the wishes of its members as well as the wishes of the people of Ickenham in general, are heard and understood by the London Borough of Hillingdon's North Planning Committee, when considering the proposals at the above address (in the Ickenham Conservation Area) by voicing concerns, and asking the North Planning Committee to listen to the Association's comments.'

2. The Avenue Residents' Association petition has 29 signatories and states:-

'This petition relates to the above referenced applications to change the use of Swakeleys House from offices to residential, demolish Vyners House and the construction of 7 new residential

buildings, partially on the site of Vyners House but also on an undeveloped area of the Greenbelt currently used as a car park.

The objections to these applications can be summarised as follows:

- New residential development in the Greenbelt.
- New residential development in the Conservation Area
- Unsuitable development adjacent to a Grade 1 listed building.
- The risk of increased traffic in the Avenue both during construction and subsequently, resulting in increased wear and tear on the road and increased risk to pedestrians.'

3. The Swakeleys Bowls Club petition has 21 signatories and states:-

'We the undersigned wish to exercise our right for a representative to speak on our behalf at the meeting of the Planning Committee. We support the formal objection made by Swakeleys House Bowls Club to the above planning application.'

In support:-

4. The Ickenham Festival petition with 24 signatories states:-

'We the undersigned are concerned that Swakeleys House has now stood unoccupied for ten years and a viable use needs to be found for the long term protection of the building. We welcome that the current proposals will maintain and improve access to the site for the Ickenham Festival whilst returning the building to a beneficial use.'

Individual responses:-

Objection

- (i) Object to this planning application as Swakeleys House is an integral part of the community of Ickenham and a listed building. These proposals may result in inappropriate and unsympathetic alterations to the house and grounds,
- (ii) Overdevelopment of the site with 7 more buildings would be detrimental to character and history of the house,
- (iii) No buyer has been found so proposal is an in principal proposal as any occupier may have own requirements and would want a significant input into the layout of the property,
- (iv) Unlikely that applicant would have any greater success in finding residential occupier than a commercial one,
- (v) Applicant seeking to include publicly accessible land in their plans. The land had public access when they purchased the site, and should remain so. Removal of a public amenity for the benefit and profit of the applicant is absurd and plans should be amended to exclude publicly accessible land,
- (vi) Before the change of use to commercial property, the grounds were fully accessible to sporting organisations, and the village suffered the loss of these facilities with the understanding that the S52 Agreement provisions provided small but recognisable recompense,
- (vii) The bowls club have acted properly throughout their tenure, maintaining their property in good order at all times, unlike the rest of the estate,
- (viii) As regards Planning Statement, Para. 5.41 - the arrangement which allowed for the lease is the S52 Agreement which has not expired. It is the lease which has expired which ensures that the public accessible land is managed. It is the proposed use which is not compatible with the publicly accessible land. Para. 7.120 - The bowls club was envisaged to be a permanent arrangement as those responsible for its composition will confirm. Para. 121 - the same argument could be made for a publicly accessible park, with its boundary corresponding to the S52 Agreement. Para. 7.124 -

it is difficult to see how a well tended bowls club would detract from the Green Belt of the setting of the house within a well considered landscape. Para. 7.122 of Planning Statement suggests that members could all make use of other clubs in the surrounding district is to completely miss the point as for many members, this would be impracticable, particularly at night and carrying a set of woods and shoes for those who do not drive,

(ix) Object to element of proposals that involves the closure of the Swakeleys House Bowls Club as this is the only lawn bowls club in Ickenham and an important active and lively social and sporting centre, which is well supported by Ickenham residents and entirely run by volunteers. It is open all year with regular whist evenings, computer help/lessons nights, quiz nights, fun/games nights and carpet bowls. At a time when Government and the Mayor are stressing the importance of the sporting legacy and volunteering, it is a vital this asset to the community remains open. Its closure will be detrimental to the physical and mental health of the local community and this element of the scheme needs amending,

(x) Bowls club is an important historical asset, which has been in the grounds of Swakeleys House for well over 50 years, when GPO occupied house and before that as a croquet lawn with the headquarters of the English Croquet Association being on site. Good bowling greens are disappearing fast and this needs to remain as a jewel in the heart of the conservation area.

(xi) Bowls clubhouse is in use almost daily throughout the year, which acts as a deterrent to unwanted intruders intent on causing mischief at Swakeley's House.

(xii) The 7 - 8 ft high hedge at the bowls club protects the privacy of the club and house,

(xiii) Application does not return property to its historic and original use, unless the Lord Mayor of London is the tenant,

(xiv) The ballroom and the gallery were there when the property was converted to offices and are recoverable,

(xv) The applicant has a propensity for self interest and has had a lack of regard to the interest of the village and existing arrangements, both of which were here when purchased the property which needs to be amended,

(xvi) This is just a rouse for what is really intended - to turn Swakeleys House into a hotel complex with beds for 26 guests as well as seven bedrooms that will sleep 14 and includes a large banqueting hall that will seat 60,

(xvii) Scant information on what will happen to the courtyard buildings is of concern,

(xviii) Proposal will use all floor space that it will demolish

(xix) The master bedroom (old ballroom) is over 43 feet long by 23 feet plus the old bandstand, which along with his and her bathrooms is an incredible waste of space and not practicable

(xx) Removing path used by residents for years is unnecessary,

(xxi) Understand charity has now come forward to use house as a free school which would not involve any demolition, building work or so many alterations to the main house. The bowls club, grounds and perimeter footpath and Festival would not be affected so hope this will be given favourable consideration.

(xxii) Confirmation needed that 'boundary treatments to be strengthened around perimeter of the site' as annotated on the masterplan will not apply to the 1.4ha parcel of woodland to the east of the application site which is owned and actively managed by No. 24 Court Road but regarded as integral to Swakeleys green belt estate and is enclosed within it with an open boundary between the two which promotes the objective of the green belt and habitat continuity. Would also like confirmation that I would be consulted on any boundary details application.

(xxiii) The draft S106 Agreement attached as an Appendix to the Planning Statement creates a 'ransom strip' between Vyners House and parcel of woodland as land included within application site, but excluded from area where buildings would not be allowed,

(xxiv) Adequate protection and insurance of the building is required.

(xxv) In addition to bats and great crested newts, there are many other animal and bird species within the grounds, which whilst not all protected species, their habitat and movement need to be considered. These include deer (muntjac), badgers, green and spotted woodpeckers, nuthatches, various finches, 5 tit species, thrushes, blackcaps, nightingale (on occasion), goldcrest, firecrest, wrens, owls, herons, sparrowhawk, common lizard, smooth newts, frogs etc etc. The planning

application does not have clear provision for the retention of open passage for ground dwelling animals, referring generally only to boundaries being re-inforced and managed. There should be specific provision that all boundaries enable ground dwelling animals to move freely in and out of the Swakeleys grounds with no reduction to the existing ease of passage.

#### Support

(i) Generally supportive of proposals to convert Swakeleys to private residential use if genuinely for a family, as current vacancy can not continue with risks of deteriorating condition and this seems the best way of ensuring its essential character is retained and protected, compared to a further period of unoccupancy. The proposals also seem to enhance some of the lost historic characteristics, improve certain landscaping aspects, and would make the property of greater public interest,

(ii) Maintaining public access to the path around Swakeleys Park from The Avenue to Swakeleys Drive is welcomed, allowing continued enjoyment of views of such a very important building in the region and it should be possible to provide reasonable security for the house without obscuring these views,

(iii) Offer to extend Festival's access entitlement is appreciated, as Swakeleys House is so much a symbol of Ickenham,

17 standard supporting letters have been received which state:

'I wish to express my support for the proposals to return Swakeleys House to a family home.

- I firmly believe that the proposals are a much-needed way to restore Swakeleys House to its former glory returning it back to its original use as a family home.

- I believe that the proposals are necessary to secure the long term future of Swakeleys House, ensuring it can continue to be enjoyed by future generations.

- I support the proposals to remove the 1980s additions to the house, including the demolition of Vyners House, which currently detracts from the beauty of the building.

- I support the removal of Vyners House and office use on the site which will benefit the residential quality and environment of the wider neighbourhood.

I support the principle of keeping the Ickenham Festival on site, maintaining access via the annual Open House event and importantly retaining the perimeter footpath.

As such, I strongly urge Hillingdon Council to support this application on the grounds stated above.'

#### THE ICKENHAM RESIDENTS' ASSOCIATION:

1. We are in support of the principle of getting this important historic Grade 1 listed building forming a substantial and central part of Ickenham's Conservation Area back into use, but not at significant loss to the community or contrary to planning legislation. It has always been the view of the Association to seek the safeguarding and long term future and appropriate use of this much valued House and Grounds in the centre of our village, and it is with that in mind that we have considered these planning applications and have identified a number of concerns.

2. We are extremely concerned at the proposed encroachment on the Green Belt and dispute the idea that such use could be claimed as a 'Very Exceptional Circumstance', in relation to green belt policy as referenced in Section 9 of the National Planning Policy Framework (with particular reference to paragraphs 79, 87, 88 and 89).

3. Whilst bullet points 3, and 4 of the NPPF Section 9 para 89, may be claimed pertinent to this application, we feel this is not the case, as this application is for 'Change of Use' and further requires the demolition of a building on Green Belt land to be replaced by others of a larger footprint on another site within the Green Belt. Bullet point 2 also refers to the retention of the openness of the Green Belt which due to the proposed siting of the new elements of this



application contradicts this intention.

4. The original application for the building of Vyners House may well have been seen as an Exceptional Circumstance, in that it was truly an enabling development to provide funds to enable the complete refurbishment of what at that time was a Grade 1 Listed building in serious danger of becoming a crumbling mess.

5. We do not believe that 'hard standing' currently used as car parking can claim to be part of the 'built environment' in relation to Green Belt, so a swap of footprint from Vyners House to the car park would not be acceptable within the legislation.

