

Report of the Head of Planning, Sport and Green Spaces

Address LAND AT 37-45 DUCKS HILL ROAD NORTHWOOD

Development: Variation of Condition 4 (Approved Drawings) to allow the enlargement of the single storey rear additions, changes to disabled facilities and fenestration to Plots 4, 5, 6, 7 and 10 of planning permission granted 16/11/10, ref. 59214/APP/2010/1776: Erection of 8 detached and 6 semi-detached dwellings with associated access, parking and landscaping.

LBH Ref Nos: 59214/APP/2013/2269

Drawing Nos: 1834/PL00 Rev. A
1834/PL01 Rev. C
1834/PL02 Rev. B
1834/PL03 Rev. A
1834/PL06 Rev. A
1834/PL07 Rev. C
1834/PL09 Rev. A
1834/PL10 Rev. B
1834/PL11 Rev. A
1834/PL12 Rev. A
Phase 2 Ecological Survey (Bat and Reptiles), August 2010
Reptile Mitigation Strategy to address the requirements of Condition 26 of Planning Permission 59214/APP/2010/1776, dated October 2012
Arboricultural Assessment and Arboricultural Method Statement, dated 15/10/10
Letter dated 7/10/10
Low and Zero Carbon Technologies Options Appraisal, Final Report, July 2010
Land Registry documents
1834/PL13
1834/PL14
1834/PL15
1834/PL16
1834/PL17
DS19080901.04 Rev. B
Design & Access Statement
Transport Statement, dated 20/7/10
Tree Survey Report, dated 28/8/09
Phase 1 Ecological Survey, June 2010
1834/PL601
1834/PL102
1834/PL202
1834/PL402
Agent's letter dated 2/9/13

Date Plans Received: 08/08/2013 **Date(s) of Amendment(s):**

Date Application Valid: 12/08/2013

1. SUMMARY

Members may recall four applications that sought various amendments to the originally

approved scheme granted on 16/11/13 for 14 houses on this site (App. No. 59214/APP/2010/1776 refers) which were presented to the Major Applications Planning Committee meeting on 13th June 2013. This application combines those amendments which were approved (App. Nos. 59214/APP/2013/847, 849 and 852 refer) into a single application to replace the separate approvals in order to overcome the problem of the decision notices referring to different plan numbers that contradict one another.

This application therefore seeks to vary Condition 4 (Approved Plans) of planning permission ref. 59214/APP/2010/1776 to allow the enlargement of the single storey rear additions or add a single storey addition in the case of Plot 10 and make changes to the internal layout and side elevations of the houses on Plots 4, 5, 6, 7 and 10.

Members previously considered that the changes would not materially affect the character and appearance of the area, the amenities of adjoining residential properties would not be affected and the standard of residential accommodation provided would be acceptable. These alterations to the originally approved scheme were therefore approved and there has been no change in policy or site circumstance to suggest that this assessment is no longer valid. This application is therefore recommended for approval.

A letter has also been received from the agents, requesting that the houses should only be required to satisfy Level 3 of the Code for Sustainable Homes as required by Condition 37 of the original approval as opposed to Level 4 stipulated by Condition 28 on the approved amended schemes. The Council's Sustainability Officer has considered this request and having regard to the planning history and the relatively minor changes to the design of the houses which are now sought, it is considered that in this instance, requiring the houses to satisfy Level 4 would be unduly onerous.

2. RECOMMENDATION

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

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

2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

3. That if any of the heads of terms set out above have not been agreed and the

S106 legal agreement has not been finalised by the 08th July 2013, or any other period deemed appropriate by the Head of Planning, Sport and Green Spaces then delegated authority be granted to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

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

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

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

1 RES3 Time Limit

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

REASON

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

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1834/PL00 Rev. A, 1834/PL01 Rev. C, 1834/PL02 Rev. B, 1834/PL03 Rev. A, 1834/PL06 Rev. A, 1834/PL07 Rev. C, 1834/PL08 Rev. A, 1834/PL09 Rev. A, 1834/PL10 Rev. B, 1834/PL011 Rev. A, 1834/PL012 Rev. A, 1834/PL013, 1834/PL014, 1834/PL015, 1834/PL016, 1834/PL017, 1834/PL102, 1834/PL202, 1834/PL402 and 1834/PL601 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, ,

including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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

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

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Means of enclosure/boundary treatments
 - 2.c Hard Surfacing Materials

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011)

6 OM19 Construction Management Plan

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

- (i) The phasing of development works

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

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

7 RES12 No additional windows or doors

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

REASON

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

8 RES13 Obscure Glazing

With the exception of the south elevations of the houses on Plots 1 and 12 and the north west elevation on Plot 8, the first floor and rooflight windows on the side elevations of the houses shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

9 NONSC No Roof Gardens

The flat roof area of the single storey rear projecting additions hereby permitted on Plots 4, 5, 6, 7 and 10 shall not be used as a balcony, roof garden or similar amenity area.

