

Report of the Head of Planning, Sport and Green Spaces

Address 39 COPSE WOOD WAY NORTHWOOD

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

LBH Ref Nos: 11007/APP/2013/1490

Drawing Nos: 1176/P/2 Rev. A
Code For Sustainable Homes Pre-Assessment
1176/P/4
1176/P/6
Ecology Survey (Ref: ASW/SSH/006/17/2013)
Design And Access Statement
01
Tree Survey and Report (Ref: SHAH_002
1176/P/1
1176/P/3
1176/P/5
1176/P/7

Date Plans Received: 05/06/2013

Date(s) of Amendment(s):

Date Application Valid: 10/06/2013

1. SUMMARY

The application relates to the erection of a two storey, 5-bedroom detached dwelling with habitable rooms in the roof space involving the demolition of the existing dwelling. □

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The application is a resubmission for a new dwelling which was refused in 2013 on the grounds of design, impact to neighbouring dwellings, absence of plans to show the protection of trees and failure to comply with lifetime homes standards. □

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In order to overcome the reasons for refusal the applicant has changed the design concept from a mock Georgian to a more traditional vernacular design, removed the large crown roof, replacing it with a smaller inverted crown roof, reducing the rear element by 0.3m and provided a tree survey and associated information. □

□

The application is being reported to committee as a petition with 60 signatures in objection to the proposal was received. During the course of the application process, the applicant has submitted an appeal on the grounds of non-determination. □

□

The principle of the demolition of the existing property, whilst regrettable, would be acceptable subject to its replacement with a dwelling of similar or better design which would relate better to the established character and local identity of the Copse Wood Estate Area of Special Local Character. However, the proposed scheme would not reach the standard expected for the Copse Wood Estate, in terms of its scale, bulk, design and appearance. Furthermore, the proposal has not overcome the reasons for refusal relating to the impact on the amenity of the neighbouring occupiers and lifetime homes standards. □

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Therefore, the application is recommended for refusal.

2. **RECOMMENDATION**

An appeal against non-determination has been submitted by the applicant. As such the Council no longer has Authority to determine the application.□

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It is therefore recommended, that the Planning Inspectorate be advised that had an appeal not been submitted the Local Planning Authority would have refused the application for the reasons set out below:

1 NON2 Non Standard reason for refusal

The proposed development by reason of its overall size, scale, bulk, width and design would result in the overdevelopment of the site which would be harmful and detrimental to the visual amenities of the application site, the street scene and the wider Copse Wood Estate Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE13, BE15 and BE19 of the Adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

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

3 NON2 Non Standard reason for refusal

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

4 NON2 Non Standard reason for refusal

The proposal has failed to demonstrate the proposed development will not disturb or harm a bat roost. Therefore, it has not been possible for the Council to determine the impacts of the proposal to an European Protected Species, contrary to Policy EC2 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 153 **Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon 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.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 7.4	(2011) Local character
LPP 7.21	(2011) Trees and woodland
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

3 159 **Councils Local Plan : Part 1 - Strategic Policies**

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

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The application site is located on the south east side of Copse Wood Way and comprises :

large detached two storey house, with a two storey front gable set within a large plot characteristic of houses in the street. The application property is typical of the street characterised by large detached properties with red/brown brick, timber detailing, front gables and attractive front gardens. □

□

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

□

There is a mature, protected Oak in the front garden and, amongst other smaller trees, a mature, protected Oak in the rear garden. The trees contribute to the arboreal/wooded character of the Copse Wood Estate Area of Special Local Character (CWEASLC) and have a high (collective) amenity value. □

□

The land in front of the dwelling provides a driveway with space to park at least two cars. □

□

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

3.2 Proposed Scheme

The proposed development comprises the erection of a two storey, 5- bedroom detached dwelling to include habitable roofspace, with associated parking and amenity space involving demolition of the existing detached dwelling. □

□

The building would measure 8.81m high, 13.5m wide and 13.5m deep. The property would be located 1.67m away from the boundary shared with No. 37 Copse Wood Way and 2.0m away from the side boundary line shared with No. 41 Copsewood Way. The roof profile would be pitched with an inverted crown roof above. □

□

The proposed building would be laid out over three stories, including the rooms in the roof, with timber windows and timber doors. □

□

The private garden area to the rear of the building measuring 557 square metres would be retained. □

□

The proposal would provide accommodation on three floors. The ground floor would provide a drawing room, breakfast/kitchen area, a study, dining room, utility room and a double width garage. The first floor would comprise 4 bedrooms, 2 of which would be en-suite, 1 of which would be a master suite with a walk-in wardrobe, and a sitting area. The second floor would comprise the 5th bedroom, a leisure area and storage. The development would provide over 400 square metres of accommodation. □

□

The existing crossover into the side would be retained, with parking also available on the driveway in front of the dwelling.