6. Any built development on the car park area would adversely affect the open nature of this part of the proposal site.

7. We do not feel the 'excessive sprawl' of additional buildings i.e. banqueting Suite, staff accommodation, garages, and swimming pools are consistent with a 'single residential dwelling'. Considering these plans are designed to provide such a single family residence there seem to be an excess of additional buildings in the estate producing additional development towards the Milton Road entrance. The Association finds this approach objectionable.

8. We have severe concerns that the additional buildings proposed, being self-contained dwelling units, could become separate planning units. Thus the scheme would not be a single dwelling as specified in the application, but rather multiple dwellings. This would be entirely inconsistent with the new Green Belt policy in the NPPF.

Following the general points made above we would respond further to the comment/claims made in the Planning Statement and other documents submitted as part of the three planning applications.

#### Planning Statement

· 5.12 The claim that Vyners House 'detracts from the setting' is of course 'opinion', and one with which we do not agree. Vyners House was an important 'enabling' development in the House's refurbishment in the 1980s and was subject to close scrutiny as to its appropriateness in relation to the House and its setting, thus being a truly 'very exceptional circumstance' in relation to additional building on the Green Belt.

· 5.17 We do not believe that this claim complies with Green Belt legislation, in that hard standing does not constitute buildings

· 5.41 The loss of the Bowls Club is a serious loss to the local community and Bowls Club members in particular.

· 6.5 We feel the adverse impact of all the additional buildings to be built on the Green Belt DOES outweigh the benefits of the NPPF Policy.

· 7.12 UDP Policy H8 is not relevant in this instance as we feel this Policy relates more to 'multi house' developments. Perhaps H9, new London Plan Policy 3a.4, 3a.10 and 4b.5 should be more pertinent.

· 7.17 There is not, in our opinion, any 'very special circumstances' emanating from this proposal such as to circumnavigate the NPPF presumption against inappropriate development in the Green Belt.

· 7.19 - 7.26 Despite claims attempting to mitigate Policy 0L4 (retained Policy of the UDP) we believe this Policy is absolutely pertinent and should be upheld.

· 7.105 Solar & Thermal PV Panels spread around the 'sprawl' of building proposed, particularly on the Listed House, in a Conservation Area seem to be totally out of character.

Access - We welcome the fact that it is planned to continue the facility of public access to the House associated with the Open House Scheme. However, the nominal half day once a year has been shown to be insufficient to cater for a considerable number of visitors many of whom travel from different parts of London and the Home Counties to view the property. There is also concern that, if the Open House Scheme were to cease, the opportunity to visit might be lost. Retention of public use of the perimeter path and use of the grounds for Ickenham Festival Gala Day (dating back to 1977) is a vital Community Asset.



Bowls Club - It is to be regretted that there are no plans to continue to offer the use of the green to the Bowls Club. The point is made that its retention would prohibit an improved landscaping plan with tree planting. It is our view that landscaping using trees in the appropriate positions would still enable an improved aspect from and around the House yet at the same time provide access from Milton Road to a screened Bowls Club.

Arboricultural Report - This very comprehensive report identifies and makes many recommendations regarding treatment, felling and planting of trees on the estate. Elsewhere in the Design & Access Statement much is made of the use of trees as screens, particularly of the new proposed buildings. Photographs are included to show how trees will provide these screens. We note that in most cases the trees depicted are in leaf which gives a misleading impression of these claims. It is also not clear whether these claims of the use of landscaping have taken into account the plans and recommendation of the Arboricultural Report. We feel this aspect of the planning applications throws doubt upon the claims made.

Proposed Estate Plan - The desire to remove the additional 1980 s buildings (Vyners House, the Ice House and Stable links together with the Entrance Foyer) is understandable, but it would appear that the space made available plus the existing car park area will then be a site for additional buildings. The appearance of which do nothing to enhance the setting for the 17th century Grade 1 listed House, and produce an adverse effect on the current character and appearance.

The guest accommodation reminds one of a shopping precinct and do not compliment the Stable blocks as claimed. The roofs should be hipped rather than gable ended. The very unattractive all glass square dormer windows which are proposed are totally out of sympathy with the stable dormer windows from which they are inspired. It would appear that the roof line height of these 'cottages' exceed that of the Stable block which is also not desirable.

Similarly, the new proposed glassed fronted link units to the House from the stable block although revealing the House facade do nothing to compliment the House itself.

We noted the suggestion that the Great Hall and swimming pool area are planned to have bronze roofing which we feel is not appropriate and gives us cause for concern about the appropriateness of other materials.

The Association questions the need for the Banqueting Suite (aka Grand Hall) which according to the planning information is of an area 371m<sup>2</sup>. The west Stable block is not much smaller at 319m<sup>2</sup> and is linked directly to the House.

Since it is not exactly clear how the Great Hall would be used it is likely that most uses could be catered for in the West Stable block (aka the Long Gallery).

Overall the footprint of the new buildings at 1175 m<sup>2</sup> (not including the proposed hard standing car parking area) exceeds that of the House and Stable blocks at 1165 m<sup>2</sup>. It is obvious from the plans that whereas the House and Stable blocks are a single footprint the other new buildings are not only of larger footprint but also cover a larger area which gives the appearance of the House being dominated by a collection of buildings crowding in around it. We recognise that the interior of the house will require sensitive modifications to provide suitable rooms and facilities, but as lay people we rely on the LPA to assess in detail the many required changes to the fabric of the House to accommodate this proposed change of use. However, one area we would question is the plan to have one master bedroom with en-suites for two persons taking up the whole width of the west side of the first floor of the House. It does seem a lost opportunity to make the most of this area.

One final comment we would make is that this application 'could' equally well be considered as an application for a small Country Hotel complex, if the nomenclature of the building descriptions were to be altered!.

For all of the above reasons and comments we ask that you reject this application as it currently exists.

We will be submitting a petition shortly in order to be able to speak at the relevant North Planning Committee meeting.

#### THE AVENUE RESIDENTS' ASSOCIATION:

'The Avenue, Ickenham is a private residential road situated in the heart of the Ickenham Conservation Area and is one of the former main approaches to Swakeleys House. The Association was founded in 1977 with the specific objective to 'maintain the standard and distinctive character of The Avenue for the residents and Ickenham in general', Membership of the Association comprises 38 households that are situated in The Avenue.

The Association has a number of serious concerns regarding the applications:

1. The erection of the 7 new buildings would result in an additional built footprint in the Greenbelt of some 3,547 sq.ft, where there has historically been no construction (this was previously a wooded area called Park Clump). We are concerned about additional building in the Greenbelt.

2. When Vyners House was given permission to be built in the Greenbelt it was for the exceptional purpose of providing a structure that could help ensure the future survival of Swakeleys House. Both it and neighbouring Harrington House were built so as not to obstruct any views of Swakeleys House. In fact Vyners House was deliberately built within the footprint of the old walled garden.

The proposed 7 new buildings, some two storeys high and sprawling across the Greenbelt on either side of the approach to Swakeleys House, hem the house in and present the appearance of an urban street leading up to the house. This neither seems appropriate for the Greenbelt nor for a Grade 1 listed building of national importance.

3. The proposed use of this complex of 7 new buildings is residential. The proposal would therefore represent an expansion of residential development in the Greenbelt. We are concerned about additional residential development in the Greenbelt.

4. The Ickenham Conservation Area Review of 1999 stated that the Conservation Area is:

'based upon three core areas, considered fundamental to the character of the Conservation Area: the Village, Swakeleys, and Ickenham Manor'

Under 'Policies':

'As well as ensuring that the area is preserved the designator also means that positive steps should be undertaken to improve and enhance the character of the area. This may include the restoration and face-lifting of buildings, removal of unsightly clutter, the planting of trees and protection of open spaces.

In this area, it is necessary to continue to reinforce Green Belt Policy and aim policies at protecting open spaces, particularly those to the east of the Metropolitan Line and the setting of Swakeleys.'

We are concerned that the applications do not meet the criteria outlined in the Conservation Area

Review and moreover we are very concerned about the implication of allowing additional residential development in the Conservation Area.

5. The construction works would entail significant truck and vehicle access to remove demolition rubble and bring in new construction materials. The applications also envisage the construction of a banqueting suite sitting 80 people and that it will be used for both private and rented functions. Leaving aside the vehicles associated with catering, functions of this size will also result in additional vehicle traffic, not just during the day but also in the evenings and at weekends.

The Avenue is an un-gated private road, maintained by the Association and does not have pavements or streetlights. Any increase in traffic, either during construction or subsequently would therefore have implications for our Association regarding the maintenance of the Avenue. The Avenue is well used by Ickenham pedestrians and in particular school children going to and from Breakspear and Vyner's schools. Any additional traffic volume will have clear public safety implications.

For the above reasons we ask that the applications be refused.

#### SWAKELEYS BOWLING CLUB:

Before the Council make a decision, they should be aware of the following:-

(i) In 1980, group of local residents formed a club to acquire a 21 year lease of the badly neglected bowling green from the landlord at Swakeleys. Members have invested time and money in the premises, bringing the green back to working use, restoring perimeter paths and hedges and financed the construction of a clubhouse and car park without any recourse for assistance from landlord.

(ii) Club is open to all and has become an important part of the social structure of the locality which mainly appeals to the older generation. It is open every day for outdoor bowling from April to October and for indoor bowls and other social activities throughout the rest of the year. The club is well supported with 70 playing members and 30 social members. Surrounding bowling clubs do not have many vacancies and many members would find it difficult to travel further afield so if club closed, they would be denied opportunity to continue bowling.

(iii) The bowls club occupies a small corner of the Swakeleys Estate and has its own separate parking and access so it could easily be fenced or screened off to maintain privacy of the house which would not interfere with the landscaping on the rest of the estate

(iv) A strong community atmosphere has grown up with members working, playing and socialising together. The closure of the club would result in the loss of this community and all the attendant health and social benefits that the medical profession advise is important for the older generation.