REASON

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

10 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extensions 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 Obscure Glazing

Notwithstanding the approved plans, side screens glazed with permanently obscured glass shall be provided to the rear balconies on Plots 2, 3, 11, 12, 13 and 14 for so long as the development remains in existence.

REASON

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

12 NONSC Parking Areas

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

REASON

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

13 NONSC Access Road

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

REASON

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

14 NONSC Car Parking Spaces Visibility Splays

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

REASON

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

15 NONSC Access Road Visibility Splay

The proposed access to the site shall be provided with driver visibility splays of 2.4m x

90m in both directions and shall be maintained free of all obstacles to visibility (unless otherwise agreed by the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

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

16 NONSC Street Lighting

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

REASON

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

17 NONSC Revised Gate Siting

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

REASON

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

18 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

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

REASON

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

19 NONSC Protective Fencing

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

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

REASON

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

20 NONSC Tree Protection

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

REASON

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

21 NONSC Reptile Mitigation

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

REASON

To ensure the ongoing protection of slow worm (UK Protected Species) in accordance with Policy 7.19 of the London Plan (July 2011) and Policy EC2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

22 NONSC Bat Protection

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

REASON

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

23 RES19 Ecology

No development shall take place until a scheme to protect and enhance the nature

conservation interest of the site has been submitted to and approved by the Local Planning Authority.

REASON

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

24 RES26 Contaminated Land

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

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

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

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

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

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

25 RES15 Sustainable Water Management (changed from SUDS)

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

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

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

26 RES24 Secured by Design

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

REASON

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

27 NONSC Refuse Collection

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

REASON

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

28 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 3 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

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

REASON

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

INFORMATIVES

1 152 **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).

2 153 **Compulsory Informative (2)**

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

NPPF1

NPPF4

NPPF6

NPPF7

NPPF8

NPPF9

NPPF10

NPPF11

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 3.8 (2011) Housing Choice

LPP 3.13 (2011) Affordable housing thresholds

LPP 5.2 (2011) Minimising Carbon Dioxide Emissions

LPP 5.3 (2011) Sustainable design and construction

LPP 5.6 (2011) Decentralised Energy in Development Proposals

LPP 5.7 (2011) Renewable energy

LPP 5.9 (2011) Overheating and cooling

LPP 5.10 (2011) Urban Greening

LPP 5.11 (2011) Green roofs and development site environs

LPP 5.12 (2011) Flood risk management

LPP 5.13 (2011) Sustainable drainage

LPP 5.14 (2011) Water quality and wastewater infrastructure

LPP 5.15 (2011) Water use and supplies

LPP 6.10 (2011) Walking

LPP 6.12 (2011) Road Network Capacity

LPP 6.13 (2011) Parking

LPP 7.1 (2011) Building London's neighbourhoods and communities

LPP 7.2 (2011) An inclusive environment

LPP 7.3 (2011) Designing out crime

LPP 7.4 (2011) Local character

LPP 7.5 (2011) Public realm

LPP 7.19 (2011) Biodiversity and access to nature

LPP 7.21 (2011) Trees and woodland

OL5 Development proposals adjacent to the Green Belt

OL26 Protection and enhancement of trees, woodland and landscape

	features
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE7	Development schemes on the south-east side of Ducks Hill Road
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

4 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as -

the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

6 115 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise 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.

7 121 Street Naming and Numbering

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

8

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

9

The applicant should enter into a S278 Agreement to carry out the access and lighting

works on the highway as required.

10 IT05 Wildlife and Countryside Act 1981

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

3. CONSIDERATIONS

3.1 Site and Locality

The site is located to the east of Ducks Hill Road, south of Mallard Way with the main part of the site set back by approximately 60m from the road, linked by a vehicular access. The irregular shaped site extends to approximately 0.76 hectares and generally slopes down towards the south and east. The site formerly comprised 5 residential properties but it has been cleared and works on the approved development for 14 houses has commenced. There are many mature trees on site, mainly located on the site boundaries with an open grassed area in the centre. The site is covered by TPO 41.

