

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

**Address** LAND WEST OF WOODFIELD TERRACE AND DOVEDALE CLOSE  
HAREFIELD

**Development:** Construction of a 5-bed detached 'eco' house with associated garage and pool (Outline Planning Permission with All Matters Reserved)

**LBH Ref Nos:** 66148/APP/2014/430

**Drawing Nos:** Tree Schedule  
01  
03  
07  
09  
05  
AIA19913-001-B Rev. A  
06  
04  
AIA19913-001-A Rev. A  
08  
AIA19913-001 C Rev. A  
Ecology Survey dated 25-6-14 by The Ecology Consultancy  
David Leach Ecological Surveys Environmental Consultants Ecological  
Survey dated August 2013  
10

**Date Plans Received:** 07/02/2014                      **Date(s) of Amendment(s):**

**Date Application Valid:** 12/02/2014

### \* **SUMMARY**

Outline planning permission is sought for the erection of a five bed detached 'eco' house with access to the site achieved by the creation of a new road leading from the existing driveway between 69c and 69d Dovedale Close. Only approval of the principle of the development is sought at this stage, with all other matters reserved.

The steeply sloping site consists of mainly dense woodland, bounded to the south, west and northwest by the Green Belt, to the north by allotment gardens and a public footpath and to the east by Harefield Village Conservation Area.

It is considered that that the applicant has failed to make a robust case that there are specific circumstances that justify the development of this site. The proposed development makes inadequate provision for the long-term retention of the woodland on and close to the site. The level and nature of development would inevitably have an urbanising influence and be visually prominent from the adjoining Green Belt to the detriment of the visual amenity and openness of this area and to that of the Colne Valley Regional Park.

Furthermore, the application has failed to demonstrate that the scheme could be completed without detriment to the recognised ecological value of this area. The principle of residential development on this site cannot therefore be supported.

The scheme is hereby recommended for refusal.

## 2. **RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The scheme, in the absence of a robust or satisfactory argument to justify the redevelopment of this site for residential purposes, fails to demonstrate that the proposed development could be completed without significant detriment to the recognised ecological value and nature conservation of the area. The proposal would thereby be contrary to Policy EM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy OL26 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.18 and 7.19 of the London Plan and National Planning Policy Framework Chapter 11.

#### **2 NON2 Non Standard reason for refusal**

The proposed development makes inadequate provision for the long-term retention of the woodland, on and close to the site. The loss of the woodland, which is a landscape feature of merit, and its replacement with a residential house on the sloping site, would be detrimental to the visual and natural amenity, wooded character of the locality, the openness and visual amenity of the Green Belt/countryside, and would have a significant impact on its surroundings and the landscape of this part of the Colne Valley and surrounding conservation area. The proposed development is therefore unacceptable in tree/woodland and landscape terms, contrary to Policies BE1, HE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), BE4, BE38, OL9, OL26 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and Policy 7.16, 7.18 and 7.19 of the London Plan.

#### **3 NON2 Non Standard reason for refusal**

The proposal, by reason of the extent of the built form, the associated infrastructure, the domestic nature of the development and the generation of domestic activity, would result in the loss of open space and the recreational value of the site, and would cause detrimental harm to the visual amenity of the Colne Valley Regional Park and adjoining Green Belt, contrary to Policies BE1, HE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies OL9 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), London Plan Policy 7.16 and National Planning Policy Framework (Chapter 9).

#### **4 NON2 Non Standard reason for refusal**

The applicants have failed to demonstrate that the proposed access to the site is adequate to serve the proposed development. As a result, the development would give rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety. The development is therefore contrary to Policy AM7 of the 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**            I53            **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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE4	New development within or on the fringes of conservation areas
H5	Dwellings suitable for large families
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 3.8	(2011) Housing Choice
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt
LPP 7.18	(2011) Protecting local open space and addressing local deficiency
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.3	(2011) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OL5	Development proposals adjacent to the Green Belt
OL9	Areas of Environmental Opportunity - condition and use of open land
OL26	Protection and enhancement of trees, woodland and landscape features
R16	Accessibility for elderly people, people with disabilities, women and children

## **3**            I59            **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 site is approximately 0.6 ha in extent and is located beyond the edge of the residential area of Harefield Village (Conservation Area), is bordered by open Green Belt land to the south and west and open land (allotments) to the north. The site is found in a side valley on the eastern side of the Colne Valley escarpment and slopes, steeply in parts, with the land falling about 16m from east to west and the site forms part of the designated Colne Valley Regional Park.

The upper and middle part of the site and adjacent Green Belt land to the south is covered by secondary woodland, which is dominated by Oak and includes a few glades. The lower part of the site is largely covered by scrub. The oak woodland is a large landscape feature and forms part of a much larger area of wooded land on the escarpment that wraps around and defines the western edge of this part of Harefield Village. The woodlands on the site are covered by a Tree Preservation Order as a defined woodland and this designation came into force after the decision and appeal on the previous application for the site.

A site of designated Special Scientific Interest(SSSI) lies approximately 118 metres to the south west of the site and approximately 100 metres to the south is a designated Nature Conservation Site of Borough Grade 1 importance.

The site is bordered by existing residential properties to the north east, which form part of the Harefield Village Conservation Area. A private driveway serving 7 and 8 Woodfield Terrace is set between Nos.69c and 69d Dovedale Close and runs parallel to the eastern boundary of the site. To the north runs a public footpath, beyond which lie allotment gardens. To the south, west, and north west, the site is bordered by the Metropolitan Green Belt.

The site has been proposed as being incorporated into the Nature Conservation Site of Borough Grade 1 importance to the south and also included within the Green Belt within the Local Development Framework proposed amendments to UDP policies published in February 2014. Whilst consultation has been completed on these amendments to these boundaries, the application site has yet to be formally designated as such.

#### **3.2 Proposed Scheme**

Outline planning permission (with all matters reserved) is sought for the erection of a 5 bed detached 'eco' house. The building will be a largely two storey dwelling, set into the slope of the site.

Access to the site is to be achieved by the creation of a new road, between 69c and 69d Dovedale Close at the existing turning head.

### 3.3 Relevant Planning History

66148/APP/2009/1453 Land West Of Woodfield Terrace And Dovedale Close Harefield  
Outline application with all matters other than access reserved, for a 9 dwelling development.

**Decision:** 29-10-2009 Refused **Appeal:** 22-09-2010 Dismissed

#### Comment on Relevant Planning History

There is one relevant planning application to this site. Planning application reference 66148/APP/2009/1453 refused outline permission with all matters other than access reserved, for a 9 dwelling development. Information submitted with the application indicated a development comprising 9, three and four bedroom detached and semi-detached houses. It was proposed to divide the site into 9 plots varying between 320 and 700sq. metres in area, with a wetland area provided in the south west corner of the site.

