

Report of the Head of Planning, Sport and Green Spaces

Address LAND REAR OF 94-96 GREEN LANE NORTHWOOD

Development: 2 x two storey, 4-bed, semi-detached dwellings with habitable roofspace and 2 x detached garages with associated parking and amenity space and the installation of bin stores and a vehicular crossover to Ashurst Close (Resubmission)

LBH Ref Nos: 66134/APP/2014/2228

Drawing Nos: GBA 0212-01
Location Plan
0701 103 C
0701 101 D
0701 102 B
E56 07
GBA 0212-02

Date Plans Received: 24/06/2014 **Date(s) of Amendment(s):**
Date Application Valid: 08/07/2014

1. SUMMARY

This application seeks permission for the erection of 2 x two storey, semi-detached dwellinghouses with associated parking and amenity space.

The previous scheme was refused and dismissed on appeal as the proposal would have a materially harmful effect upon educational facilities in the locality (in that a contribution was not proposed by the applicant). However, the Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014, meaning that there is no longer a separate requirement for educational contributions on residential developments such as this.

With regards to other aspects of the proposal, the Planning Inspectorate considered there were positive aspects of the scheme that weighed in favour of a grant of planning permission. In addition, the development would not harm the living conditions of nearby residents and would provide adequate conditions for future residents. The external appearance of the dwellings would be in-keeping with the prevailing architecture style of the properties in the vicinity and the development would not harm highway safety.

Taking into consideration the Inspector's comments, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GBA 0212-01, Location Plan, 0701 103 C, 0701 101 D, 0701 102 B, E56 07 and GBA 0212-02.

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 RES7 Materials (Submission)

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

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

REASON

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

4 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Amenity space (Plan No.0701 101 D)
Parking (Plan No.0701 101 D)

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

REASON

To ensure that the development complies with the objectives of Policies AM14 and AM23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

6 RES8 Tree Protection

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

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

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

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

REASON

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

7 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 Means of enclosure/boundary treatments
 - 2.b Hard Surfacing Materials

- 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.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.

5. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011).

8 HO5 No additional windows or doors

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

REASON

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

9 HO6 Obscure Glazing

The first floor side windows 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 properties in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

11 RES18 Lifetime Homes/Wheelchair Units

The development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

REASON

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

12 RES24 Secured by Design

The dwellings 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.

13 RES16 Code for Sustainable Homes

The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

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

REASON

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

14 COM6 Levels

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

REASON

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

15 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of existing and future residential occupiers in accordance with Policies BE13, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 159 Councils Local Plan : Part 1 - Strategic Policies

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

2 152 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).

3 153 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of

	recreation, leisure and community facilities
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
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
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 7.4	(2011) Local character
LPP 7.14	(2011) Improving air quality

4 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

5 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.

6 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).

7 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 -

explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

8 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.

9 115 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.

10 123 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

11 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

12

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £48,119.82 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated to the east of Ashurst Close, between Green Lane to the north and Chester Road to the south and forms a 0.07 hectare 'L' shaped plot comprising part of the rear garden areas of 2 adjoining properties, Nos. 94 and 96 Green Lane, a previously open area of land at the rear of No. 34 Ashurst Close which has now been enclosed with fencing and part of the grassed verge of Ashurst Close.

The site contains a detached double garage serving No. 94 Green Lane and a number of mature trees and is covered by Tree Protection Order Nos. 56, 57 and 653. This is an established traditional residential area, with good quality housing dating from the late Victorian period with more modern infill development, including the purpose built 1960's flatted blocks of Ashurst Close, which are grouped around a central landscaped area. Adjoining the site to the north are detached two storey houses fronting Green Lane which appear to be Edwardian or possibly slightly later with detached and terraced two and three storey houses fronting Ashurst Close and Chester Road to the south, with properties on the northern side of Ashurst Close being three storey flatted blocks with basement parking. The site slopes from north to south and the southern part of the site is within the Old Northwood Area of Special Local Character as identified in the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The application proposes 2, two storey detached five bedroom houses (a room shown as a study on the first floor could easily be used as an additional bedroom with no alterations required and has therefore been considered as such). Accommodation is proposed within the roofspace, contained within a mansard type roof with flat roofed front and rear dormer windows. Two double garages are proposed, one for the new development, and one replacement garage provided for the occupiers of No.94 Green Lane.