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

3.2 Proposed Scheme

This application seeks to consolidate the amendments to the original scheme for 14 houses on this site previously approved within 3 separate applications into a single application in order to overcome the difficulty of each application referring to different approved plans.

On Plots 4 and 5:

The originally approved 3.0m deep half width single storey rear additions, which would have been sited centrally on this pair of semi-detached houses would be enlarged, together with the lantern lights in the roof, to extend across the full width of the houses. The height of the parapet walls on the rear addition would increase from 3.1m to 3.6m and larger triple pane windows would be provided on each of its side elevations.

Alterations to the ground and first floor layouts and provisions to comply with Lifetime homes provision are also proposed.

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

On Plots 6 and 7:

The previously approved 4.2m deep half width single storey side/rear addition to Plot 6

and the 1.5m deep full width single storey rear addition to Plot 7, would be replaced by full width rear extensions with lantern lights in the roof to match the depth of the previously approved addition on Plot 6. The height of the parapet walls on the rear addition would increase from 3.1m to 3.6m and a triple pane window would be provided in the side elevation of the addition on Plot 7.

Alterations to the ground, first and second floor layouts and provisions to comply with Lifetime homes standards are also proposed.

Other external alterations involve re-siting the chimneys on the side elevation further to the rear, omission of a ground floor window on the side elevations and minor re-siting of windows and doors in the side elevations.

On Plot 10:

A single storey rear addition which would extend 2.1m to align with the rear elevation of the previously approved two storey rear wing would be added, 6.2m wide with a lantern light in the roof to extend across the rest of the rear elevation of the house. The height of the parapet walls on the rear addition would increase from 3.1m to 3.6m and the extension would incorporate a roof lantern skylight.

Alterations to the ground floor layout and provisions to comply with Lifetime homes provision are also proposed.

The only other external alteration would be the replacement of a side door with a window which would now serve a wc. instead of a utility room.

A letter has also been received from the agents, requesting that houses should only be required to satisfy Level 3 of the Code for Sustainable Homes as required by Condition 37 of the original approval as opposed to Level 4 stipulated by Condition 28 on the approved amended schemes.

3.3 Relevant Planning History

Comment on Relevant Planning History

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

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

A further application to discharge Condition 26 (Reptile Mitigation Strategy) was approved on 19/12/12 (59214/APP/2012/2584).

The proposed amendments the subject of this application were originally considered by the Major Applications Planning Committee meeting on the 13th June 2013 (App. Nos. 59214/APP/2013/847, 849 and 852 refer). Another application to amend the roof design and add an external staircase to allow the occupiers of Plot 8 to use the roof space of the communal garage serving Plots 6, 7 and 8 as a study/games room was refused at this committee (App. No. 59214/2013/848 refers). Two further applications to amend the

original permission to replace a double garage with a triple garage on Plot 12 and to alter the parking layout on the whole site were refused under delegated powers on 2/7/13 (App. Nos. 59214/APP/2013/850 and 872 refer respectively).

Various applications have also been submitted recently, seeking to discharge various conditions attached to the original permission, a number of which have now been approved.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing
- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.T1 (2012) Accessible Local Destinations
- PT1.C11 (2012) Community Infrastructure Provision
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- NPPF1
- NPPF4
- NPPF6
- NPPF7
- NPPF8
- NPPF9
- NPPF10
- NPPF11
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.13 (2011) Affordable housing thresholds

LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.9	(2011) Overheating and cooling
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 6.10	(2011) Walking
LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
OL26	Protection and enhancement of trees, woodland and landscape features
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE7	Development schemes on the south-east side of Ducks Hill Road
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
OE1	Protection of the character and amenities of surrounding properties and the local

	area
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th September 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

31 neighbouring properties have been consulted and a site notice has been displayed at the entrance to the site. No responses have been received.

Northwood Residents' Association: No response received.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

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

Recommendation: Acceptable

ACCESS OFFICER:

The provisions made to satisfy Lifetime homes standards are acceptable.

S106 OFFICER:

A deed of variation will be required to the main s106 over the land to tie in this new planning reference.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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

7.02 Density of the proposed development

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

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

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

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

The proposed single storey rear additions would not bring built development any closer to the Green Belt boundary so that they would not have any impact upon the openness of the adjoining Green Belt.