Access to the site was to be achieved by the creation of a new road, between 69c and 69d Dovedale Close at the existing turning head. The application was refused on 19 August 2009 on 6 grounds. The decision was appealed and the Council's original decision was upheld by the Inspector on 22 September 2010.

The reasons for refusal by the Council were as follows:

1. The proposal would result in the loss of land within a Nature Conservation Site of Borough Grade I Importance and the submitted ecological assessment has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area. The proposal is therefore contrary to Policy EC1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 3D.14 of the London Plan and the provisions of PPS9 (Biodiversity and Geological Conservation).
2. The applicants have failed to demonstrate that the proposed access to the site is adequate to serve the proposed development. As a result, the development would give rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety. The development is therefore contrary to Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
3. The proposed access road, by reason of its location and the likely volume of pedestrian movement and vehicular traffic generated by the proposed parking spaces, would be detrimental the residential amenity of adjoining occupiers, due to noise disturbance. The proposal is therefore contrary to Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).
4. The proposed development makes inadequate provision for the long-term retention of the woodland, on and close to the site. The loss of the woodland, which is a landscape feature of merit, and its replacement by nine houses on the sloping site, would be detrimental to the visual and natural amenity and wooded character of the locality and the openness and visual amenity of the Green Belt/countryside, and would have a significant impact on its surroundings and the landscape of this part of the Colne Valley. The proposed development is therefore unacceptable in tree/woodland and landscape terms, contrary to Policies BE38, OL9, OL26 and OL5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 3D.8 of the London Plan.
5. The proposal, by reason of the extent of the built form, the associated infrastructure,

the domestic nature of the development and the generation of domestic activity, would result in the loss of open space and the recreational value of the site and would cause detrimental harm to the visual amenity of the Colne Valley Regional Park and adjoining Green Belt, contrary to Policies 0L5 and 0L9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan Policy 3D.8 and Planning Policy Guidance Note 2 Green Belts.

6. The proposed layout raises concerns related to steep gradients leading to and within the site, which are considered likely to cause difficulties for people with disabilities and conflict with lifetime homes standards. As such, the development would provide an inadequate living environment for future occupiers, contrary to Policies 3A.5, 4B.1 and 4B.5 of the London Plan (February 2008) and the design principles contained within the adopted Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Accessible Hillingdon.

7. The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of education). The scheme therefore conflicts with Policy R17 of the London Borough of Hillingdon Unitary Development Plan Saved Policies September 2007, and the adopted Supplementary Planning Document 'Planning Obligations.'

The Inspector in his reasoning outlined 5 main issues in the reason for refusal that the Appeal needed to consider, namely (i) Character and Appearance, (ii) Nature Conservation, (iii) Highway Safety, (iv) Education Facilities and (v) Living Conditions to 69c and 69d Dovedale Close. The latter (v) issue he dismissed as a reason and the educational contribution (iv) he considered can be readily dealt with by the applicant in any future application by legally agreeing to make the financial contribution at the outset of the application. Accordingly there were three issues that remained an issue for the site and of consideration in respect of this submitted scheme. These are the impact on the character and appearance, nature conservation and highway safety.

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

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

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM4 (2012) Open Space and Informal Recreation
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- AM14 New development and car parking standards.

BE13	New development must harmonise with the existing street scene.
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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LPP 3.8	(2011) Housing Choice
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LPP 5.3	(2011) Sustainable design and construction
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LPP 7.6	(2011) Architecture
LPP 8.3	(2011) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
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## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **19th March 2014**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

3 neighbours were consulted and a site notice erected at the site which expired on the 17th March 2014. 11 letters of objection have been received from residents, the contents of which are summarised below:

1. Access to the site is unsuitable;
2. Residential parking is already at a premium, more would be hazardous;
3. Access would not be suitable for heavy goods vehicles;
4. Dovedale Close/Woodfield Terrace is too narrow;
5. Additional traffic would be a danger to children playing in Dovedale Close/Woodfield Terrace; ;
6. No access for construction traffic;
7. Additional traffic generation;
9. Not Green Belt land at present but this will hopefully change with Part 2 of the LDP, scheme is damaging to the Green Belt
10. The proposal will spoil the copse;
11. Existing natural habitats and wild life would be destroyed;
12. The scheme is inappropriate development in the Green Belt. It is not for affordable housing, nor will it benefit the Village;
13. The house is out of keeping and too large;
17. The proposal would interfere with drainage to/from the adjoining allotments;
18. The proposal would create an undesirable precedent and the developer is using this to try and gain consent for the previously rejected scheme;

In addition, a petition signed by 218 persons has been received objecting to the proposal on the following grounds:

1. Unacceptable loss of nature conservation. The site is not derelict and there are significant habitats within the area
2. Traffic congestion at the junction of Dovedale Close and Woodfield Terrace is already a serious problem for local residents. Adding more houses will make worsen this situation and make the area unsafe for other residents and children.
3. Access for emergency vehicles is already a serious problem. The development will only make it worse.

Ward Councillor: Raised an objection to the application.

HERTS & MIDDLESEX WILDLIFE TRUST:

The above application has been brought to my attention by a member of the Trust who is concerned about the appropriateness of the proposed development and its impact on the woodland and its wildlife.

The applicant proposes the construction of an 'eco-home' within a woodland which is designated as a Site of Borough Importance for Nature Conservation (SBINC) - Harefield Chalk Pit.

Unfortunately, I am unable to access biological records held by GiGL - the Greater London environmental records centre. However, the 2009 ecology survey offers the following description: "Dense undisturbed woodland, species poor neutral grassland, seasonally wet areas of tall herbaceous vegetation. Part geological SSSI." The 2009 ecology report suggests that the woodland is of no particular ecological value. However, it is designated of Borough importance, qualifies as a UK habitat of principle importance (lowland mixed deciduous woodland) and contributes to the local ecological network. Given the nature of the habitat on site and the surrounding habitat mosaic, I would expect a number of notable and protected species to be present in the area, including bats, badgers and reptiles, not to mention nesting birds. Precautionary and mitigation measures would certainly be required to ensure no harm to protected



species and infringement of wildlife legislation occurs as a result of any development at this site.