#### ICKENHAM CONSERVATION PANEL:

Whilst the Panel would wholeheartedly welcome the re-instatement of a suitable use at Swakeleys House, we are concerned at the number of proposed outbuildings in closer proximity and their contrasting architectural style with distracting modernity.

Accordingly the Panel urges that this opportunity be taken to re-design the new structures with more sympathetic detailing such as replica fenestration, mullions and other key features of the original period architecture. Distant views towards Swakeleys House should remain uninterrupted.

The Panel raises no objection to the demolition involved, nor to the alterations proposed to the main foyer. As relatively recent 'enabling development' they were never in keeping with the period architecture and therefore represent no significant loss.

We urge that enforceable conditions are attached to any consents ensuring that the Estae is occupied as a single residence. Any future intensification of use such as for a hotel, country club or conference venue is likely to strengthen traffic concerns and threaten the historic fabric.

Finally we request that all new archaeological evidence unearthed is made available for public inspection and scholarly interest be adding it to the official documentary and online archives of the site; and by making it available on site through signage and in guide notes, etc. on public open days.

#### ICKENHAM FESTIVAL TEAM:

As part of the 1981 planning application to refurbish Swakeleys House into offices, a planning agreement was put in place. This agreement ensured that the Ickenham Festival had access to the house's grounds on a Saturday in June each year to hold their Gala Day, the climax to the Festival Week.

In the intervening years The Ickenham Festival has grown to become a large part of Ickenham, life. Any 'Google' search of 'Ickenham' and you will soon be informed that the Festival is a major part of Ickenham's character.

With Swakeleys initially occupied by Bristol Myers, and subsequently with it being owned by CES Properties (Ickenham) Ltd, The Festival Team have benefited from that planning agreement set up in 1981 and have enjoyed unhindered access to the grounds for Gala Day. In fact as the Gala Day has grown we have been given extra access to set up on the Friday and to clear up on the Sunday which has been much appreciated.

We in turn have respected the fact that the grounds are not ours and that the planning agreement of 1981 can best work if we respect the expectations of the owners. With this aim, I feel we have probably always left the grounds in a tidier manner than how they were found. I can also confirm that no adverse issues have ever been brought to my attention in my 10 years with The Festival.

In October 2012 I was contacted by Tobin Byers of Bellenden to set up a meeting to discuss CES's plans for Swakeleys. Two of our team met up with him and were shown potential plans of how the house could be turned back into a single residence. Tobin reassured us that The Ickenham Festival Gala Day could be accommodated within the proposal and even offered that the Friday and Sunday access mentioned above could be formalised within a new planning agreement. Tobin also suggested that the grounds would mainly remain open parkland style which would once again be ideal for the Festival Team to continue staging Gala Day within.

When Bristol Myers were tenants in the house they very much supported the Festival, even donating The Swakeleys Shield, a 'trophy' to be awarded annually to local individuals or groups that have acted 'in the spirit of The Ickenham Festival'. Nominations for receiving this award are numerous every year, confirming that 'The Ickenham Festival Spirit' continues to live on even whilst the community is threatened by further urbanisation. The Shield has pride of place just inside the door of Ickenham Library for all to see. With CES (Ickenham) owning the house for the last ten years and not being based on site we have never felt that they have got as involved in The Ickenham Festival in the way that Bristol Myers did. As mentioned above, access, electricity and water were always made available but no face to face dialogue. We would welcome any new owner or tenant being on site and taking part in what we do!

With the submitting of this planning application we are aware that local residents were concerned about, not only The Ickenham Festival losing it's right to being there in June every year, but also the possible loss of access to the house during London Open House Weekend and closure of the perimeter path. We also note, (from the public consultation paper included with the planning

application) and welcome, that the owner is now willing to continue with these access arrangements in the event of the change of use being granted. In fact as mentioned above the owner has offered to extend The Festival's access entitlement which we very much appreciate. We are also aware of local concern that Swakeleys Bowls Club may not be accommodated within this new use of Swakeleys House. As supporters of The Ickenham Festival we hope that a way will be found for them to continue their good work and sport.

Swakeleys has now stood unoccupied for ten years and we have been told that all attempts to find a commercial tenant have failed. We understand and agree that this position can't continue if we expect the owner to maintain and invest in the property. We are also very conscious that too many Gala Days and evening concerts have held in its grounds with the house being a magnificent backdrop, but standing empty. The Festival Team feel that to secure the long term future of the house a viable alternative use needs to be found soon and that if the professionals feel that developing it as a private residence will secure its long term future this proposal should receive our support.'

#### ENGLISH HERITAGE:

##### Recommendation

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

In returning the application to you without comment, English Heritage stresses that it is not expressing any views on the merits of the proposals which are the subject of the application.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended that you contact the Greater London Archaeological Advisory Service for further advice.

##### Further comments:-

You should by now have received letters from English Heritage allowing you to determine the current planning applications for Swakeleys. I know that Samantha Johnson has been closely involved with you on pre application discussions for this site and I have had a number of meetings with the architects and agents. I believe that the ambitions Hillingdon and English Heritage had for the enhancement of the house and it's setting have been fully realised by these thoughtful and carefully prepared applications.

Swakeleys is a very rare building type in London, a practically unaltered example of the Artisan Mannerist style, and the proposals to return it to a private residence represent an equally rare opportunity for it's future. Not only will a sympathetic use be possible for the house but there is also the opportunity to remove the ancillary buildings associated with the use as an office headquarters which will enhance the historic setting of the house.

Whilst the conversion of the house to offices was not unsympathetic, there have inevitably been internal alterations which have detracted from the outstanding architectural and historic interest and character of the interior. Your reports identify very clearly the opportunities to make good this harm and the new interventions proposed to accommodate contemporary residential use have been carefully and sympathetically detailed.



The National Planning Policy Framework, when considering the conservation and enhancement of the historic environment at paragraph 131 states that: 'In determining planning applications, local planning authorities should take account of the desirability of sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation'.

I hope that when determining the current planning applications your Council will consider how fully the proposals will be likely to both sustain the significance of this heritage asset and return it to a use consistent with its conservation.

#### ENGLISH HERITAGE (ARCHAEOLOGY)

As the reports have been able to demonstrate, the site retains a high potential for significant archaeological remains. Prehistoric material has been recovered from the vicinity, which may be present on the site. More significant, however, is the known establishment of a medieval moated manor within the site boundaries, with associated outbuildings and orchards, which was demolished in the early 17th century. The present Jacobean manor is also of archaeological interest, as outbuildings and other elements are known from outside of the building's footprint. Remains associated with either of these episodes in the site's history would be considered of regional significance. The proposed new buildings, which include swimming pools and basement levels, and any substantive landscaping, have the potential to impact upon any archaeological assets.

In accordance with the recommendations given in paragraphs 135 and 141 of the NPPF and in the borough's local policies, a record should be made of the heritage assets prior to development, in order to preserve and enhance understanding of the assets.

The archaeological position should be reserved by attaching a condition to any consent granted under this application. This condition might read:

##### Reason

Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with recommendations given by the borough and in the NPPF.

##### Condition

A) No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of

the results and archive deposition has been secured.

##### Informative

The development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

Should significant archaeological remains be encountered in the course of the initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.

#### GLA:

London Plan policies on Green Belt, heritage, housing density, inclusive design, energy and transport are relevant to this application. In general, the application complies with some of these but not with others. The reasons for this and the remedies are set out below:

- Principle of development: The proposal complies with London Plan policy 7.8 'Heritage assets and archaeology' and London Plan policy 7.16 'Green Belts'. The change of use from employment back to the former residential use does not raise any strategic concerns. The existing footpath use and open/festival uses are also to be retained.

The Council should ensure the guest and staff accommodation and banqueting facilities are secured for ancillary use only.

- Housing: An affordable housing contribution is required.

- Accessibility: Further information is required to determine whether the application complies with London Plan policy 7.2.

- Energy: The proposals are acceptable.

- Transport: Electric vehicle charging points should be provided.

#### TfL:

TfL requires that the applicant address the following matters in order for the application to be considered acceptable and compliant with the transport policies of the London Plan:

·The level of parking provided for the banqueting provision is not in line with the London Plan standards for D2 use.

·Clarification is required on what is the managed parking arrangement

·The inclusion of 4 active and 4 passive EVCP will need to be provided for the banqueting provision.

·Safe cycle storage and showers for employees.

·A Travel Plan will need to be submitted following TfL guidelines though TfL is content for this to be secured through s106 agreement.

·A Framework Delivery Servicing Plan and Construction Logistic Plan will need to be submitted following TfL guidelines but TfL is content for this to be secured through planning condition.

·CIL payment

#### ENVIRONMENT AGENCY:

As plans show area of the proposed development to lie within Flood Zone 1, further than 8m from the watercourse and predominantly in place of existing built footprint, we have no comments to make. However, it is encouraging that mini swales and detention depressions will be used as part of the drainage system.

#### NATURAL ENGLAND:

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a



protected species.

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

The protected species survey has identified that the following European protected species may be affected by this application: Bats and great crested newts.

Our standing advice sheets for individual species provide advice to planners on deciding if there is a 'reasonable likelihood' of these species being present. They also provide advice on survey and mitigation requirements.

The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult us on each individual application.

The standing advice was issued in February 2011 and we recognise that it will take a little while for planners to become more comfortable with using it and so in the short-term will consider species surveys that affect European protected species against the standing advice ourselves, when asked for support by planners.

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

How we used our standing advice to assess this survey and mitigation strategy.

We used the flowchart on page 10 of our Standing Advice Species Sheet: Bats beginning at box (i). Working through the flowchart we reached Box xii. Box (xii) advises the authority that further survey effort is required in accordance with Bat Surveys - good practice guidelines and you should request additional information from the applicant.

We used the flowchart on page 8 of our Standing Advice Species Sheet: Great crested newts beginning at box (i). Working through the flowchart we reached Box viii. Box (viii) advises the authority to accept the findings and consider promoting biodiversity enhancements for great crested newts (for example creation of new water bodies and suitable terrestrial habitat) in accordance with NPPF and Section 40 of the NERC Act.