The houses would be located within the rear half of the rear gardens of Nos. 94 and 96 Green Lane, at the northern end of the application site. They would front onto Ashurst Close with the house set back from the back edge of the pavement in Ashurst Close by a minimum of 4.5m. To the rear of 94 Green Lane a garden depth of 19m would be retained for that property, with the new plot divided by a 1.8m close boarded fence.

Each house would be 7.2m wide and 9.8m deep, with a further single storey element to the side of each house that would be 1.8m wide, set back 4.7m from the front elevation. A two storey flat roofed front bay window would also extend 0.6m in front of the main elevation of each house.

The ground floor would comprise a hallway, living room and kitchen/dining room and utility room. The first floor would comprise three bedrooms (one of which is shown as a study)

and bathroom, whilst the accommodation within the roof would provide a two further bedrooms and a shower room.

Elevations would be of a traditional form similar to the adjoining flats, comprising facing brickwork with brick feature string courses and detailing, and a synthetic slate roof.

The garage blocks would be sited to the south of the houses with hardstanding between them accessed from Ashurst Close. The garage nearest to the house would provide a single space each for the occupants of the new houses and would be 6.25m wide and 5.6m deep. The replacement garage for No. 94 Green Lane would be provided at the southern end of the site and be 5.6m wide and 5.6m deep. Each garage would have a tiled roof with gable ends rising from 2.8m at eaves level up to 4.4m ridge height, with the parapet walls on the gable ends rising a further 0.3m. They would be set back approximately 3m away from the back edge of the pavement, with a 10.8m gap between the two garages, to include two parking spaces to the south of the northern garage, one for each of the new houses.

Each house would have a garden depth of between 10.4m and 10.8m, with additional space to the side of each house (3m to the main side elevation of the northern house and 5.8m to the side of the southern house).

The application is accompanied by a Design and Access Statement, Landscape Plan, Arboricultural Report and a Sustainable Energy Statement.

3.3 Relevant Planning History

66134/APP/2011/294 Land To Rear Of 94-96 Green Lane Northwood

Three storey detached building comprising 6, two-bedroom flats with associated parking and amenity space and installation of 2 vehicular crossovers, involving demolition of existing detached garage and erection of a replacement garage.

Decision: 25-08-2011

Appeal: 25-08-2011 Dismissed

66134/APP/2011/296 Land To Rear Of 94-96 Green Lane Northwood

Three storey detached building comprising 6, two-bedroom flats with associated parking and amenity space and installation of 2, vehicular crossovers, involving demolition of existing detached garage and erection of a replacement garage (Duplicate Application)

Decision: 02-06-2011 Refused

66134/APP/2012/718 Land To Rear Of 94-96 Green Lane Northwood

2 x Two storey 5-bedroom semi-detached dwellings with habitable roofspace with associated parking and amenity space and the installation of a vehicular crossover

Decision: 28-08-2013 Refused

Appeal: 10-06-2014 Dismissed

Comment on Relevant Planning History

There have been a number of applications submitted over the years which have proposed residential development on this or parts of this site. On the southern part of the site, these

have involved a 3 storey block comprising 4 one-bedroom and one two-bedroom self-contained flats with integral garages at ground floor (59708/APP/2004/1750 refers) which was refused permission on 19/4/04 and a detached house which was dismissed at appeal on 10/3/05 (59708/APP/2005/164 refers).