The proposal would require the felling of a number of trees. It is not clear from the plans how many or which trees will be removed. The creation of a dwelling would also fundamentally alter the semi-natural nature of the site and result in the loss of part of the SBINC. I would severely dispute the use of the term 'eco-home', given that it will result in the loss of woodland habitat and harm to the local ecological network. It is also notable that the house would include five bedrooms (not including the additional guest bedroom), a swimming pool, two saunas and a gym, according to the submitted plans. Without any evidence to the contrary, I would therefore expect the house to have a large ecological footprint, including in terms of resource, energy and water use. It is difficult to see how the proposal would bring any particular benefit to the local community which would outweigh the impact of loss of the woodland.

Herts & Middlesex Wildlife Trust objects to the application as it would result in loss of woodland and loss of part of a Site of Borough Importance for Nature Conservation, with an adverse effect on the local ecological network. The proposal is therefore in conflict with policy EM7 of the Hillingdon Local Plan (Part 1) and with national planning policy (NPPF para 109, 117, 118). The proposed development furthermore does not seem to conform with the council's sustainability objectives, including as set out in local plan policies BE1 and EM1.

#### HAREFIELD TENANTS AND RESIDENTS ASSOCIATION:

I am writing to you as chairman of the Harefield tenants and residents association re planning application 66148/APP/2014/430 5 bed detached house Bird Lane copse Harefield. We object to this application on the grounds that the copse would have to be destroyed, the house is out of keeping with the area and much too large, the access roads are not suitable.

In 2009 they applied for 12 houses on that site which was refused went to appeal and lost, this small copse is not green belt at the moment but hopefully we can change that on part 2 of the LDP, but it is part of the much larger field 64 acres I believe which is green belt. I believe they are trying to gain access to that area by way of the copse for which purpose I am not sure. I urge you to refuse development of the site once again.

#### HAREFIELD VILLAGE CONSERVATION PANEL:

The Panel objected to the proposal on the following grounds:

The emerging plans for Part 2 of the Hillingdon Local Plan propose that this site and the adjoining Hill House Allotment site be designated as Green Belt.

New Government planning guidance gives planners the means of blocking development proposals where they would undermine Plans.

The site is within the Harefield Chalk Pit Site of Importance for Nature Conservation (SINC) and it is designated by the UDP as being of Borough Grade 1 Importance. The access to the site from Woodfield Terrace, between 69c and 69d Dovedale Close, is extremely narrow, being only 3.2 m wide.

Trees on the site are included in two Tree Preservation Orders (TPOs), Nos.665 and 677.

#### THAMES WATER

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an

extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site. Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason: to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. Swimming Pools: Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: 1. The pool to be emptied overnight and in dry periods. 2. The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/second into the public sewer network. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is: Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### BICKERTON AERODROMES LTD:

With reference to the above application we would like to draw attention to the fact that the site is within the Denham Aerodrome Traffic Zone. Denham is a long established Civil Aviation Authority Licensed Aerodrome providing facilities for business aviation and flying training for both fixed and rotary wing aircraft and may be available for use at any time. It is inevitable that any occupants in this location will both hear and see aircraft operations and it is important that all concerned are aware of the juxtaposition.

#### **Internal Consultees**

##### ECOLOGY OFFICER

Summary: I object to the proposed development as the submitted ecology survey is far from adequate, misrepresents the quality of the site and fails to demonstrate the impacts of the development.

Furthermore, what information has been disclosed shows the site has importance for bats. The Habitat Regulations require consideration of Article 16 of the Habitat Directives. There is no justification for why the impacts on bats are outweighed by a large 'eco' house with a swimming pool.

#### Reason for Refusal

The development is within an area of ecological importance. The development fails to protect and enhance the natural environment and places an unnecessary risk on protected species. Finally, the application fails to adequately present the quality of the existing habitats or the impacts of the development.

The survey fails to adequately present impacts to:

- Bats (European Protected Species)

- Amphibians (including European protected species, UK protected species and UK and London Biodiversity Action Plan Species)
- Reptiles (Including UK protected species and UK and London Biodiversity Action Plan Species)
- Invertebrates (Including UK protected species and UK and London Biodiversity Action Plan Species)
- Other fauna including birds

The development is therefore contrary to the [1] National Planning Policy Framework (paragraph 109):

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

[2] Policy 7.19(E) of the London Plan:

When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

1. Avoid adverse impact to the biodiversity interest
2. Minimize impact and seek mitigation
3. Only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

[3] Policy EM7 of the London Borough of Hillingdon Local Plan Part 1.

#### o Detailed Comments

##### The Value of the Site

The Council considers that the site is important for nature conservation. A 2005 review of nature conservation sites for London advised the extension to the existing Harefield Pit to include this site. The type of habitat on site and the connection to other surrounding diverse nature conservation sites, including SSSIs, provides an ecology network worthy of strategic protection.

##### Inadequate Report

The principle problem with the submission is the lack of quality in the ecology report.

##### Bats

1. There is no clear indication of where the bat surveys were undertaken. A number of bats were recorded moving around 'the copse' but it is not clear to what extent the wooded area itself was surveyed.
2. There is no clear record of the surveying of trees despite the previous survey suggesting that some of the trees have moderate roosting potential. The findings that the site 'is too cluttered for many bats to use' is inconsistent with previous findings which states:

On site trees have only low to medium roost potential. However, the quality of surrounding habitat suggests that a large bat population is likely to be present, increasing the likelihood of occupancy of roost sites.

Nonetheless most woodland could be considered 'cluttered' and is ideal bat habitat.

Based on the information provided, the development could have a negative impact on bats. All

species of bats are afforded maximum EU protection and the impacts from a development must be established to inform decision making. The Council believes there is sufficient information to suggest bats use the site and will be harmed by the loss of trees and vegetation clearance.

There is no overriding need for the development in this location and therefore no reason for the Council to justify the impacts to bats. Furthermore, the tree survey and report does not clearly identify what trees will be lost or how much vegetation will be removed or from where. Consequently, the impacts of the development on bats and potential bat roosts cannot be adequately understood.

#### Reptiles

1. The report is particularly vague in describing the reptile survey. It states a "number" of reptile mats were put down in low vegetation to the "south" of the site. This is entirely inadequate to understand the impacts of the development.
2. There are no target notes or site photos showing the placement of mats. The methodology is therefore inadequate and there is no comfort in the report that an adequate survey was conducted.

#### Amphibians

1. Residents' letters and the previous ecology reports refers to ponds in the vicinity which should be reviewed given the findings of the previous ecology report are old.
2. Regardless of the above, there is a stream that runs through the site and other standing water which would at least warrant reference in an ecology survey and review of the impacts.