For future applications, or if further survey information is supplied, you should use our standing advice and mitigation requirements have been met.

#### RUISLIP LOCAL HISTORY:

I am writing on behalf of the Society to express our concerns about some aspects of the applications relating to Swakeleys House although we are in favour of some of the proposals. The removal of the 1980s entrance foyer and connecting wings will definitely improve the façade of the house and we are pleased that the exterior will not be detrimentally affected by the proposed changes.

But we are concerned that the proposed new seven buildings to the rear of the house represent an over development of the site which will detract from the setting of the original house within the grounds. The new buildings will be over dominant making the house appear hemmed in. This

problem will be exacerbated by the fact that several of these proposed new buildings will be two storey buildings and they will not be screened sufficiently by the trees.

Despite assurances in the Design and Access Statement to use sympathetic materials we are not convinced that the appearance of the new buildings will be in keeping with the existing house and stables and we request that this be reviewed. We are especially concerned about the proposal to have bronze roofs for the pool area and the banqueting hall which does not seem appropriate.

We are pleased that there is a commitment to honour the present arrangement of opening the house once a year for Open House Weekend. But several years ago it was open three times a year before the public access was reduced to the present arrangement. I am sure it would be greatly appreciated by the local community if the more generous opening times were to be reinstated as a gesture of good will. It would represent a commitment to share this important historical site with the wider public.

Similarly in the past more rooms used to be accessible to the public on the open days and it is disappointing that there is no mention of any plans to restore the number of open rooms to their original number.

Although the proposals are to return Swakeleys House to its original use as a private residence there is still an onus to share this very important historical building with the wider community. This must be taken into account when any decisions are made on these applications.

#### ICKENHAM VILLAGE CONSERVATION AREA PANEL:

Whilst the Panel would wholeheartedly welcome the re-instatement of a suitable use at Swakeleys House, we are concerned at the number of proposed outbuildings in closer proximity and their contrasting architectural style with distracting modernity.

Accordingly the Panel urges that this opportunity be taken to re-design the new structures with more sympathetic detailing such as replica fenestration, mullions and other key features of the original period architecture. Distant views towards Swakeleys House should remain uninterrupted.

The Panel raises no objection to the demolition involved, nor to the alterations proposed to the main foyer. As relatively recent 'enabling development' they were never in keeping with the period architecture and therefore represent no significant loss.

We urge that enforceable conditions are attached to any consents ensuring that the Estate is occupied as a single residence. Any future intensification of use such as for a hotel, country club or conference venue is likely to strengthen traffic concerns and threaten the historic fabric.

Finally we request that all new archaeological evidence unearthed is made available for public inspection and scholarly interest by adding it to the official documentary and online archives of the site; and making it available on site through signage and in guide notes, etc. on public open days.

#### **Internal Consultees**

##### URBAN DESIGN/CONSERVATION OFFICER:

Background:

Swakeleys House is an exceptional early Jacobean House, converted to offices and provided with an enabling office development in the mid 1980s. The house has been vacant for about nine years, as attempts to secure a new owner have failed, and this gives cause for concern, for a listed building of this quality.

The change of use from office back to residential is challenging in a house which retains so much original fabric and has not been used for residential for nearly a century. Although this has been achieved very successfully, it has required much of the ancillary accommodation thought necessary for an owner of this status, to be located 'off site'.

The proposed demolition of Vyners House is to be welcomed: this bulky 1980's office building with its big Dutch gables, is overbearing in relation to the northern court and entrance to Swakeleys House. Its replacement with guest accommodation, set out in four small buildings around a central court, and within the reinstated Walled kitchen garden, is considered a sensitive development, its low scale and modern, simple and self-effacing design, appropriate for ancillary buildings to the Great House.

On the opposite side of the drive there would be a 'U' shaped garage court with open sides, which has been designed as an outbuilding in a simple, vernacular form, with the aim of hiding cars, cycle stores and refuse from view whilst accommodating staff flats within the roof form. Alongside it would stand the pool room with ancillary accommodation, including gym and social room, in the roof space. The third parallel block would contain the, rather grander, banqueting hall, which has been reduced in length since the pre-application discussions, so as to preserve the mature trees which screen the site from the west.

Whilst these buildings would be large, they would occupy the site of the existing car park, be designed in an interesting mix of traditional, vernacular 'barn' like styles yet in a modern idiom and they would be linked by a pierced garden wall which would tie the development together and reflect the Walled Garden on the opposite side of the drive.

These proposals are considered to have attained a very high standard of design which has evolved from a well researched understanding of the House, its development and setting. In this way the buildings would be sufficiently subordinate to the House, as to contribute positively to its setting. However, it is recognised that this is a speculative proposal and likely to lay the foundations for subsequent schemes by prospective owners, which may not be able to achieve this degree of sensitivity.

It is considered that an application for planning permission should include a detailed submission of materials, withdraw all permitted development rights and make it very clear that the 'off site' provision is only acceptable in conjunction with the residential use of the house by a single occupier.

Recommendations: Acceptable

TREES AND LANDSCAPE OFFICER:

Landscape Character/ Context:

The site is occupied by a 17th Century Grade 1 listed house which was refurbished and converted for office use, together with the construction of two new office buildings, in the 1980s. The house lies within designated Green Belt, and is bounded to the west by the River Pinn and Swakeleys Park. All other boundaries are defined by suburban residential development. The building has lain empty for some years now, reflecting the prevailing market conditions.

Situated within the centre of Ickenham Village Conservation Area, the house is accessed from Milton Road to the north. There is a remnant avenue of trees extending to the south along The Grove, towards the Western Avenue (A40), which crosses Swakeleys Drive, Halford Road and The Chase.

The estate and setting for the house is characterised by a mix of vestigial landscape features including open grass / parkland with specimen trees, part of a walled garden, stables and courtyard, a southern gated access from Swakeleys Drive, and mature trees around the site boundaries (with part exposed views of the 20th Century residential development. An established bowls club occupies the land to the north-west of the house.

The character of this site and the local Conservation Area owes its high amenity visual amenity value in part to the quality of the local trees and woodland. Trees on, and close to, the site should be safeguarded where their quality, value and useful life expectancy merit retention.

An Arboricultural Report by Barrell Tree Consultancy has been submitted with the application.

Landscape Considerations:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- The Design & Access Statement describe the site and the proposals. At 5.6 the report refers to an Illustrative Landscape Masterplan, prepared by Randle Siddeley Associates which sets out the broad principles for the future treatment of landscaping for the estate.
- The Landscape Masterplan analyzes the current views around the site and existing landscape features. It proceeds to identify key landscape design objectives. The second half of the report provides a range of hard and soft landscape images which convey the materials and character of the landscape restoration envisaged.
- The proposals seek to enhance the setting of Swakeleys House and provide privacy and security for the occupants of the house.
- New trees and hedges will be planted to complement the existing trees and the historic landscape.
- Ground levels will be remodelled and vistas improved, together with the introduction of a variety of boundary treatments.
- The tree report includes a full survey to BS5837:2012, an accompanying tree survey plan, Barrell ref. 12253-BT3, an assessment of the Arboricultural Implications of the development, identifying trees to be removed and retained - together with protection measures, and an Arboricultural Method statement.
- The survey assesses the quality and condition of 140 trees (including individuals, groups and hedges).
- Table 1 confirms that part of 2 groups, G61 and G68, of 'B' (moderate quality) trees will be removed, as will 'C' (low quality trees) G50 (part), G62 and T140.
- One 'A' grade (good quality and value) tree, T94 (to the north-east of the house), will be protected and pruned, in the interests of good management, unrelated to the development proposals.
- The following trees will be retained, but will require special precautions and protective measures: T66 and T85 ('A' grade) and T40, G61 (part), T64, T65, T67, T68, W70 (part), T84, T138 and T139 (all 'B' grade). The special protection measures are specified in the Arboricultural Method Statement (sections 2 and 3 of the report).

· A summary of the impact on visual amenity, described at 1.4, concludes that the 'majority of trees to be lost because of the proposal are low category because of their poor condition or small size'. It is also noted that all of the trees are close to the developed area and their loss will have no significant affect on the visual amenity of the wider setting. Furthermore, all significant boundary tree cover and high value trees will be retained. There is no objection to the proposed tree loss or the conclusion of the recommendations.

· Tree protection and landscape conditions will be necessary to preserve and enhance the visual amenities of the locality and to ensure that a suitable high quality landscape scheme complements the proposed development of this historic site.

Recommendations:

No objection subject to the above observations and conditions RES6, RES8, RES9 (parts 1, 2, 4, 5 and 6) and RES10.

HIGHWAYS ENGINEER:

No objections are raised to this development.

GREEN SPACES MANAGER:

Swakeleys bowls club is a private bowls club. I understand the lease of the club is not being renewed. It is likely that some members of the bowls club if its use ceases will seek to join bowls clubs maintained by the Council in the local area. There are a number of bowls clubs within a 5 mile radius of Swakeleys House. There is a pattern over recent years at bowls clubs of dwindling memberships (at both national and local level). I agree with the applicants statement regarding capacity for additional members at nearby local clubs. Investment in local bowls facilities via a s106 agreement to improve general facilities would be welcomed.

SUSTAINABILITY OFFICER:

#### 1. Summary

I have concerns about the above application due to the lack of information on bats which are afforded European protection. The Council has to be satisfied that there are overriding reasons for not considering bats at the planning determination, and why a decision is being made without full knowledge of the impacts to an important European species.

#### 2. Information Missing

An interim bat survey report was received on 14 May 2013. This showed that there were active roosts within Vyners House, but further survey work is required to establish the presence of bats elsewhere in the development.

Natural England stated further information was required prior to this interim report.

The final report will be submitted on completion of all the surveys and will be received in late June/early July.