7.07 Impact on the character & appearance of the area

It was previously considered that the proposed enlargement of the single storey rear additions on Plots 4, 5, 6 and 7 and the new rear addition on Plot 10 would not have any significant impact upon the character and appearance of the area. Furthermore, the height increase of the single storey rear elements allows the rear elevation of the houses to be better proportioned.

The changes to the side elevations of the houses on these plots were also not considered to be significant. There has been no changes to policy or to conditions on site that would suggest that this assessment is no longer valid.

7.08 Impact on neighbours

As regards Plots 4 and 5, the proposed rear extensions would be separated from the nearest adjoining residential properties, the residential terrace comprising Nos. 36 to 48 Mallard Way by over 10m and would not project beyond their rear elevation. Furthermore, this terrace has a blank side elevation facing the application site and the boundary at this point is well screened by mature trees and shrubs. The extended rear addition would also be set over 25m away from the rear elevation of the flats in Marchbank House, the boundary of which is also well screened by mature vegetation which would also screen Nos. 50 - 60, the terraced block sited further to the west on Mallard Way. The addition would also be sufficiently distant from the proposed adjoining property on Plot 3 so that the 45 degree line of sight taken from the nearest ground floor window would not be breached.

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

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

In terms of Plot 10, the proposed 2.1m deep rear extension would be set off the shared side boundary with Plot 9 by approximately 1.2m and would not encroach upon a 45 degree line of sight taken from this property's nearest rear facing window. As regards the other adjoining plot, the extension would not project beyond the two storey rear wing on this side of the house which would essentially screen the extension from Plot 11.

Privacy would be protected at ground floor level by boundary fencing. Furthermore, the use of the new roof as a roof terrace, roof garden or similar amenity area that would allow overlooking of the neighbouring rear gardens has been controlled by condition.

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

As regards Plot 6 and 7, the proposed enlarged rear additions would be separated from the rear elevations of the nearest adjoining residential properties at Nos. 36 to 48 Mallard Way by 15.8m. This distance has marginally increased from the previously approved scheme due to the omission of the side element of the rear extension. The boundary between the terraced block and Plot 6 is planted with maturing conifers, some 5 to 6m high and a smaller laurel hedge, which affords good screening.

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

7.09 Living conditions for future occupiers

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

The house on Plot 6 was previously designed so that the half width single storey rear addition would screen its 'patio' area at the rear of the house as this area would be potentially overlooked by the adjoining terraced block at Nos. 36 - 48 Mallard Way within a 21m distance. However, given the mature evergreen planting on this boundary, it is considered that the new patio area would afford an acceptable standard of privacy.

7.10 Traffic impact, car/cycle parking, pedestrian safety

No traffic or highway issues are raised by this application.

7.11 Urban design, access and security

No specific issues are raised by this application.

7.12 Disabled access

The Council's Access Officer previously confirmed that the revised provisions made to satisfy Lifetime homes standards are acceptable.

7.13 Provision of affordable & special needs housing

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

7.14 Trees, Landscaping and Ecology

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

7.15 Sustainable waste management

The proposed amendment has no implications for sustainable waste management.

7.16 Renewable energy / Sustainability

The original permission stipulated that the development should meet Code for Sustainable Homes Level 3 standards, which was revised to Level 4 on the amendment applications.

The agents in their letter dated 2/9/13 state that the scheme has been costed and designed on the basis of the original permission requiring Code Level 3 standards. The site was registered for Building Regulations following the grant of planning permission and building work to Code Level 3 standards on the majority of the scheme has already commenced. Subsequent adoption of London Plan policies and local policies do not require Code 4 standards to be met. They conclude that in the light of the above, it is not justifiable to burden the few remaining dwellings with Code 4 standards only because of minor changes being made to their design.

The Council's Sustainability Officer does not raise any objection to the development satisfying Code Level 3, given these circumstances.

A condition is attached.

7.17 Flooding or Drainage Issues

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

7.18 Noise or Air Quality Issues

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

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning Obligations

A new Deed of Variation for the S106 Agreement would be required for this application.

7.21 Expediency of enforcement action

There are no enforcement issues raised by this application.