#### Birds

1. The survey finds that "the proposed works involve removing a few trees within the copse and this is unlikely to affect the birds as most are using the edges and the area of scrub at the west of the copse." There is no clear understanding of what trees will be removed or where as the siteplan was dated and submitted after the ecology survey was undertaken.
2. The conclusions on birds is entirely inconsistent with the submissions from residents which confirm the findings from the previous ecology survey which states:

There is abundant breeding habitat suitable for common scrub-nesting species at the site [there is a high likely presence of breeding birds because] Vegetation at the site would provide good nesting habitat for several species.

#### General

1. The lack of site photos and target notes provides no evidence to support the limited conclusions.
2. The lack of cross-referencing between the ecology survey, the tree survey and the site layout plan (submitted after both reports) demonstrates a lack of coherent analysis of the ecology impacts.
3. The Council does not agree with the findings of the ecology surveys submitted with the application that the lack of protected species presence means the site is of low value. Protection is afforded to species that are generally in relatively low numbers. It is therefore unfeasible to rule sites with no protected species as being low value as this could render a vast array of sites open to development using the methodology set out in the ecology survey.
4. The reports from residents, the previous ecology survey, and even the submitted survey, despite being highly flawed, show considerable fauna activity including, deer, high population of birds and bats. Badger tracks were previously found and the site has features of high value to invertebrates (not solely protected species) and reptiles, whether as foraging or resting places.
5. The whole of the site boundary has warranted inclusion for an extended site of importance for nature conservation of Borough Grade 1.

There is no justification for harming such a quality habitat for the sole purpose of a large house.

#### SUSTAINABILITY OFFICER:

Although the description has referred to the development as an 'eco' home, there are no commitments to any standards. It is therefore not possible to determine what the 'eco' credentials are of the development are.

#### TREES AND LANDSCAPE OFFICER:

LANDSCAPE CHARACTER/CONTEXT: The proposed site is steeply sloping (from east-west) in an area of dense secondary woodland to the east of the Colne Valley. The northern boundary is defined by a public footpath linking from Dovedale Close to the open land of the Colne Valley. The tree-lined eastern boundary is defined by a track leading to Woodfield Terrace. The site borders open land of the Metropolitan Green Belt to the south and west with Harefield Village Conservation Area to the north.

The woodland makes a positive contribution to the character and appearance of the area, a point recognised by their protection by Tree Preservation Order No. 677.

The site is within the Harefield Chalk Pit Site of Importance for Nature Conservation (SINC), designated as being of Borough Grade 1 Importance. The site lies within Hillingdon's Landscape Character Area B1: Harefield Open Valley Sides, amongst whose whose landscape and visual sensitivities are 'the patchwork of grassland and occasional woodland clumps, in close proximity to the settlement edges of Mount Pleasant, Harefield and South Harefield'.

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

Saved policy OL5 seeks to protect the visual amenity of the Green Belt. Saved policies OL26 seeks to protect trees and woodlands. Saved policy EC1 seeks to preserve the integrity of Metropolitan and Borough Grade 1 Sites.

- o A Tree Survey, by Arborhelp, has been submitted, based on a Topographic Survey. Unfortunately the survey fails to indicate the site context in relation to the surrounding land use and buildings.
- o The survey has assessed the condition and value of 100No. Individual trees and 4No. Groups, in accordance with recommendations in BS58937:2012.
- o Despite the attractive plans, sections and illustrations, there is no topographic plan which indicates the location of the building and ancillary structures, the work space required to construct the development (on steeply sloping land), the permanent access or temporary haulage routes for construction, all of which are likely to have a direct, or indirect, impact on trees within the woodland.
- o Prior to assessing the impact of the development on the existing (protected) trees, it is essential to understand the primary and secondary affects of the development on the site.
- o Once this is known, an Arboricultural Impact Assessment and Method Statement will be required. This should show a clear tree strategy identifying trees which will be need to removed, and those trees which can realistically be retained, together with any opportunities for replacement planting and landscape mitigation.
- o If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: This application cannot be recommended for approval in its current form for the reasons given above. The time to consider the impact of development on trees is before planning approval is granted. In the absence of an Arboricultural Impact Assessment and Method Statement, to BS5837:2012, the applicant has failed to demonstrate that protected trees will be

unaffected by the development and has not made provision for their long term protection.

#### CONSERVATION OFFICER:

**BACKGROUND:** This site lies adjacent to the Harefield Village Conservation Area, within the Colne Valley Regional Park and adjacent to the Green Belt. It slopes and is currently quite densely wooded. The trees provide a backdrop to the Conservation Area in views outwards from Woodfield Terrace and in views into the area from the valley below. There are also views looking out from the open fields to the rear of The Old Orchard, which is located within the north western part of the Conservation Area.

**RECOMMENDATIONS:** It is considered that the proposal would have a very limited impact on the character and appearance of the Harefield Conservation Area, provided the tree screening on the site boundary is retained and additional structures are strictly controlled. If minded to approve, details of the design, materials and finishes of the structure should be fully conditioned.

#### HIGHWAY ENGINEER:

The development seeks planning consent for the construction of a single dwelling within the boundary of the site. As part of the proposals, 2 car parking spaces will be provided for the use of residents. Access to the site will be provided over an unmade track, which connects to Dovedale Close and provides vehicle and pedestrian access to the rear of No's. 7 and 8 Woodfield Terrace.

When considering the proposals, it is noted that the proposed means of access is approximately 3m in width and as a result, two vehicles cannot pass side by side. In addition, it is noted that the access is not of sufficient width to allow vehicles and pedestrians to pass at the same time.

Therefore, it is considered that the development would be contrary to Policy AM7 of the adopted Hillingdon Local Plan, 2012, Part 2 and an objection is raised in relation to the proposals.

In addition, permitting this application could set a precedent leading to an increase of similar proposals, affecting the Council's position in resisting any futures developments.

## **7. MAIN PLANNING ISSUES**

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

The National Planning Policy Framework (NPPF) states that at the heart of the Framework is a "presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking". Paragraph 109 of the NPPF talks specifically about the need to minimise the impact on biodiversity and minimise the effects of development on the local and natural environment.

Further the London Plan policy 7.19 places great emphasis on development making a positive contribution to the protection and management of biodiversity. This policy seeks to avoid proposals having a detrimental impact on the integrity of important nature conservation sites and states that where they will affect the integrity of such areas, they will be resisted.

The Policy states that where development is proposed that would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site. If that is not possible, then to minimise such impact and seek mitigation of any residual impacts. Where, exceptionally, development is to be permitted because the reasons for it are judged to outweigh significant harm to nature conservation, appropriate compensation should be sought.