Incomplete information on bats does not allow the Council to fully understand the impacts on bats. However, the interim survey results allows for proper consideration of the impacts on Vyners which is considered to be the most sensitive building in relation to bats.

### 3. Case Law

Woolley v Cheshire found that planning decisions should be made on a full understanding of the impacts on a European protected species. Local Planning Authorities are then required to consider three tests when it is considered that impacts are not avoidable.

In practice though, the first requirement is for developers to consider impacts on European protected species throughout the design stages. The overall objectives of the proposals may still be reached without impacting on bat species by altering the design. In other words, the impacts on bats have to be factored into the designs.

Only once impacts are deemed unavoidable, should the three tests be applied:

- that there should be no satisfactory alternative to the plan or project as a whole or in the way it is implemented
- that the plan or project must be "in the interests of preserving public health or public safety, or for other imperative reasons of overriding public interest (IROPI), including those of a social or economic nature and beneficial consequences of importance for the environment".
- and that the favourable conservation status of the species affected must be maintained

### 4. Relevance of Case Law to this Development

In this instance, the lack of detailed bat data means the Council cannot be in full knowledge of the impacts of bats when making a decision. Furthermore, it is impossible for the impacts on bats to affect the principle of the designs of the development because there is inadequate detailed information. The three tests therefore cannot be applied within the principles of their requirements.

Circular 06/2005 also advises that surveys should be undertaken prior to determination:

The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.

### 5. Results of Interim Bat Survey

The interim bat survey data revealed that the proposals for Vyners House would result in the loss of bat roosts. As a consequence, it is necessary to fully consider the three tests at this stage of the decision making. The survey found that none of the other buildings are likely to support bats, however, the survey work is not yet complete. It is possible that further survey work may reveal the other buildings also support bats, although at this stage this is considered unlikely.

### 6. Vyners House and Case Law

It is necessary to consider the 'three tests' in relation to Vyners as the Council is in possession of information that the designs will result in the loss of bat roosts.

The three tests for Vyners House was set out in a letter dated 28 May 2013 (DP9, DP1133/SJH/TJWH). The Council accepts the conclusions in this letter and concedes that there is no alternative to the proposals presented.



The mitigation presented is considered adequate to ensure the favourable conservation of the species.

#### 7. Way Forward and Consultation with Natural England

If the Council is minded to approve the development in lieu of the complete information on bats, a subsequent planning approval cannot be released until:

a) a complete survey and accompanying report is submitted to the Local Planning Authority - the report must contain a relevant commentary in relation to the three tests if further impacts on bats are found.

b) the report is sent to Natural England for consultation.

c) the proposals are reviewed (and amended where necessary) in light of the findings of the report and comments from Natural England

#### 8. Conditions for any subsequent approval

The following condition is also necessary:

##### Condition

Prior to the commencement of development a scheme for the inclusion of wildlife enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan showing the type and location of enhancement measures, including bat and bird boxes; habitat walls and log piles; and a nectar rich vegetation within the landscaping scheme. The inclusion of a new pond would be welcomed. The development should proceed in accordance with the approved scheme and supporting plan.

##### Reason

To ensure the development contributes to a net gain in specific wildlife enhancing features in accordance with with the NPPF, London Plan Policy 7.19 and Local Plan Part 1 Policy EM7

##### Energy Comments

I have no objections to the proposed development as submitted. The Council accepts that improving the existing buildings hinders the overall attempts to achieve a 25% reduction.

The following conditions are therefore required:

##### Condition

Prior to commencement of development a 'design stage certificate' demonstrating the new residential units on the site will be built to Code for Sustainable Homes Level 4 shall be submitted to the Local Planning Authority. The design stage certificate will be signed by an approved assessor. The development should proceed in accordance with the approved designs and sustainability principles.

Prior to occupation of the development, a 'completion stage certificate' should be submitted to the Local Planning Authority demonstrating that the residential units have met Code for Sustainable Homes Level 4.

## Reason

To ensure the developer delivers a sustainable development in accordance with London Plan policies 5.2, 5.3 and 5.15.

The remainder of the development needs to be developed in accordance with the submitted energy report (19 November 2012, Eight Associates)

## Comments on Bat Survey: Interim Report:

The original approach was to undertake some surveys to get an initial understanding sufficient to make a recommendation subject to further work. The completion of the survey data would need to go to Natural England, before the final sign off. This has already been agreed.

However, I did always caveat it by saying that the results of the initial surveys may prompt further work before we get to committee. We are still awaiting the results of the completed surveys before categorically saying there will or will not be impacts to most of the development. However, with the regards to the Vyners House, the survey work has revealed there would definitely be impacts.

The following stages need to be addressed once impacts on European protected species are found.

1 - Determine the likely impacts of the proposed scheme on EPS and consider whether there are favourable alternatives to the proposed development that avoid harm.

2 - Where it is not possible to avoid harm ensure there is a strong case for an overriding need that is in the public interest or is a reason of public health and safety.

3 - If necessary develop mitigation measures that will maintain the species affected in a favourable conservation status.

We need to be able to present the response to these three tests as part of the committee now that we know that the development would have an impact. This could be a significant point of challenge if not completed.

We would still need to adopt the earlier approach and complete the surveys, and consult Natural England as previously discussed, but in the first instance we must have a clear indication of the three tests specifically relating to Vyners House. I am sure this work has already been done in some guise, but it needs to be adapted specifically to the design matters of Vyners House. As discussed, avoiding the impacts is the main priority and should be considered before mitigation is proposed. Mitigation measures do not always work, and in this instance bats may not adapt to them. The ideal scenario as far as the European Directive is concerned is that bats should not be disturbed or harmed.

It is also necessary to note that a bat licence will be required to be issued by Natural England for works in and around Vyners.

## WATER AND FLOOD OFFICER:

The Flood Risk Assessment concerning the location of the house, and proposed drainage arrangements are acceptable, subject to a condition:-

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 how it follows the strategy set out in Flood Risk Assessment, produced by PellFrischmann dated December 2012 Reference S12661-FRA-001 Rev C, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. Provide details of the surface water design including all suds features and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.
- ii. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime.
- iii. Provide details of the body legally responsible for the implementation of the management and maintenance plan.
- iv. Any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards.

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

- v. Incorporate water saving measures and equipment.
- vi. Provide details of water collection facilities to capture excess rainwater;
- vii. 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 that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

#### Revised comments:-

Just to update you I have just been made aware of some local flooding issues adjacent to Swakeleys house, from the filling in of old drains/ land drainage across the site. I would ask the applicant to investigate this further the properties affected are on Vyners Lane and Court Road, before I would be happy to recommend approval subject to a condition.

#### ACCESS OFFICER:

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

The proposal seeks a change of use of Swakeleys House from offices and sports (B1 and D2 use), in addition to the erection of 7 buildings for the use of a single residential dwelling (C3 use),

amenity space, and alterations to the listed building. Swakeleys House is within a designated Conservation.

In order to protect the heritage and features of special architectural interest and significance, it is anticipated that any improvement to accessibility would be limited. As stated within the Design & Access Statement, Swakeleys House and the Stables both feature stepped access ranging from 90 mm to 800 mm in height, and the document suggests that the existing stepped entrances would be retained. The new link buildings would offer step free access.

Given the status of the buildings and the conservation setting, it is suggested that the above policy is not applied in this instance. Any improvement to accessibility is welcomed and access to any new structure should accord with current legislation and guidance, however, any accessibility features should be unobtrusive and not cause visual harm to the existing buildings and their surroundings.

In terms of meeting the Lifetime Home Standards, it would be acceptable to meet the criterion, except for criteria 5, 9 and 10, as proposed and detailed in Appendix F of the DAS.

Conclusion: Acceptable, subject to a suitable planning condition attached to any approval.

#### ENVIRONMENTAL PROTECTION OFFICER:

There are no noise concerns regarding this application. Standard Construction Informative should be attached.

#### S106 OFFICER:

The following is required:

1. The footpath shown in yellow on the plan (running along the peripheral of the site) be open for public access from 9am until 1 hour before sunset for use as a private footpath.
2. That those parts of Swakeleys House shown edged and hatched green on the plan be open to the public for 2 days in any given year for the Ickenham Festival.
3. That public access to those parts of Swakeley's House shown on the attached plans, is granted on 1 day per year between 10 am and 4pm during the open house weekend.
4. That an education contribution in the sum of £34,693 is secured.
5. No work on the outbuildings is to commence until the conversion works on Swakeleys House itself are substantially complete (reason: to ensure that the house is bought back into a single occupancy dwelling).
6. Bowls Club Contribution: a contribution towards capacity enhancements to local bowls clubs to mitigate against the loss of the cub on site in the sum of £50,000.
7. Project Management and Monitoring fee equal to 5% of the total cash contributions.
8. In the event planning permission is granted and implemented the s52 agreement over the land is revoked and replaced with this new s106 agreement.

## **7. MAIN PLANNING ISSUES**

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

Change of use

Paragraph 22 of the NPPF advises that where there is no reasonable prospect of a site being used for employment use, applications for alternative uses of land and buildings should be considered on their merits having regard to market signals.

Policy 4.2 of the London Plan (July 2011) encourages the renewal and modernisation of the existing office stock in viable locations and seeks to increase the current stock where there is evidence of sustained demand for offices.

Strategic Objective SO15 in the Hillingdon Local Plan: Part One: Strategic Policies (November 2012) does encourage the managed release of surplus employment land to other uses. Specifically, there are no policies in the Local Plan which preclude the loss of office floor space in this location.

As regards the change of use to residential, Policy H8 of the Hillingdon Local Plan Part Two: Saved Policies UDP (November 2012) advises that the change of use from non-residential to residential will be supported where i) A satisfactory residential environment can be achieved; ii) the existing use is unlikely to meet a demand for such accommodation in the foreseeable future; and iii) The proposal is consistent with other objectives of this plan, having particular regard to the contribution of the existing use to those objectives.