Two applications on this site (one being a duplicate) sought to erect a three storey block turned through 90 degrees to Ashurst Close, comprising 6 two-bedroom flats with associated parking and amenity space, together with a replacement double garage for No. 94 Green Lane (66134/APP/2011/292 and 294 refer). The latter application was appealed for non-determination which was subsequently dismissed in the Inspector's decision letter dated 25/8/11 (attached at Appendix 1), whereas the former application was refused at the North Planning Committee meeting of 2/6/11 for the following reasons:

1. The proposed three storey block, together with the provision of an extensive area of hardstanding adjacent to Ashurst Close, by reason of its siting, density, size, bulk and design, would appear as a cramped development that would fail to harmonise with the architectural composition of adjoining buildings and the open and verdant character and appearance of the surrounding area, including the Old Northwood Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE10, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance, April 2010 and Planning Policy Statement 3: Housing (as amended).

2. The application fails to make adequate provision for the long-term protection of several trees on and off-site and does not take into account the future growth/size of three protected Ash trees. Furthermore, the loss of the trees forming the large part of the tree mass will have a detrimental impact on the green vista and arboreal/wooded character of the area. The proposal therefore does not comply with policy BE38 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3. The proposal fails to provide adequate off-street car parking in accordance with the Council's adopted Car Parking Standards. The proposal would therefore be likely to give rise to additional on-street parking, prejudicial to highway and pedestrian safety, contrary to policies AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

The application was resubmitted (ref.66134/APP/2012/718) for a '2 x Two storey 5-bedroom semi-detached dwellings with habitable roofspace with associated parking and amenity space and the installation of a vehicular crossover', which was refused and dismissed at appeal. The Inspector agreed with the Council's view that the development would place added pressure upon the existing educational infrastructure in the locality. He therefore concluded that in the absence of a legal agreement there would be a materially harmful effect upon educational facilities in the locality.

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.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE5 New development within areas of special local character
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.

- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- EC2 Nature conservation considerations and ecological assessments
- EC5 Retention of ecological features and creation of new habitats
- 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
- LPP 3.1 (2011) Ensuring equal life chances for all
- LPP 3.3 (2011) Increasing housing supply
- LPP 3.4 (2011) Optimising housing potential

- LPP 3.5 (2011) Quality and design of housing developments
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.13 (2011) Sustainable drainage
- LPP 7.4 (2011) Local character
- LPP 7.14 (2011) Improving air quality

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

12 neighbouring properties have been consulted on 10th July 2014 and a site notice was displayed on 25th July 2014.

A petition with 65 signatories has been received, together with 3 individual responses.

The petition states that the signatories object to the planning application on the following grounds:

1. The study can easily be used as a fifth bedroom.
2. The proposed detached garage will serve No.94, not the proposed houses as the Inspector states.
3. Excessive street parking, difficulties for residents, refuse and recycling vehicles will be exasperated.
4. The siting, orientation, overall size and proportion of the proposed dwellings would dominate the plot and are incongruous and detrimental to the visual amenities of the area.
5. The findings and opinions expressed by the Inspector and arboricultural consultants require further investigation.
6. Should permission be granted, a condition should ensure the hours and size of lorries delivering materials will not block resident parking.

The individual responses raise the following concerns:

1. The study can easily be used as a bedroom.
2. The carriageway is just 5metres wide, there are yellow lines restricting parking and there is already congestion from shoppers, nursery school users and short term commuters.
3. The Inspector misunderstood the parking situation. The double garage to which he referred was not for the use of the proposed new development, but to replace the existing double garage owned by 94 Green Lane, and which is to be demolished.
4. If planning consent is given for the two 5 bedroomed houses, the probability is that there will be up to 6 additional cars using the road but the plans only provide for 2 spaces per residence and leave insufficient space for guests. Refuse collection vehicles already need to reverse along the close due to restricted access.
5. Any additional three storey building sited close to the southern boundary would have a detrimental impact on No. 9 Chester Road as it would dominate the outlook and directly overlook both my house and garden thereby robbing me of any remaining privacy that I currently enjoy - both perceived and actual. The plans indicate that the bathroom would directly overlook my back garden - the only remaining area on my property that still affords me limited privacy.
6. The two houses would be 'shoe-horned' into a small plot with a frontage whose orientation is

totally out of keeping with properties in both Ashurst Close and Green Lane.