The main consideration within this application is therefore whether the principle of residential development in this area would be acceptable in respect of the surrounding site constraints. The previous application was refused on the basis that the scheme failed to provide a satisfactory argument that there were specific circumstances, in terms of local housing need, that would justify the development of this site. It was therefore considered that the development would have a detrimental impact on the nature conservation of the site.

The type of habitat on site and the connection to other surrounding diverse nature conservation sites, including SSSIs, provides an ecology network worthy of strategic protection. The proposed scheme fails to demonstrate that the development could be completed without significant detriment to the recognised ecological value of the area. Applying the hierarchy set out within the London Plan, insufficient information has been received by the Council to demonstrate that the proposal would not cause undue harm to the identified species and nature conservation value of the site, or minimises the impact of the scheme on the area. Further, no justification has been provided to suggest that there are any specific exceptional circumstances that would outweigh the identified harm to the natural environment.

Overall, it is considered that the applicant has failed to provide a robust or satisfactory argument that there are specific circumstances to justify the development of this site for residential purposes. In the absence of such, the proposal is considered to have a significant detrimental impact on the nature conservation and ecological value of the site, and would thereby fail to comply with Local, London Plan and National policy.

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

In respect of this site, the density is considered acceptable.

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

With regard to the impact of the development on the Harefield Village Conservation Area, Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires any new development within or on the fringes of a Conservation Area to preserve or enhance those features that contribute to its special architectural and visual qualities, and to make a positive contribution to the character or appearance of the conservation area.

It is likely that the new development would require the loss of much of the existing woodland that currently occupies the area, with the result that the new house would be visible in longer views from the north western part of the Conservation Area and in views into the area from the lower slopes of the valley. Currently, these views are largely of houses within a wooded setting, although some of the more recent developments have begun to erode this feature. Whilst this is not considered to be a sustainable reason to refuse the application alone, it adds weight to concerns expressed elsewhere in the report, regarding the loss of open space and adverse impacts on the surrounding countryside/Green Belt.

#### **7.04 Airport safeguarding**

The illustrative plans indicate that the proposal does not exceed height restrictions and no wind turbine is proposed. There are therefore no airport safeguarding objections to this application.

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

London Plan Policy 7.16 seeks to promote and improve access to London's network of open spaces, to realise their current and potential value to communities and protect their

many benefits, including biodiversity and the environment.

Although the site does not form part of the Green Belt, the Councils current reviews of site designations as part of the Development Plan have identified the application site and allotment gardens to the north to be included within the Green Belt boundary. Consultation has been completed on this amendment to the boundary, however it has yet to be formally adopted as Green Belt land.

Although the site is not within the Green Belt, the London Plan includes woodland and natural habitats such as this site, as forming part of London's open spaces, which are considered to be an integral part of the spatial character of the city. Open spaces play a vital role in providing a resource and focus for local communities, providing a respite from the built environment and promoting health, well being and quality of life. Harefield Village is one of, if not the last remaining 'village' in the Greater London Area and is almost completely surrounded by Green Belt and open countryside. The tree covered open spaces and fields that bound the village are an important element of the character of the area and form a rural backdrop and setting to the houses within the village.

The application site forms part of the rural edge of the village and has a rural character and appearance, especially when viewed from the adjoining Green Belt to the northwest, west and south, and is not derelict land. The site comprises a combination of grass/shrub land areas and mixed species woodland, reminiscent of a rural countryside and is bordered at the southern boundary by mature woodland. This impression is not substantially reduced when viewed from the unmade tracks to the west or the public footpaths path to the north and north west, although at distance the detail of the various trees merge into a homogeneous feature.

Paragraph 3.10 of the Hillingdon Unitary development Plan Saved Policies (November 2012) states that the Local Planning Authority wishes to ensure that there is no undue intensification or enlargement of buildings within or adjacent to the Green Belt that collectively may injure the visual amenities of the countryside.

Policy OL5 seeks to ensure that development adjacent to or conspicuous from the Green Belt should not injure the visual amenities of the Green belt by reason of siting, materials, design, traffic or activities generated.

Limited information has been provided with regards to the views of the site from the surrounding Green Belt, however it is evident that a large part of the woodland would need to be removed to accommodate the proposed dwelling.

Given the location of the building within the plot, it is considered that the spacious, green character of the site, which is dependant to a large extent on the visual continuity with the adjoining countryside, is clearly visible from surrounding Green Belt land to the south/south west. Despite the plans indicating that trees would be present along the south/south west boundaries of the site, given the proximity of the building to the site boundary, it would be difficult to retain trees of such the size indicated in such close proximity to the building without causing undue damage.

Given the size, scale and siting of the proposed dwelling, the scheme would result in changes to the character and appearance of the vegetation, and also the introduction of hard areas, leading to the appearance being far removed from its current rural character. After dark there would be lit windows and during the day these features would appear visible, which would inevitably have an urbanising influence on the site and adjacent



Green Belt. It is not considered that management regimes to prevent domestic paraphernalia and conditions could be used to effectively limit further changes to the character and appearance of the land.

It is considered that notwithstanding any tree screen that might remain, the extent of the proposed buildings and other paraphernalia associated with residential development would result in a significant urbanising effect, particularly when viewed from the open Green Belt land to the south and west, and result in a reduction in the openness of the Green Belt. The proposal would seriously and permanently diminish the intrinsic character of the adjoining Green Belt, by transforming the open rural nature of the area to a harder, urban character, fragmenting the existing, spacious green landscape and influencing important views and vistas to and from the Green Belt.

Whilst there is scope for soft landscape enhancement in the form of new/replacement planting within the proposed layout, it is not considered that this would mitigate against the built development, which will be visually prominent on this sloping green field site.

The concerns outlined above also apply to the designation of the site in the Colne Valley Regional Park. The development is considered to be contrary to the objectives of improving the environmental quality of land within the Regional Park, outlined under Policy OL9 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

In conclusion, it is considered that the proposal would result in the loss of open space and the loss of the recreational value of the site and cause detrimental harm to the visual amenity of the Colne Valley regional Park and the adjoining Green Belt by reason of the extent of the built form, the associated infrastructure, the domestic nature of the development and the generation of domestic activity, contrary to Policies OL5 and OL9 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and London Plan Policy 7.16.

#### **7.06 Environmental Impact**

The historic use of the site appears to be for agriculture. However, the site is adjacent to a former land fill site.

The Environmental Protection Unit has recommended that should the application be approved, a gas survey and remediation condition should be imposed. Had the development been acceptable in other respects, it is considered that the issue of land contamination and gas migration could have been dealt with by way of a condition.