3.3 Relevant Planning History

11007/A/98/1755

39 Copse Wood Way Northwood

Tree surgery to six Hornbeam stems in Area A1 on TPO 398

Decision: 14-10-1998 Approved

11007/APP/2012/2233 39 Copse Wood Way Northwood

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

Decision: 03-01-2013 Refused

11007/B/99/2060 39 Copse Wood Way Northwood

Tree surgery to one Oak and four Hornbeam trees in area A1 on TPO 398

Decision: 08-11-1999 Approved

11007/TRE/2000/95 39 Copse Wood Way Northwood

TREE SURGERY TO ONE OAK TREE AND FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

Decision: 18-09-2000 Approved

11007/TRE/2001/18 39 Copse Wood Way Northwood

TREE SURGERY TO ONE SIX-STEMMED HORNBEAM COPPICE STOOL IN AREA A1 ON TPO 398, INCLUDING THINNING THREE STEMS BY 20% AND COPPICING (THREE STEMS)

Decision: 09-03-2001 Approved

11007/TRE/2001/73 39 Copse Wood Way Northwood

TREE SURGERY TO FOUR HORNBEAM TREES IN AREA A1 ON TPO 398

Decision: 08-08-2001 Approved

11007/TRE/2004/108 39 Copse Wood Way Northwood

TO CARRY OUT TREE SURGERY TO ONE OAK TREE WITHIN AREA A1 BY REMOVAL OF LOWEST SIX BRANCHES TO LIFT CROWN AND REMOVAL OF DEADWOOD ON TPO 398

Decision: 05-11-2004 Approved

11007/TRE/2007/120 39 Copse Wood Way Northwood

TO FELL TWO OAK TREES IN AREA A1 ON TPO 398 (REF: 33866/2442455)

Decision: 10-10-2008 NFA

11007/TRE/2011/122 39 Copse Wood Way Northwood

To fell two Oak trees in area A1 on TPO 398.

Decision: 27-01-2012 SD

Comment on Relevant Planning History

NON DETERMINATION APPEAL

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During the course of the application it was made clear to the agent during two detailed telephone conversations and a e-mail dated 5 August 2013, that a number of changes would be required in order for the application to be acceptable. However given the number of objections received, it would be necessary to resubmit the scheme to allow for the required consultation. the requested changes comprised the following: □

□

- reduction in the width of the double garage to provide a single garage □
- stepping the scheme back to conform to the existing building line □
- omitting the single storey rear element □
- demonstrate that the 45-degree line of sight would be complied with □
- meet a number of lifetime home standards □

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The agent expressed that the scheme may be withdrawn, however at a later date it was confirmed to the Planning Officer that the scheme should be determined. During this time an appeal for non-determination was submitted. Subsequently, a further application has been received (Ref. 11007/APP/2013/2426) for a scheme making changes to the scheme which the Council initially suggested. □

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PREVIOUS PLANNING APPLICATIONS

Planning permission was refused on the 1 March 2013 (Ref. 11007/APP/2012/2233) for the erection of a two-storey 5-bedroom property involving the demolition of the existing property on the following grounds: □

□

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

□

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

□

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

□

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

□

The applicant seeks to address the above concerns by providing the following: □

1. Changing the design concept from a mock Georgian to a more traditional vernacular design □
2. Removing the large crown roof and replacing with a smaller crown roof □
3. Reducing the rear element by 0.3m in depth. □
4. Providing a tree survey and associated information.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- | | |
|------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| BE39 | Protection of trees and woodland - tree preservation orders |
| BE5 | New development within areas of special local character |

BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
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LPP 7.4	(2011) Local character
LPP 7.21	(2011) Trees and woodland
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbouring properties and the Northwood Residents Association were consulted on 12 June 2013. A site notice has also been displayed.