7. Currently, the land to the rear of 94-96 Green Lane and the land opposite 7-9 Ashurst Close are very peaceful and serve as a valuable green and leafy amenity to residents of both Ashurst Close and Chester Road. Residents in these two roads are fortunate to live within a designated Area of Special Local Character (Old Northwood). Although the houses in Green Lane are not covered by this designation, they are Edwardian buildings, as are No's 9 and 11 Chester Road. The four properties share common characteristics: detached family houses with large gardens in which all trees are covered by a blanket TPO. The density of dwellings is therefore totally at odds with the character of the immediate buildings. Although the development broadly references the building scale of Ashurst Close flats, no reference is made to housing features in the direct locality in the proposed design.

8. Many mature existing trees will be removed in order to facilitate this development including those which lie on the boundary with 9 Chester Road. These trees currently offer natural screening between the garage and house at No. 94 Green Lane, house at 96 Green Lane and 9 Chester Road. The loss of trees and decreased number of replacement trees is a genuine cause for concern. Currently this area provides a superb habitat for wildlife including green and spotted woodpeckers, songbirds, squirrels and even sparrow hawks.

9. The scale of the design is totally out of keeping with the houses that enclose it and would dominate the surrounding area. The density of building is disproportionate to the location of the plot (see previous comments). Materials specified do not resonate with the character of the area and the proposed parking area would result in the loss of a greatly valued green space.

10. The proposed site is a perfect example of back garden development: namely, those of the former No. 7 Chester Road and current 94 and 96 Green Lane. At a time when the original character of Northwood is under relentless attack from property developers, I would urge you to consider the detrimental impact that this ill-conceived and totally incongruous development would have on local residents.

11. this might meet minimum requirements for parking, it provides no visitor parking whatsoever. Since parking controls have been introduced in Northwood, vehicular traffic in Hallowell Road follows a slalom route, avoiding parked cars and oncoming traffic. Parking spaces are at a premium and over the past five years, Ashurst Close has seen a significant rise in the number of cars that use the road, whether seeking parking spaces or using the cul de sac as a turning area. I am very concerned about the impact of providing further restricted parking in terms of increased traffic, noise and pollution levels. The siting of a garage (for No. 94) on a 90 degree bend in the road will provide an additional hazard both for residents in the town houses in Ashurst Close and for motorists using a road that is already congested.

Officer comment: The above concerns are raised in the main body of the report.

Internal Consultees

Highways Comments:

There was no highways reason attached to the refusal of the previous application ref. 66134/APP/2012/718.

The proposals include 2 off-street car parking spaces for the each of the 2 proposed dwellings. The car parking will be provided in tandem style with one space within a garage and the second space in front of it. The dimensions of the garages and car parking spaces are satisfactory.

Cycle parking could be provided within the curtilage of each house.

A replacement double garage for no. 94 Green Lane would be sited on the southern boundary of the site. The garage would be somewhat remote from this property with no direct pedestrian link through the proposed development. Users of the garage would have a circuitous walk, along Ashurst Close, Hallowell Road and Green Lane to access the property at No. 94. However, there is off-street car parking available within the front curtilage of no. 94. The proposed garage is therefore

considered to the surplus to the requirements of the Hillingdon adopted car parking standards.

The layout of the vehicular access in Ashurst Close is considered to be acceptable. Pedestrian visibility splays of 2.4mx2.4m should be secured by way of a planning condition.

Subject to a condition being applied securing pedestrian visibility splays, no objection is raised on the highways aspect of the application.