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

The site is surrounded on all sides either by the Green Belt or the Harefield Village Conservation Area and the impact of the development on the visual amenities of both the Green Belt and Conservation Area has been considered elsewhere in the report.

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

In relation to outlook, Policy BE21 of the UDP saved policies requires new residential developments to be designed to protect the outlook of adjoining residents. The SPD 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings.

Given the indicative height and layout of the proposed dwelling and its distance to adjacent properties to the east, it is considered unlikely that this would result in unacceptable impacts, in relation to over-dominance.

Policy BE24 states that the development should be designed to protect the privacy of future occupiers and their neighbours. The Council's Supplementary Planning Document HDAS - 'Residential Layouts' also provides further guidance in respect of privacy, stating that adequate distance should be maintained to any area from which overlooking may occur. In particular, that the distance between habitable room windows should not be less than 21 metres distance.

The indicative design and layout of the proposed dwelling and its distance to adjacent properties to the east, suggest that it is considered unlikely that this would result in unacceptable impacts in relation to loss of privacy.

In relation to sunlight, Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. Given the layout and height of the proposed building and its distance and orientation with respect to adjacent dwellings, it is considered unlikely that this would result in unacceptable impacts, having regard to current British Research Institute (BRE) guidance. Although a detailed analysis has not been submitted by the applicant, the proposal is unlikely to result in overshadowing or loss of sunlight for adjoining residents, in compliance with Policy BE20.

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

In relation to outlook and privacy, Policies BE21 and BE24 of the UDP saved policies require new residential developments to be designed so as to ensure adequate outlook and privacy for occupants of the site. In relation to sunlight access, Policy BE20 of the UDP saved policies September 2007 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

The indicative drawings suggest that the unit could be designed to benefit from an acceptable level of privacy, outlook and light. However, the potential impacts of the retained trees on light levels into the proposed unit would need to be considered and mitigated. Had the scheme been acceptable in other respects, these details could have been addressed at reserved matters stage.

Policy BE23 of the UDP requires the provision of external amenity space, sufficient to promote the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. The Council's SPD HDAS: Residential Layouts specifies amenity space standards for dwellings and states that 100 sq. m should be provided for 4+ bedroom houses.

The plans do not demonstrate the extent of the proposed garden for the site. Had the scheme been acceptable in other respects, these details could have been addressed at reserved matters stage.

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

Access to the site will be provided over an unmade track, which connects to Dovedale Close and provides vehicle and pedestrian access to the rear of No's. 7 and 8 Woodfield Terrace.

The refused scheme proposed to utilise the same unmade track and concerns were raised in respect of the width of this track to support two way traffic. Further concerns were highlighted in relation to the footpath to the site being on land outside the site boundary and within the curtilage of the adjoining house. The previous scheme proposed an average gradient of 1 in 4 for the track to/through the site, which was considered unacceptable, and to make access and egress from the difficult for all users.

Whilst the detailed assessment of access is a reserved matter within this scheme, it is of note that access to the site is similar to the refused scheme, where there were concerns with regards to the width of the track and safety of the access. With regards to this scheme, the same access is proposed with no indication that the width is to be enlarged or the 1 in 4 access altered. By reason of the insufficient track width to accommodate both vehicles and pedestrians, and excessive gradient, there are concerns with the proposed access and egress to the site.

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

Only the principle of the development is to be determined at this stage. Issues relating to design, access to the site and security are reserved for future determination at reserved matters stage. The indicative details of the proposed layout of the site, the density, height, massing and character of the proposed buildings and their design do not raise major issues from an urban design point of view at this stage. However, the general principle of residential development in a location which is unsuitable for this purpose, remains an overriding concern which has been addressed elsewhere in the report.

#### **7.12 Disabled access**

The SPD HDAS: Residential Layouts requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site.

Had the scheme been found acceptable in other respects, a condition could have been recommended requiring the submission of internal layout details, to ensure compliance, and that the site would be accessible for pedestrians, given the steepness of the access drive to the site.

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

The scale of the development does not trigger a requirement for affordable housing.

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

##### **TREES**

Policies BE39 and OL26 (Trees & Woodland) of the UDP, refer to the protection of trees and woodlands. Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. The London Plan policy 3D.8 relates to the improvement of the open environment, including green spaces such as woodlands and natural habitats.

The upper and middle parts of the site and adjacent Green Belt land to the south are covered by secondary woodland, which is dominated by Oak and includes a few glades. The lower parts of the site are largely covered by scrub. The oak woodland is a large landscape feature, and forms part of a much larger area of wooded land on the escarpment that wraps around and defines the western edge of this part of Harefield Village. The woodland makes a positive contribution to the character and appearance of the area, a point recognised by their Tree Protection Order No. 677.

The woodland on and close to the site is highly visible from the public footpath (part of the Hillingdon Trail) that runs alongside the northern boundary of the site, and from the footpaths across the open Green Belt land to the west. The Trees and Landscape Officer considers that the woodland has a high visual amenity value, in addition to its nature conservation/ecological value, and contributes to the wooded character of the locality and the openness and character of the Green Belt. It is considered that the woodland is a landscape feature of merit, which should be retained.

Within the appeal for the refused scheme, the Inspector considered that there was no doubt that the scheme would result in the loss of a number of trees and the scheme result in built development into a previously unspoilt nature area. The Inspector concluded (paragraph 8) that the development would be very prominent from the footpath and from the backs of properties along Dovedale Close. Overall it was considered that it would cause serious harm to the character and appearance of the immediate area, and to the setting of both the Metropolitan Green Belt and the Harefield Conservation Area, conflicting with the aims of saved Policies BE38, OL5, OL9 and OL26 of the Hillingdon Borough Unitary Development Plan.

With respect to nature conservation the Inspector dismissed the argument presented by the applicant that contended that the site is not of high quality in comparison with other nearby woodland Sites of Importance for Nature Conservation Area and neighbouring sites of Nature Conservation Borough Grade 1, and that no diversity would be lost. Instead the Inspector concluded (paragraph 9) "...the loss of trees and the introduction of houses, gardens and domestic activity into the site would be likely to reduce whatever ecological value it [the site] might have."

The site forms part of the rural edge of the village and has a rural character and appearance, especially when viewed from the adjoining Green Belt to the northwest, west and south. The current scheme shares with the previous refused scheme, an intention to undertake substantive built development outside this village boundary, upon undeveloped land that forms part of a protected woodland and would involve substantial removal of existing trees.

The two section drawings and the entrance level plan provided show an intention for a very substantial degree of site excavation into the steeply sloped site with the proposed dwelling sunk into extensive ground and likewise the proposed swimming pool. Such a design approach maximises rather than minimises the potential disruption to root zones of trees and other vegetation in the area.