A petition has been received with 28 signatories in support of the proposal.

Northwood Residents Association: Northwood Residents' Association objects to this application on the grounds that the size, scale and bulk of the development would be in contravention of Policies BE5, BE13, BE15 and BE19; further the development would overshadow 37 Copse Wood Way (exacerbated by the differential in the levels of the two properties) and would result in loss of light and amenity contrary to Policies BE19, BE20 and BE21.

3 letters of objection and petition has been received with 60 signatories raising the following objections:

1. Design - The loss of the Arts and Crafts is regrettable however the design, albeit 'Mock tudor' is a welcome change from the previous scheme

2. Overshadowing, enclosure, intrusion and loss of outlook - caused by the dramatic difference in levels between the application site and No 37, resulting in an extension which would be harmful to the neighbouring dwelling.

3. Scale and spacing

4. Overlooking- height and depth of terrace - again the existing garden level is 1.5m below the existing terrace and 1.9m below the height of No. 37 garden

5. Flank windows of the proposed development depend on light from No. 37 which would inturn prejudice any future two-storey extension at No. 37

6. Loss of Trees and hedges

7. Contrary to Local Plan policies

□

Ward Councillor: Objects to the scheme on similar grounds to those set out above.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER:□

□

BACKGROUND: An application for a large Georgian style house was refused in January 2013, on grounds which included size, scale, bulk, width and design. As stated in the Design and Access Statement, this current proposal is very similar in its scale, width and floor area. Where it differs markedly is in the quality of its architectural design, which is similar to that, by the same architect, approved elsewhere on the estate.□

□

Although the design concept would be acceptable, there are still a number of elements which would cause this proposal to appear overlarge and bulky. □

□

1. The Building Line: a comparison with the existing house shows that this proposed house would be forward of the building line. The two storey elements of the existing house should be taken as a guide, rather than the line of its single storey front extensions. Bringing the house forward on the site would increase the perceived bulk and scale.□

□

2. The double garage would encroach so close to the southern boundary that it would have to be dug into the ground. It would increase the width of the house by about a metre and reduce the possibility of planting down this boundary. The garage would also crowd the front elevation and vye with the principal gable in size. It is suggested that it is amended so that it does not extend beyond the flank wall, and is reduced in width to a single garage.□

□

3. The only part of the design which would be out of keeping with the vernacular style of the house, is the boxy, single storey, flat roofed rear 'extension', which would be added all along the back elevation. Moreover, this element, together with the raised patio and steps would provide a very significant and bulky addition to the rear of the property. This would significantly reduce the usable lawn area, and could have an impact on No. 37 adjacent.□

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If the application were to be amended to take account of these three points, the scale, bulk and width could be reduced to an acceptable degree, thus overcoming those issues cited in the previous refusal.□

□

RECOMMENDATIONS: Unacceptable.□

□

ACCESS OFFICER:□

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

The following access observations are provided:□

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1. Level access should be achieved. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.□

2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. The toilet pan should be repositioned to one side to ensure that a minimum of 700mm

of clear spaces provided to allow a wheelchair user to perform a side transfer onto the toilet pan. The centreline of the pan, however, should be maintained at 450mm-500mm from the adjacent wall to the side.□

3. To allow the entrance level WC and first floor bathroom to be used as a wet room in future, plans should indicate floor gully drainage.□

4. The plans should indicate the location of a future 'through the ceiling' wheelchair lift.□

□

Conclusion: revised plans should be requested as a prerequisite to any should be attached to any planning permission:□

□

Additional Condition:□

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

□

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

□

TREES AND LANDSCAPE OFFICER:□

□

Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 398.□

□

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (on-site): There is a mature, protected Oak in the front garden and, amongst other smaller trees, a mature, protected Oak in the rear garden. The trees contribute to the arboreal/wooded character of the Copse Wood Estate Area of Special Local Character (CWEASLC) and have a high (collective) amenity value.□

□

The proposed tree protection is adequate.□

□

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): None that will be affected.□

□

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES8 (implementation of approved tree protection), RES9 (1, 2, 5, 6) and RES10.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection to the principle of redeveloping the site to provide a larger residential dwelling. However, the current proposal is considered to be at odds with the design principles within the Copsewood Estate Area of Special Local Character and detrimental to the amenities of the adjoining occupiers. □

□

Any planning proposal would need to accord with the design policies set out within Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design guidance contained within HDAS Residential Layouts.