Swakeleys House was converted into offices in the 1980s in response to a prolonged period of vacancy and the need for repair since the London Postal Region Sports Club had vacated the site. Once converted and Vyners House constructed in the mid-1980s, the site was occupied by a pharmaceutical company as their headquarter offices until 2003 but since this date, the site has remained vacant.

The agents advise that the property has been marketed since September 2003 but tenants or a purchaser of the building have not been secured. The applicant attributes this to changes in the market, with companies now seeking office space close to amenities and public transport and the difficulty and expense of adapting the building to be suitable for modern businesses with their requirements for large open plan floor space, low running costs with green/sustainability credentials. The public footpath has also been highlighted as a particular disincentive by interested parties due to the privacy and security risks it poses.

The proposal has the benefit of restoring and bringing the listed building back into its historical use which is encouraged by Policy BE12 of the Hillingdon Local Plan - Part Two: Saved UDP Policies as such uses tend to be less harmful to the historic fabric of the building. On this basis, there is no objection to the change of use to its former residential use. The proposed change of use is also supported by the Mayor and English Heritage.

Green Belt

The application site forms part of the Green Belt. The NPPF advises that the essential characteristics of Green Belts are their openness and permanence. At paragraph 89, the NPPF goes on to advise that the construction of new buildings should be regarded as inappropriate. Various exceptions to this are set out, including limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Paragraph 90 also advises that the re-use of buildings

provided that they are of permanent and substantial construction is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

Policy 7.16 of the London Plan re-iterates national policy guidance which seeks to maintain the protection of London's Green Belt and to ensure that inappropriate development in the Green Belt should not be approved except in very special circumstances.

The adopted Hillingdon Local Plan (November 2012) endorses national and regional guidance. Policy OL1 of the Hillingdon Local Plan Part Two: Saved Policies UDP sets out that within the Green Belt only the following predominantly open land uses will be permitted (i) Agriculture, Horticulture, Forestry and Nature Conservation; (ii) Open Air Recreational Facilities; or (iii) Cemeteries. Policy OL4 states that the replacement or extension of buildings within the Green Belt will only be allowed if (i) The development would not result in any disproportionate change in the bulk and character of the original building; (ii) The development would not significantly increase the built-up appearance of the site; and (iii) Having regard to the character of the surrounding area the development would not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

As this proposal involves the demolition of a number of more modern buildings, including Vyners House, the applicant has submitted an assessment of existing and proposed floor space and building volumes. As regards Gross Internal Area (GIA), the overall floor space of existing buildings is estimated to be 4,663sqm which increases to 4,726sqm with the inclusion of basement floor space. This compares to the proposal with an overall GIA of 4,076sqm which increases to 4,426sqm with the inclusion of basements. As regards volumes, the existing buildings (excluding basements) are estimated to have an overall volume of 25,053 cubic metres, which compares to the total 20,433 cubic metre volume of the proposal. The only increase would be in the footprint of buildings, which would increase from 2,779sqm to 3,109sqm. However, other hardstanding areas on site such as car parks would decrease from 3,424sqm to 1,698sqm (including the area occupied by the swimming pool).

In addition to the quantitative assessment of the overall quantum of floor space, a qualitative assessment has also been submitted with before and after views of the development. This includes views of the development taken from 6 vantage points including the main access into the site and from the adjoining Swakeleys Park. It is considered that these demonstrate that the proposal would not involve any significant impact upon the openness of the site, with the proposed new buildings being concealed by existing planting.

These assessments demonstrate that there would be a significant reduction in the GIA and volume of buildings on site and that the new buildings would not adversely impact upon the openness of the site. As such, it is considered that the development represents appropriate development in terms of Green Belt policy, and that 'very special circumstances' do not need to be demonstrated. This view has been confirmed by the Mayor.

Swakeleys House is an important Grade I listed building. The NPPF advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.



Loss of bowls club

Paragraph 70 of the NPPF advises that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Policies 3.16 and 3.19 of the London Plan generally resist the loss of social infrastructure and sports facilities.

Policy R4 of the Hillingdon Local Plan (November 2012) advises that proposals involving the loss of land used (or land last used) for recreational open space, including private or school playing fields, will not normally be permitted, with the supporting text advising that an assessment would need to be made, having regard to any local deficiency of accessible open space, the suitability of the site for other types of open land uses and the ecological, structural and other functions of the open space. Policy R5 advises that proposals which involve the loss of land or buildings used (or last used) for outdoor and indoor sports uses (amongst other leisure uses) will not be permitted unless adequate, accessible alternative facilities are available.

The applicants advise that under the terms of the original S52 Agreement, a lease was granted to Swakeleys Bowls Club in 1984 for a term of 21 years which expired in 2006. The club has been allowed to remain whilst the future of the vacant buildings is determined, but the provision of a bowls club was never envisaged to be a permanent arrangement within the grounds. The applicants argue that the best alternative use for this building is a return to its original use as a single family house and a publicly accessible bowls club would not be compatible with this use for reasons of security and privacy. The London Borough of Hillingdon is well provided for bowls clubs with 6 being within 4.5 miles of Swakeleys House, the closest being 1.5 miles away, and each has capacity for new members. The proposals already include significant planning benefits, including returning Swakeleys House to its original and historic use which will deliver long term protection of the Grade I listed building; enhanced openness of the Green Belt through reduction in existing hard standing and overall built volume; enhancement to overall setting of Swakeleys House; delivery of a well-considered landscape treatment at the site, appropriate to the history, setting and use of Swakeleys House as a single family home. A planning obligation covering improvements to existing bowls clubs is considered acceptable overall in this instance.

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

The Mayor's density guidelines are not applicable on this type of development within the Green Belt.

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

Paragraphs 135 and 141 of the NPPF (March 2012) advise that a record should be made of heritage assets prior to development, in order to preserve and enhance understanding of the assets. Policy BE3 of the Hillingdon Local Plan: Saved UDP Policies (November 2012) advise that sites of archaeological interest are investigated and recorded before development and development which destroys important remains will not be permitted.

The application is accompanied by a Archaeological Desk Based Assessment and Archaeological Geophysical Survey Report which both suggest that the site has a high potential for containing important archaeological remains that may be of regional significance, particularly if they are associated with the original medieval moated manor house on this site. English Heritage advise that any planning approval should be conditioned to require further investigatory work is undertaken on the site prior to the commencement of development.

Paragraph 126 of the NPPF advises that heritage assets such as the listed Swakeleys House and stables are an irreplaceable resource and they should be conserved in a manner appropriate to their significance. Paragraph 132 advises that great weight should be given to the designated heritage asset's conservation, the more important the asset, the greater the weight should be afforded to its conservation. Policy 7.8 of the London Plan stresses the importance of heritage assets and that development affecting them should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Policy BE4 of the Hillingdon Local Plan: Saved UDP Policies (November 2012) seeks to preserve and enhance conservation areas and policies BE8 and BE9 safeguard listed buildings and Policy BE10 seeks to protect their settings. Policy BE12 advises that listed buildings should preferably remain in their historic use and that alternative uses will be permitted where they secure the renovation and subsequent preservation of the building and its historic and architectural features and setting.

Swakeleys House is a key example of Artisan Mannerism, a distinctive phase in English 17th Century architecture which has remained largely unaltered and as such, it is of outstanding historical and architectural interest. As such, very great weight should be afforded to the building's conservation.

The proposal, by returning the building back to its historical use as a single family dwelling would allow the building to be brought back into productive use with the minimum of invasive alteration. Furthermore, the proposals have been very carefully considered, a process which has been guided by the submitted Heritage Statement which provides a historical study of the building and the surrounding grounds and assesses the significance of the site's component parts and fabric of the building.

Internally, some alterations are largely unavoidable due to the changing needs of modern families and the need to bring the accommodation up to a very high standard to attract an occupier. However, these changes have been kept to a minimum and the key interiors, namely the Hall, Dining Room, Main Stair and Great Chamber would barely change whilst there are a number of benefits, including the restoration of the historic plan form of the house on the first floor. The need for multiple bathrooms and their associated services has been one of the most difficult aspects of the conversion to achieve successfully, but this has been done by the use of raised wooden plinths within the bathrooms to conceal pipework.

Externally, the most significant alteration to the building would be the removal of the 1980s office foyer and replacement of the connecting wings to the stable blocks with smaller, more sympathetic structures which would expose more of the historic fabric on the north elevation of the building. This, together with the removal of Vyners House which is a bulky building that dominates the northern courtyard and entrance to Swakeleys House is supported.

The Council's Urban Design/ Conservation Officer also considers that the replacement of Vyners House with guest accommodation, comprising four small buildings around a central courtyard within a reinstated walled kitchen garden is a low scale, sensitive development and its modern and simple design would be appropriate and help define their subordinate ancillary nature in relation to the main house.

In terms of the proposed new buildings on the opposite side of the access road, the Council's Urban Design/ Conservation Officer considers that whilst these buildings would be large, they would occupy the site of the existing car park, be designed in an interesting

mix of traditional, vernacular 'barn' like styles yet in a modern idiom and they would be linked by a pierced garden wall adjacent to the cloisters walk which would tie the development together and reflect the Walled Garden on the opposite side of the drive.

The officer concludes by noting that the proposals are considered to have attained a very high standard of design which has evolved from a well researched understanding of the House, its development and setting. In this way the buildings would be sufficiently subordinate to the House, as to contribute positively to its setting. However, a note of caution is added in recognising that this is a speculative proposal and likely to lay the foundations for subsequent schemes by prospective owners, which may not be able to achieve this degree of sensitivity. However, any subsequent schemes would need to be treated on their individual merits.

The officer is supportive of the scheme, subject to the need for a detailed submission of materials, withdrawal of all permitted development rights and that the 'off site' provision is only acceptable in conjunction with the residential use of the house by a single occupier.

English Heritage are also fully supportive of the proposals.