An arboricultural assessment has been submitted with this application, which has assessed the condition and value of 100 individual trees and four groups in accordance with the recommendations in BS58937.2012.

No topographic plan has been submitted which indicates the location of the building and ancillary structures, the work space required to construct the development and routes for construction. These factors are an important consideration with any scheme, and would be likely to have a direct or indirect impact on the trees within the woodland. Understanding the primary and secondary effects of the development on the site, are an important consideration. Once the effects of a development have been understood, an Arboricultural Impact Assessment and Method Statement would be required to be submitted. These documents need to show a clear tree strategy, identifying trees which need to be removed and those that can realistically be retained, together with opportunities for replacement planting and landscape mitigation. In the absence of this information being submitted for the proposal, the scheme fails to demonstrate that protected trees will be unaffected by the development, and has failed to make provision for their long term protection.

It is therefore considered that the loss of trees would change the inherent character of this woodland site and be detrimental to the ecological value of the site. The built residential development and the loss of trees would be clearly visible from the surrounding areas notably from the valued and well used footpath located to the north of the site. It is

considered that the proposed new scheme would have an urbanising influence on the area and the adjacent Green Belt that is contrary to the safeguarding of the countryside character, and would result in the loss of trees that would be detrimental to the ecological contribution the site makes. For these reasons, notwithstanding the scheme is smaller in footprint and lower in profile than the previous scheme, it is not considered that the scheme would address the Inspector's concerns with the previous scheme in relation to this issue, and is considered to conflict with the aims of Saved Policies OE1, EC1, BE38, OL5, OL26 of the Hillingdon Borough Unitary Development Plan and Policies 1.1, 2.18, 7.14 and 7.16 of the London Plan (July 2011).

## ECOLOGY

The NPPF (Paragraph 109) seeks to ensure that the planning system protects and enhances natural landscapes, geological conservation interests, recognising the benefits of ecosystems and minimising the impacts on biodiversity.

London Plan Policy 7.19 [E] states that when considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

1. Avoid adverse impact to biodiversity interest;
2. Minimise impact and seek mitigation;
3. Only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

Where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site, and if that is not possible, to minimise such impact and seek mitigation of any residual impacts. Where, exceptionally, development is to be permitted because the reasons for it are judged to outweigh significant harm to nature conservation, appropriate compensation should be sought.'

The Council considers that the site is important for nature conservation. A 2005 review of nature conservation sites for London advised the extension to the existing Harefield Chalk Pit Site of Importance for Nature Conservation (SINC) to include this area within this designation, although it was not included at this time. Current consultations for the Local Development Plan have proposed to extend the existing Nature Conservation site of Metropolitan or Borough Grade 1 Importance to include the application site (referenced as Summerhouse Lane Chalkpit within the consultation documents). The type of habitat on this site and the connection to other surrounding diverse nature conservation sites, including Sites of Special Scientific Interest (SSSIs), provides an ecology network worthy of strategic protection.

The applicants have submitted the ecological survey report commissioned in 2009 for the refused scheme, in addition to an update undertaken in August 2013, which undertook further surveys as a result of the conclusions of the initial reports.

These reports have been reviewed by the Councils Ecology Officer and there are still concerns with regards to the content and detail of the submissions. The key findings and conclusions of the report are as follows:

### · Bats

There is no clear indication of where the bat surveys were undertaken. A number of bats were recorded moving around 'the copse' but it is not clear to what extent the wooded

area itself was surveyed. Further, there is no clear record of the surveying of trees despite the previous survey suggesting that some of the trees have moderate roosting potential. The findings that the site 'is too cluttered for many bats to use' is inconsistent with previous findings which states:

On-site trees have only low to medium roost potential. However, the quality of surrounding habitat suggests that a large bat population is likely to be present, increasing the likelihood of occupancy of roost sites. Nonetheless most woodland could be considered 'cluttered' and is ideal bat habitat.

Based on the information provided, the development could have a negative impact on bats. All species of bats are afforded maximum EU protection and the impacts from a development must be established to inform decision making. The Council believes there is sufficient information to suggest bats use the site and will be harmed by the loss of trees and vegetation clearance.

There is no overriding need for the development in this location and therefore no reason for the Council to justify the impacts to bats. Furthermore, the tree survey and report does not clearly identify what trees will be lost or how much vegetation will be removed or from where. Consequently, the impacts of the development on bats and potential bat roosts cannot be adequately understood.

· Reptiles

The report is particularly vague in describing the reptile survey. It states a "number" of reptile mats were put down in low vegetation to the "south" of the site. This is entirely inadequate to understand the impacts of the development. In addition, there are no target notes or site photos showing the placement of mats. The methodology is therefore inadequate and there is no comfort in the report that an adequate survey was conducted.

· Amphibians

Residents' letters and the previous ecology reports refer to ponds in the vicinity which should be reviewed given the dates of the findings of the previous ecology report. Regardless of the above, there is a stream that runs through the site and other standing water which would at least warrant reference in an ecology survey and review of the impacts.

· Birds

The survey finds that "the proposed works involve removing a few trees within the copse and this is unlikely to affect the birds as most are using the edges and the area of scrub at the west of the copse." There is no clear understanding of what trees will be removed or where as the site plan was dated and submitted after the ecology survey was undertaken.

Furthermore, these conclusions on the bird habitats is entirely inconsistent with the submissions from residents, which confirm the findings from the previous ecology survey which states:

There is abundant breeding habitat suitable for common scrub-nesting species at the site particularly breeding birds, because vegetation at the site would provide good nesting habitat for several species.

Overall, the Council has concerns with the quality and detail of the information submitted with the application. The most recent report fails to cross-reference between the ecology survey, the tree survey and the site layout plan (submitted after both reports), which

demonstrates a lack of coherent analysis of the ecology impacts.

Having reviewed the information submitted and taken into account the conclusions and comments from residents and other interested parties, the Council does not agree with the findings of the ecology surveys submitted, that the lack of protected species presence means the site is of low value. Protection is afforded to species that are generally in relatively low numbers. It is therefore unfeasible to rule sites with no protected species as being low value as this could render a vast array of sites open to development using the methodology set out in the ecology survey.

Of relevance are the conclusions of the Inspector when considering the impact of the proposal on the SINC. The Inspector concluded that:

"...the loss of trees and the introduction of houses, gardens and domestic activity into the site would be likely to reduce whatever ecological value it might have." And that "...the development affecting 11% of the total area of the SINC as being very significant, bearing in mind the fact the Appellants own ecology report acknowledges that the site contributes to nature conservation of the woodland as a whole because of its value for breeding birds and foraging bats".