7.02 Density of the proposed development

The proposed development would have a density of 9.29 units per hectare and 92.93 habitable rooms per hectare. Whilst is below the requirements of Policy 3.4 of the London Plan (July 2011), this is to be expected due to the size of the plot and nature of development

on the Copsewood Estate. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposed development.

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

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

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area. Policy BE6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires two-storey developments in the Copsewood Estate to be 1.5m set-in from the side boundary. □

□
It is acknowledged that the applicant has departed from the pseudo-georgian features of the previous proposal, and has proposed a more traditional design concept, detailing and materials which are in keeping with the design ethos of the Copsewood Estate. Notwithstanding the above, there are some elements of the design that need addressing to allow the scheme to be fully acceptable. □

□
Policy 7.4 of the London Plan states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment. □

□
Although the excessive amount of flat, crown, roof has been reduced and replaced with a smaller inverted crown roof profile, this is not in character with the prevailing design and appearance of the surrounding area and a fully pitched/hipped roof would be more in keeping with the character and vernacular design of the Copewood Estate. □

□
The proposed building line has projected forward of the existing main building line, which is taken from the main building line rather than the front projecting elements. It is considered that this would detract from the established building line and relationship with the adjacent properties in the streetscene. Furthermore it would exacerbate the bulk and massing of the proposed building. □

□
In addition, the garage on the southern extent of the building would extend too close to the southern boundary again, reducing the amount of landscaping in this area and increasing the overall mass and bulk of the property and rendering the set-in from the site boundaries ineffective. Furthermore, the proposed garage would extend too far across the principal elevation and would form an overly dominant feature to the principal elevation. □

□
The proposed single storey rear addition is described by the Urban Design Officer as 'out of

keeping with the vernacular style of the house' and 'boxy'. It is considered that this element would detract from the overall design concept which has been proposed to overcome the previous objections in relation to the design, and would dominate and provide a visually intrusive element to the scheme. In addition, together with the raised patio and steps the rear addition would provide a very significant and bulky addition to the rear of the property which would be harmful to the rural character of this settlement within the woods. □

□

The proposed development would not provide a high quality of urban design contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). Overall, the proposed development fails to complement or improve the character and amenity of the area in terms of its siting and massing and is therefore considered to represent a dominant and unsympathetic form of development in the street scene and the Cosewood Estate Area of Special Character, contrary to Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the Supplementary Planning Document (SPD) HDAS Residential Layouts

7.08 Impact on neighbours

Paragraph 4.11 of HDAS Residential Layouts states that the 45^o principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity □

□

The current relationship between the existing dwelling on the application site and No. 37 is finely balanced. The substantial drop in ground level between the two, at approx. 2.3m, is managed by the existing dwelling through having the two storey element set away from this boundary shared with No.37 Copse Wood Way and with lowered eaves that permit a first storey with rooms partially in the roofspace. □

□

It is considered that the proposed dwelling would have a significantly adverse impact on the adjoining dwelling to the west at No. 37 Copse Wood Way. This was a reason for refusal in the previous scheme and this element of the scheme is similar in the new submission. The depth of single storey rear element has been reduced by approximately 0.38m and the height and flat roof profile remain the same; this would result in a dominant and overbearing aspect when viewed from the rear garden and rear aspects of the main dwelling of No. 37. This impact is further exacerbated due to the lower ground level setting of No. 37 and the orientation which would cause a significant degree of overshadowing during the afternoon and evening periods. The Design and Access statement has noted that a shadowing study has been undertaken which demonstrates that there would be no undue loss of sunlight, however the submitted drawings and differences in levels demonstrate that this would not be the case. The single storey rear addition, would effectively be a one-and-a-half storey/two-storey addition when viewed from No. 37 and would cause demonstrable harm in terms of visual intrusion, overdominance and a potential loss of daylight and sunlight from the first floor habitable room windows and the garden area. □