It is therefore considered that the minimal alteration to the internal fabric of Swakeleys House is outweighed by the benefits to the setting of the building, and the scheme attaches appropriate weight to the overriding need to conserve Swakeleys House and safeguard and improve its setting and that of the Ickenham Village Conservation Area. As such, the scheme fully complies with Policies BE4, BE8, BE9, BE10 and BE12 of the Hillingdon Local Plan: Saved UDP Policies (November 2012).

#### **7.04 Airport safeguarding**

The application raises no airport safeguarding issues.

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

The principle of the development has been discussed within section 7.01 of this report and it has been established that the development represents appropriate development within the Green Belt.

As regards the impact of the development upon the Green Belt, the proposed new buildings would be sited to the north of Swakeleys House, within the footprint of the to be demolished Vyners House and the existing car park on site. These areas are well screened by surrounding buildings and vegetation so that the impact upon the built-up appearance of the site and its openness would not be significant. This is demonstrated by the view analysis and the lack of any significant impact has been confirmed by the GLA in their Part 1 Response.

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

This has been dealt with above.

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

Swakeleys House is located at the centre of its retained grounds so that it is sited away from surrounding residential boundaries. This relationship would ensure that the proposed residential use of the property would not adversely affect the amenities of surrounding occupiers.

The nearest new build element to surrounding residential properties would be the service buildings at the northern end of the existing car park which would be sited some 45m from the residential curtilages of the nearest properties on the southern side of Milton Road. Separation distances here are adequate to ensure that the buildings would not affect

neighbouring properties by reason of loss of sunlight, overdominance and/or loss of privacy, particularly as the boundary is marked by dense vegetation.

Noise and general disturbance associated with traffic generated by the proposed residential use would not be greater than that of an office building. The banqueting hall and outdoor swimming pool and its terrace have been sited well away from the nearest residential property and existing and proposed buildings would also separate these facilities from surrounding properties. The Council's Environmental Protection Unit have examined the proposals and do not raise any objection to the proposals.

The scheme complies with Policies BE20, BE21, BE24 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

Swakeleys House and its grounds would provide a grand family residence that would provide a very high standard of residential accommodation. As the guest suites and staff accommodation would provide ancillary accommodation to the main house and not form separate dwellings, there is no requirement for these facilities to satisfy normal residential floor space criteria. However, the ancillary accommodation is considered to be acceptable and would afford a good standard of accommodation.

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

The proposal involves the replacement of the existing offices served by 104 space car park with a single family residence served by 14 garage/covered spaces. The number of vehicle trips generated by the proposed use is likely to be significantly lower than the existing office use. As such, it is not considered that there would be an adverse impact upon the surrounding road network to prejudice highway safety.

The proposal involves the re-instatement of the existing ceremonial access onto Swakeleys Drive. As this is existing, albeit infrequently used at present, no objections are raised to this element of the proposals.

Furthermore, the banqueting hall would be capable of catering for 80 people, although this use is likely to be infrequent. On such occasions, the additional hardstanding areas within the site would be available for parking, notably within the servicing court and the existing hardstanding to the north west of the site that currently serves the bowls club. These areas would provide ample parking space.

It is therefore considered that this scheme raises no highway objections.

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

The relevant planning issues are dealt with in other sections of this report.

#### **7.12 Disabled access**

Policy 7.2 of the London Plan requires all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design.

The Design & Access Statement accompanying the application advises that the proposals have been prepared on the basis of inclusive design. Although the statement advises that the proposed new buildings, including the guest accommodation, leisure building and banqueting hall would be designed with step free access, Swakeleys House and the stables have differences between external and internal floor levels of between 90mm to 800mm. The statement continues that as the elevations, particularly of Swakeleys House have been identified as significant elements of the historic fabric, the existing entrances would be largely retained in their current state.

Although the Council's Access Officer does not raise objection to this approach, the GLA in their Stage 1 report advise that Kew Palace, another Grade 1 listed example of Artisan Mannerism has been made fully accessible to disabled people by the provision of a gently sloping external ramp at the main entrance and suggest that it could be achieved here. The GLA also want to see further details of how the level change will be achieved within the new glazed link and that although the plans state that the lift within Swakeleys House would be replaced, no mention of the type of lift is made in the statement, but the opportunity should be taken to install a fully accessible disabled person lift. The GLA also advise that one of the guest suites should be easily adaptable for occupation by a wheelchair user.

A condition has been attached requiring full details to demonstrate how 'Lifetime' Homes standards would be achieved, with specific inclusion of the further details required by the GLA.

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

Policy 3.13 of the London Plan (July 2011) states that affordable housing is normally required on a site that has a capacity to provide ten or more homes. Although this scheme is for a single family dwelling, given the size of the building and area of the site, it is nominally capable of providing ten or more homes.

The GLA in their Part 1 response advise that there are examples of listed house conversions in outer London Green Belt locations which do exceed the 10 unit threshold and where an affordable housing contribution has been sought. However, they do advise that the unique circumstances of each site must be considered and an individual assessment of what might 'normally' be expected to have come forward has been made. They conclude on this issue by stating that 'given the size of the dwelling and its outbuildings and given that the building is in a good of repair, and no case is being made for enabling works to fund repairs, it would seem reasonable for some contribution to be made to off site affordable housing.'

Officers have examined the question of whether an Economic Viability Assessment (EVA) should be required, to determine whether an affordable housing contribution should be made. Following this examination, officers are of the view that Swakeleys House is a very exceptional case, as this application already makes provision for considerable benefits for the local community.

In 1984 when the house was in very poor repair, its restoration was approved, with the change of use for offices and the building of Vyners House as enabling development. Key community benefits were negotiated at that time, and these have been retained, with modifications, during subsequent applications to vary the terms of the Agreement. If permission were to be granted for the current applications, three of these benefits will be included in a new Section 106 Agreement. These are: the opening of the formal rooms at Swakeleys House for one day on Open House weekend; the use of the grounds for the Ickenham Festival (four days with setting up and taking down) every other year; and the retention of a permissive footpath skirting one side of the grounds, from the ceremonial entrance in Swakeleys Drive to the public park in Milton Road. These items constitute a considerable contribution towards the well being of the local community and their requirements would have economic implications with regard to the value of the development.

In addition, Swakeleys House is a Grade I listed building of considerable importance,



which has been vacant for nearly ten years, despite being marketed for offices. The local community consider it to be very important that the house is occupied, maintained, and secure. The current proposals have made the architectural integrity of the house the highest priority, even though it has not been to the economic advantage of the layout.

This particular development also presents a particularly unique prospect in terms of potential purchasers, maintenance costs, ongoing community benefits which would be incumbent on any purchaser, and build costs associated with the renovation of the Listed Building. Having regard to these factors it is considered that it would be difficult to predict either build costs or resultant land value and that should an EVA be requested its robustness would be exceedingly questionable. Any decisions made on the basis of such a document would be subject to criticism.

Having regard to the above factors, officers are of the view that it would not be reasonable to require an EVA for the development, and that the benefits of the development with regard to the community and the long term integrity of the Grade I listed building should be considered to outweigh the need for a contribution towards affordable housing provision.

#### **7.14 Trees, Landscaping and Ecology**

##### Trees and Landscaping

Policy BE38 of the Hillingdon Local Plan advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided when necessary.

The Council's Tree Officer advises that the Tree Survey submitted with the application assesses the quality and condition of 140 trees (including individuals, groups and hedges). Of these, part of 2 groups (G61 and G68), of 'B' - moderate quality trees will be removed, as will 3 'C' - low quality trees (G50 (part), G62 and T140). One 'A' grade - good quality and value tree (T94) (to the north-east of the house), will be protected and pruned, in the interests of good management, unrelated to the development proposals. Trees to be retained, but requiring special precautions are also identified.

The officer confirms that the majority of the trees to be lost because of the proposal are low category trees due to their poor condition or small size that would have limited impact upon the visual amenity of the site, particularly as the trees are close to the developed area and their loss will have no significant affect on the visual amenity of the wider setting. All significant boundary tree cover and high value trees would be retained and there is no objection to the proposed tree loss or the conclusion of the recommendations.

The Application also includes a Landscape Masterplan. The Council's Tree/Landscape Officer raises no objection to the landscape restoration envisaged, aimed at improving the setting of Swakeleys House and improving privacy and security, including new tree and hedge planting to complement the existing trees and the historic landscape, ground level remodelling with vistas improved, together with the introduction of a variety of boundary treatments.

The Tree /Landscape Officer concludes that tree protection and landscape conditions will be necessary to preserve and enhance the visual amenities of the locality and to ensure that a suitable high quality landscape scheme complements the proposed development of this historic site.



## Ecology

The application is supported by various reports concerning the ecology of the site. The initial Ecology Assessment identified the likely species to be present on site and provided recommendations for further studies.

A Great Crested Newt Habitat Assessment has also been submitted. This report concludes that the risk of finding this protected species on site is low so that further studies are not required. The Council's Sustainability Officer accepts the findings of this report.

A Preliminary Roost Assessment has also been submitted. This advises that although no bats, or signs of bats were observed during the site survey on the 15th January 2013 and the trees proposed for removal have negligible potential to support bats, a number of the buildings (namely Swakeleys House and Vyners House) have high potential to support roosting bats, with the stable blocks having moderate potential and the ice house and 1980s extension to Swakeleys House as being low. The report states that further surveys are required.

A further interim bat survey report was received on 14th May 2013. Four species of bat were recorded using the site, namely soprano, common pipistrelle (the predominant species), a serotine bat and a noctule bat. This revealed that there are active roosts within Vyners House and that further work is required to establish the presence of bats or not elsewhere in the development.

A final bat survey report was submitted on 27th June 2013. The surveys for the Ice House, the two stable blocks and Swakeleys House recorded no bats emerging from or re-entering these buildings. Roosting bats were confirmed in Vyners House

The Council's Sustainability Officer advises that incomplete information on bats does not allow the Council to fully understand the impact of the development upon the species. However, the interim survey results allows for proper consideration of the impacts on Vyners House which is considered to be the most sensitive building in relation to bats. The final report will be submitted on completion of all the surveys and should be received in late June/early July.