The site area within this scheme is the same as that within the refused scheme and in light of the conclusions of the Inspector and those of the Councils Ecology Officer in relation to the most recent ecology report, the scheme fails to demonstrate that the proposed development could be completed without significant detriment to the recognised ecological value of the area.

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

This is not for consideration as part of this submission and had the scheme been found acceptable on other grounds, this could have formed a condition for the reserved matters application.

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

The proposal description suggests that the development will provide 'eco housing'. There are no commitments to achieving any standards that have been submitted with the application. It is therefore not possible to determine what the 'eco' credentials of the development are.

The development should have been assessed against the Code for Sustainable Homes, with a target Code Level 4 achieved as a minimum. Had the principle of the scheme been found acceptable, this could have been secured by way of a condition.

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

Policies OE7 and OE8 of the UDP seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

The Ecological report acknowledges the presence of a watercourse on the site but provides very limited information. The channel has been reported as overflowing during times of heavy rain, suggesting an inconsistent presence of water. The information included within the report does not demonstrate the watercourse has been properly assessed and information regarding finished levels has not been provided. However, had the scheme been acceptable in other respects, a condition could have been imposed requiring a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

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

The Environmental Protection Unit have not identified any issues other than gas migration from the adjoining land fill site, which is dealt with elsewhere in the report.

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

There has been an extensive public response to this application. Most of the issues raised relate to the principle of the development, the impact on the Green Belt, the impact on ecology and loss of wild life habitat, parking and traffic concerns. These matters have been dealt with in the appropriate sections of the report and in many cases, incorporated into the recommended reasons for refusal.

#### **7.20 Planning Obligations**

Not applicable to this application.

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

There are no enforcement issues relating to the site.

#### **7.22 Other Issues**

None.

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

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality



of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

Not applicable to this application.

**10. CONCLUSION**

It is considered that there is no overriding need for the Council to see this important conservation site developed and the principle of residential development on this site cannot be supported.

It is considered that the proposed development makes inadequate provision for the long-term retention of the woodland on and close to the site, and the nature of development would inevitably have an urbanising influence and be visually prominent from the adjoining Green Belt to the detriment of the visual amenity and openness of this area.

Furthermore, the application has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area.

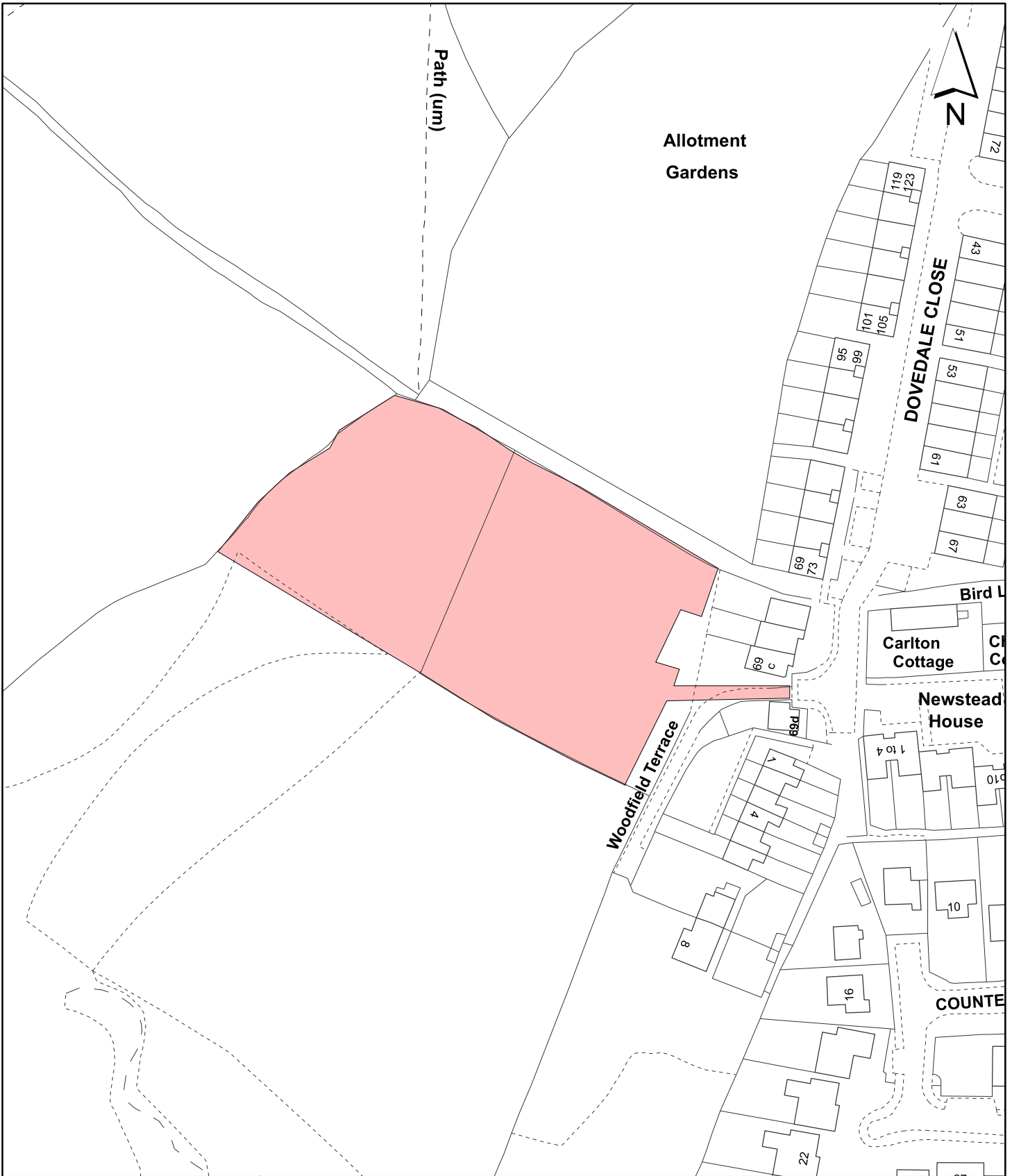
Refusal is recommended accordingly.



**11. Reference Documents**

Hillingdon Local Plan (November 2012);  
The London Plan (July 2011);  
National Planning Policy Framework;  
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006)  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (January 2010)

**Contact Officer:** Charlotte Bath

**Telephone No:** 01895 250230



<p><b>Notes</b></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).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Land West of Woodfield Terrace Dovedale Close Harefield</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services Planning Section</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>66148/APP/2014/430</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>August 2014</b></p>	