□

The proposed terrace area would be approximately 1.9m higher than the garden level of No. 37. Although the terrace area would be screened by 1.7m privacy screened, and may be

sufficiently positioned away to prevent overlooking. However the privacy screen would be a maximum height of 2.44 metres when measured at the side boundary line and would be even taller when view from the ground level at the rear of No.37. The overall depth of the single storey element, which would measure 4 metres, and the privacy screen would extend to 9-10m beyond the main rear building line of No. 37. It is considered that the siting, height, depth and proximity to the side boundary line of the single storey rear element and the privacy screen would detract from the residential amenities of No. 37 by way of visual intrusion and over dominance. □

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

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

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

□
The windows of the proposed development would overlook the street of Copse Wood Way or the rear garden of the application site. The windows on the side elevation are proposed to be obscure glazed and a privacy fin would be provided to the side of the patio, to prevent the overlooking of No.37 Copsewood Way. Therefore, the proposal is considered to not result in any significant overlooking of any neighbouring occupier, in accordance with Policy BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

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

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed dwelling would continue to benefit from sufficient off road parking to the front driveway and a garage with space for two car and two bicycles. Therefore, the proposed development would comply with Policy AM7, AM9, AM14 and BE19 of the Hillingdon Local Plan - Part 1 and Part 2 Strategic Policies.

7.11 Urban design, access and security

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

7.12 Disabled access

The proposed dwelling fails to meet lifetime home standards in relation to Downstairs WC compliant with lifetime homes, ground and first floor WC/bathrooms to be convertible into a

wet room in the future and a future area for a wheel chair lift. Furthermore, the proposal fails to demonstrate how level access into the building will be achieved. Therefore, the proposal is considered contrary to Policy 3.8 of the London Plan (July 2011).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPING

The site is covered by TPO 398 and TPO 398 A1.

□

The proposal suggests maintaining the protected trees at the front of the site and within the rear garden. A tree report has been submitted and the Tree Officer is satisfied that the proposal would accord with Policy BE38 of the Hillingdon Local Plan (November 2012).

□

ECOLOGY

The applicant has submitted an Ecological Survey in support of the application. The survey concludes in the executive summary on page 3 that "7. There is no doubt that bats such as common pipistrelles will be foraging in the rear gardens at Copse Wood Way, and that they will be aware of any potential roosting crevices within number 39 as well as in nearby houses. Therefore, some further investigation will be required to ensure no hidden bats were missed and that bats are not using the main house for roosting later in April."

□

The summary also states in page 13 and in the executive summary that it is strongly advised that a follow up bat emergence survey be undertaken in spring 2013 to rule out roosting bats within the crevices within the building. The applicant has not submitted any documentation that the follow up survey was completed and has, therefore, failed to demonstrate that the proposal would not harm a roost of a protected species. Therefore, the application has failed to demonstrate compliance with Policy EC2 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

Adequate refuse storage can be accommodated within the property and can be secured by way of condition.

7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan requires the highest standards of sustainable design and construction in all developments to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. The applicant has proposed to meet Code for Sustainable Homes level 4. This could have been conditioned had the scheme been recommended favourably.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The objections raised are responded to in the main body of the report.

7.20 Planning Obligations

There would be no Planning Obligations arising from this proposal as the proposal does not result in a net gain of six habitable rooms.

□

The proposed development would exceed 100sq.m providing 249sq.m of additional net floor area and therefore there would be a requirement to make a CIL contribution of £8675.92

which has been acknowledged by the applicant.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

□

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

□

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

□

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.□

□

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The principle of the demolition of the existing property, whilst regrettable, would be acceptable subject to its replacement with a dwelling of similar or better design which would relate better to the established character and local identity of the Copse Wood Estate Area of Special Local Character. However, the proposed scheme would not reach the standard expected for the Copse Wood Estate, in terms of its design and appearance. Furthermore, the proposal has not overcome the reasons for refusal relating to the impact on the amenity of the neighbouring occupiers and lifetime homes standards.□

□

Therefore, the application is recommended for refusal.