The officer advises that in the first instance, based on case law, the impacts on bats have to be factored into the design by the developers. Only once impacts are deemed unavoidable, should the following three tests be applied:

- that there should be no satisfactory alternative to the plan or project as a whole or in the way it is implemented,
- that the plan or project must be "in the interests of preserving public health or public safety, or for other imperative reasons of overriding public interest (IROPI), including those of a social or economic nature and beneficial consequences of importance for the environment", and
- that the favourable conservation status of the species affected must be maintained

The officer goes on to advise that in this instance, the lack of detailed bat data means the Council cannot be in full knowledge of the impacts of bats when making a decision and that it is impossible for the impacts on bats to affect the principle of the designs of the development because there is inadequate detailed information. The three tests therefore cannot be applied within the principles of their requirements. Circular 06/2005 also

advises that surveys should be undertaken prior to determination:

The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.

The interim bat survey data did reveal that the demolition of Vyners House would result in the loss of bat roosts. As a consequence, it is necessary to fully consider the three tests at this stage of the decision making process. The survey found that none of the other buildings are likely to support bats, however, the survey work is not yet complete. It is possible that further survey work may reveal the other buildings also support bats, although at this stage this is considered unlikely.

The three tests for Vyners House was set out in a letter by DP9 dated 28 May 2013. Officers accept the conclusions in this letter and concedes that there is no alternative to the proposals presented. Furthermore, the mitigation presented is considered adequate to ensure the favourable conservation of the species.

The Sustainability Officer concludes by advising that if the Council is minded to approve the development in lieu of the complete information on bats, a subsequent planning approval cannot be released until:

- a) a complete survey and accompanying report is submitted to the Local Planning Authority - the report must contain a relevant commentary in relation to the three tests if further impacts on bats are found.
- b) the report is sent to Natural England for consultation.
- c) the proposals are reviewed (and amended where necessary) in light of the findings of the report and comments from Natural England

The following condition is also necessary:

#### Condition

Prior to the commencement of development a scheme for the inclusion of wildlife enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a plan showing the type and location of enhancement measures, including bat and bird boxes; habitat walls and log piles; and a nectar rich vegetation within the landscaping scheme. The inclusion of a new pond would be welcomed. The development should proceed in accordance with the approved scheme and supporting plan.

#### Reason

To ensure the development contributes to a net gain in specific wildlife enhancing features in accordance with with the NPPF, London Plan Policy 7.19 and Local Plan Part 1 Policy EM7.

It is therefore recommended that any planning permission is not released until all of the above measures have been completed and are satisfactory. However, it is considered that this issue could be delegated for final approval by the Head of Service.

### **7.15 Sustainable waste management**

The refuse store for Swakeleys House and Vyners House is currently within the Ice House

building which would be removed.

A new store would be provided within the corner of the staff accommodation/garaging block, adjacent to the access road which would have direct external access and is closer to the highway. The store would have capacity for 3 x 1,100 eurobins for waste and recycling from the house, which accords with Council's standards. Additional capacity for a further 4 x 1,100 eurobins has been incorporated into the design, to enable the facility to cater for waste and recycling generated from the banqueting hall during times of a function.

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

The Council's Sustainability Officer advises that no objections are raised to the conclusions of the submitted Energy Statement and that with the conversion of the 17th Century house, a 25% reduction in can not be achieved. The officer recommends the use of conditions which have been attached.

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

The Council's Water and Flood Management Officer raises no objections to the scheme and recommends a condition to deal with sustainable drainage which has been attached.

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

No air quality issues are raised by this application.

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

The comments raising relevant planning issues have been considered in the officer's report.

#### **7.20 Planning Obligations**

In 1984 when the house was in very poor repair, its restoration was approved, with the change of use for offices and the building of Vyners House as enabling development. Key community benefits were negotiated at that time, and these have been retained, with modifications, during subsequent applications to vary the terms of the Agreement. If permission were to be granted for the current applications, three of these benefits would be included in a new Section 106 Agreement. These are: the opening of the formal rooms at Swakeleys House for one day on Open House weekend; the use of the grounds for the Ickenham Festival (four days with setting up and taking down) every other year; and the retention of a permissive footpath skirting one side of the grounds, from the ceremonial entrance in Swakeleys Drive to the public park in Milton Road. These items constitute a considerable contribution towards the well being of the local community and their requirements would have economic implications with regard to the value of the development.

In addition, a contribution towards enhanced school capacity is required and towards 'capacity' improvements to local bowls clubs.

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

No enforcement issues are raised by this site.

#### **7.22 Other Issues**

There are no other issues raised by this proposal.

### **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**

## **10. CONCLUSION**

It is considered that the most pressing need on this site is bring Swakeleys House into an appropriate productive use. This scheme for the residential conversion of Swakeleys House has been very sensitively designed, based upon thorough research of the building and grounds which maintains as much of the original fabric of the building as possible.

The additional outbuildings to provide the ancillary residential accommodation are considered necessary if the conversion is to be successful and attract a high status occupier. The new buildings represent appropriate development within the Green Belt, with a consequent reduction in the overall gross internal area of buildings on site and no adverse impact upon the openness of the Green Belt.

The scheme also maintains all the previous community benefits with the exception of the loss of the bowls club. Whilst this loss is regrettable, it is accepted that its retention would not be compatible with the re-instated residential use of the property, the success of which in order to bring this outstanding Grade 1 listed building back into productive use so as to aid its renovation must take precedence. The S106 contribution would assist in improving the facilities at surrounding clubs.

It is recommended for approval.

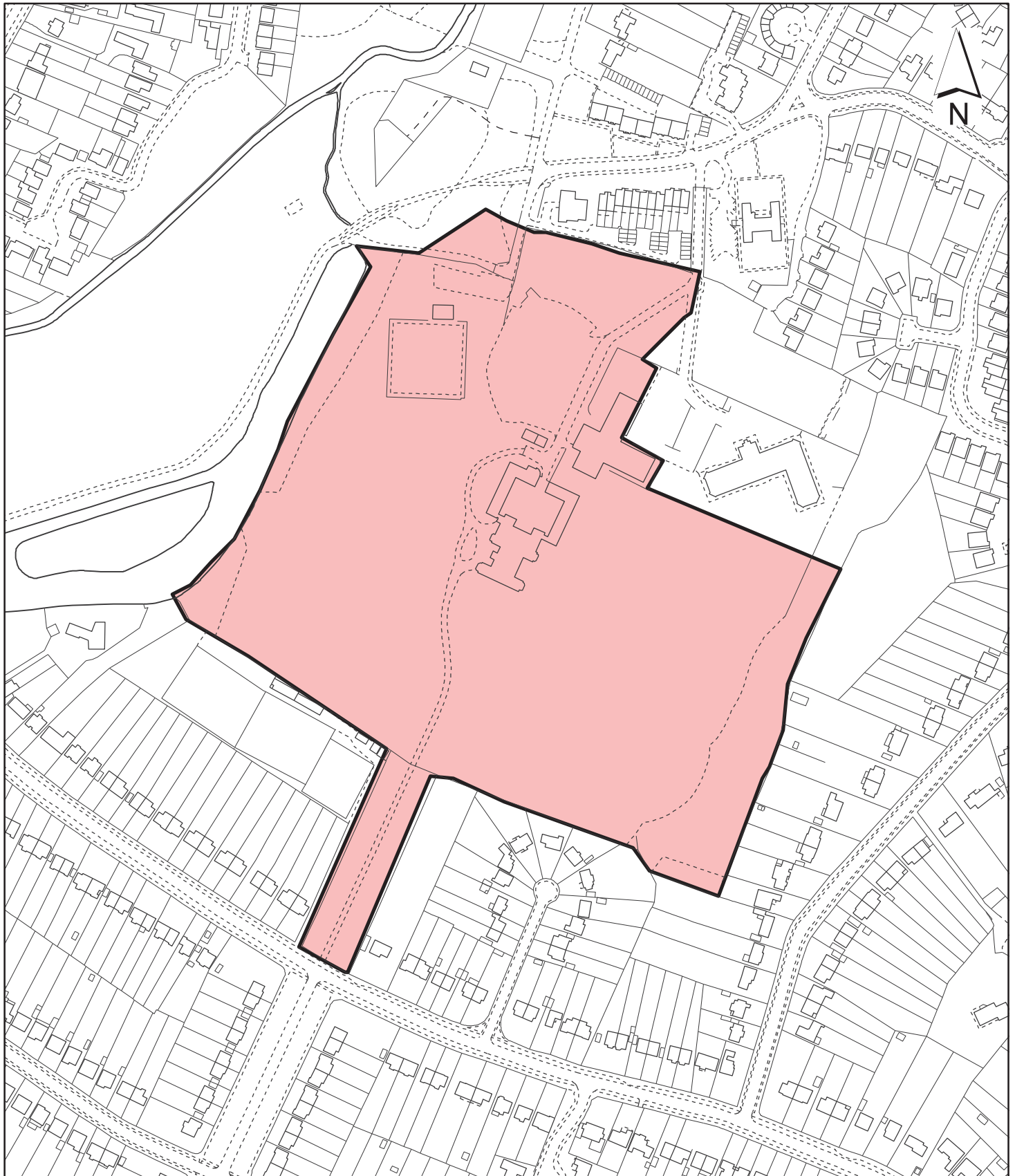
## **11. Reference Documents**

National Planning Policy Framework (March 2012)  
London Plan (July 2011)  
Hillingdon Local Plan (November 2012)  
HDAS: 'Accessible Hillingdon'

Consultation responses

**Contact Officer:** Richard Phillips

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**Swakeleys House  
 Milton Road  
 Ickenham**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**23202/APP/2013/12**

Scale  
**1:3,000**

Planning Committee  
**Major Applications**

Date  
**July  
 2013**



**HILLINGDON**  
 LONDON