7.22 Other Issues

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

8. Observations of the Borough Solicitor

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

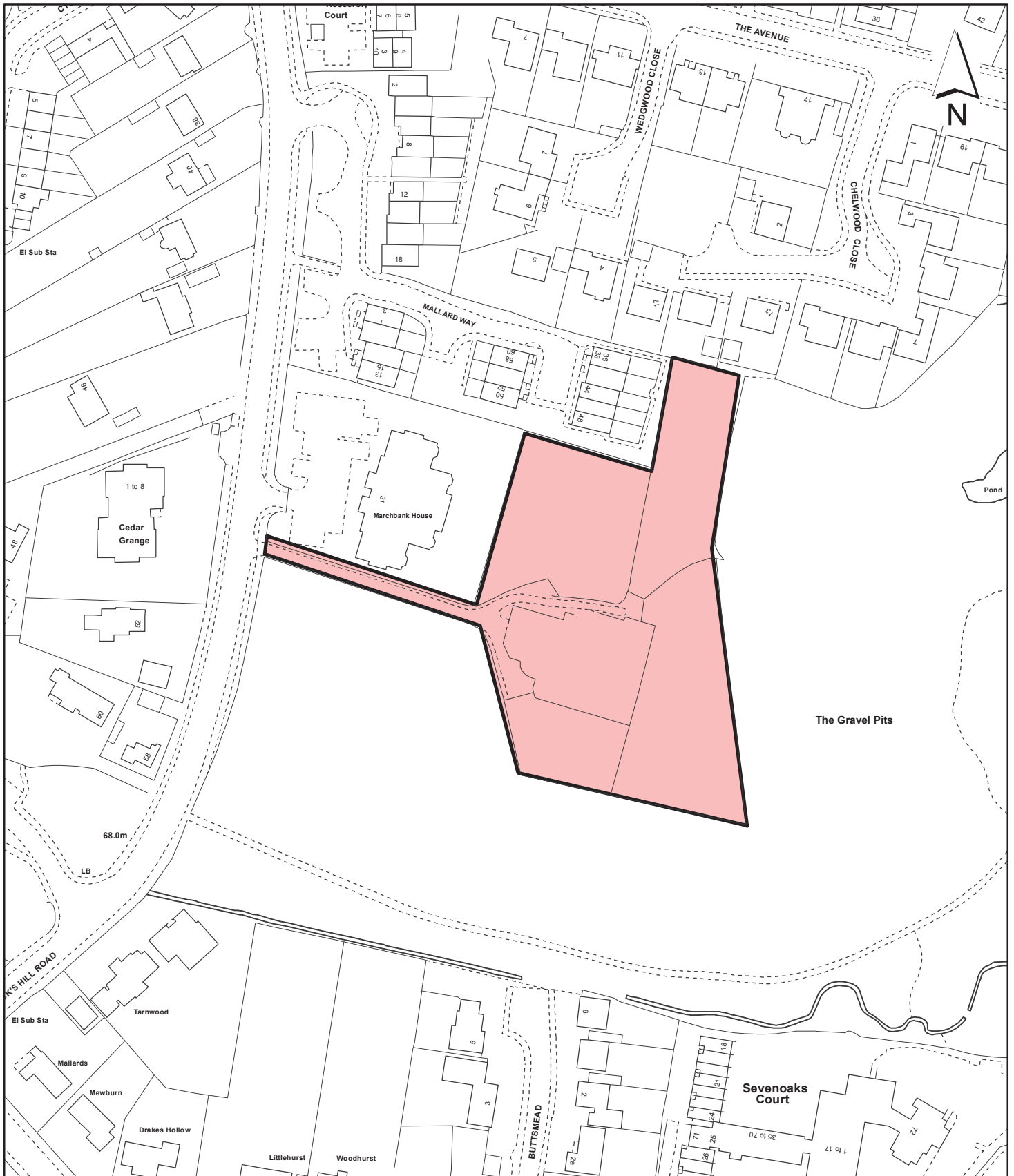
This application consolidates previously approved amendments to the houses on Plots 4, 5, 6, 7 and 10 into a single application. The application is recommended for approval.

11. Reference Documents

NPPF (March 2012)
London Plan (July 2011)
Hillingdon Local Plan - Saved Unitary Development Plan Policies (November 2012)
HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)
Planning Obligations Supplementary Planning Document, July 2007
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**37 - 45 Ducks Hill Road
Northwood**

Planning Application Ref:

59214/APP/2013/2269

Planning Committee

Major Applications

Scale

1:1,500

Date

**October
2013**

**LONDON BOROUGH
OF HILLINGDON
Residents Services**

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



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