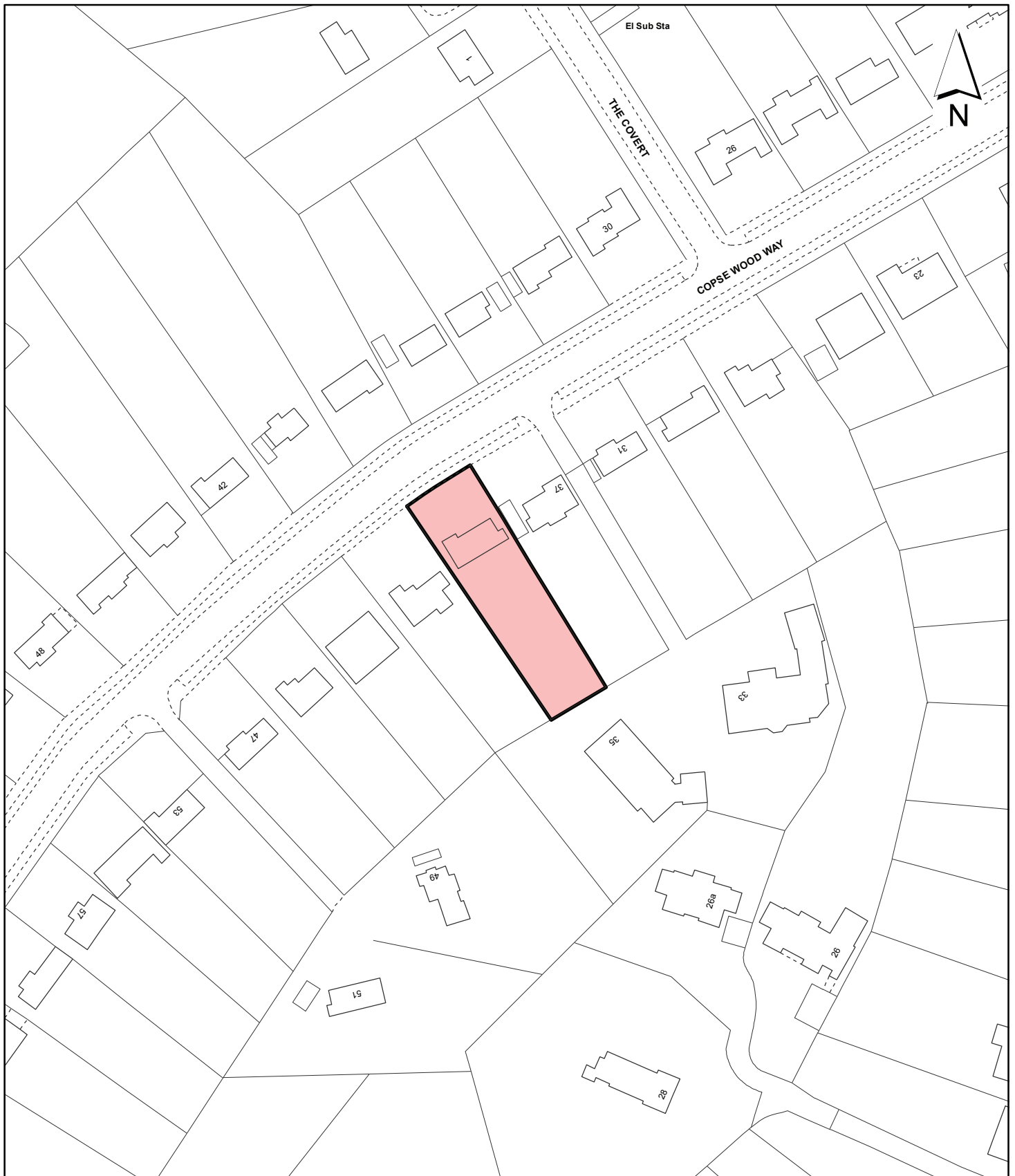
11. Reference Documents


Hillingdon Local Plan: Part One - Strategic Policies (November 2012)□

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) □
HDAS: Residential Layouts □
The London Plan 2011 □
The Mayor's London Housing Supplementary Planning Document □
HDAS: Accessible Hillingdon □
National Planning Policy Framework

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>39 Copse Wood Way Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>11007/APP/2013/1490</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>September 2013</p>	
			