Trees and Landscape:

My previous comments (in relation to 66134/APP/2012/718) are shown below in italics. I still stand by these comments, however, they have effectively been dismissed by the previous appeal decision (APP/R5510/A/13/2206444) and therefore I will concentrate my efforts on (a) ensuring that adequate protection is provided for the remaining trees and (b) that the landscaping scheme is appropriate. I would however like to raise the point that, although Ash trees may cast dappled shade (as stated by the planning inspector), they are ultimately very large trees (potentially 30m high with a 20m crown spread at maturity). Should the proposed development be approved, the new dwelling/s will be between 4.5m and 10m away from several Ash trees (with this growth potential) to the east, south and south-west. Therefore, dappled shade or not, I am convinced that future occupiers will be concerned about living in such close proximity to these trees, and there will be pressure to heavily prune or remove them in the future.

NOTE: For clarity, and because the area order TPO does not describe individual trees, where individual trees are referred to, this report refers to the tree numbers used by the applicant's arboricultural consultant.

TPO / Conservation Area: This site is covered by TPO's 56, 57 and 653: The site is also just outside of Old Northwood Area of Special Local Character.

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (on-site): All of the trees within the rear garden of 96 and 98 Green Lane (and 9 and 11 Chester Road, and 1 and 2 Wychwood Way) are covered by TPO 653 (an area order).

The trees are predominantly Ash, some of which form a continuous line of trees along the site's southern and eastern boundaries, which surround a smaller group, and provide a buffer to the adjacent gardens. This mass of mostly young to middle-aged trees forms a small urban woodland and green vista which significantly contributes to the arboreal / wooded character of the area and can be seen from the surrounding local roads. The small urban woodland is valued by local residents, has a high amenity value and should be maintained.

The scheme proposes to remove a young Bhutan Pine, a few small fruit trees and two protected Ash trees (T8 and T11 on report). There is no objection to the removal of the Pine and fruit trees; however the removal of the two protected Ash trees will effectively remove the inner group of trees from the small urban woodland, and will result in the remaining trees forming only a staggered line of Ash instead. The applicant's tree consultant has stated that the larger of the Ash trees (T11 - which is formed from two, twin-stemmed Ashes - i.e. four main stems) that will be removed has a very poor structure and states there are weak forks present. However, each of the two close-growing Ash trees has good form with a well-spaced main fork. There is a risk that the close proximity of these two trees could become a problem in the future; however it would be a simple task to remove one of the trees to let the other develop normally. The second, smaller Ash (T8 on report) that is due to be removed has good form and has the potential to develop into a good, central tree.

There is also a group of three Ash trees to the south-west of the proposed building (T12, T13 and T14 on report). These trees are very important because they provide a visual buffer / green screen

between the properties in Wychwood Way and Ashurst Close from those in this part of Green Lane. This group of trees, along with the linear group of trees along the site's eastern boundary, will cast shade onto the proposed rear garden / amenity space. The applicant's arboricultural consultant considers this to be a sustainable relationship because Ash trees only cast dappled shade and there are no significant windows on the southern side of the proposed building; however irrespective of the type of crowns that may develop, Ash trees are ultimately very large trees and will eventually dominate the proposed rear gardens, especially the southern-most one. Any future occupier would rightly be concerned about the close proximity of such large trees to their property and there would be pressure to heavily prune or remove the trees in the future, which would be detrimental to the amenity value of the group of trees. Furthermore, because this group of trees have all grown into maturity together and have provided mutual shelter during strong winds, the proposed removal of the inner group of could affect the stability of these remaining Ash trees

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): There are three protected Lime trees (T26, T27 & T28 on TPO 57) situated in the rear garden of 94 Green Lane. These trees fall just outside of the proposed site's northern boundary, however there is a possibility that construction-related activities / storage of materials could affect their root protection areas (RPA's). This matter has not been addressed by the tree survey / report.

There is a mature, protected Ash (T21 on the report / T35 on TPO 56) on the land to the south-west of 94 Green Lane, and there is also a group of three conifer trees (not protected) close to the entrance of the proposed development. These trees contribute to the arboreal / wooded character of the area and help to screen the properties in Ashurst Close from those in Green Lane.

The applicant's arboricultural consultant (and the independent arboricultural consultant commissioned by the Ashurst Close [Flats] Ltd) states that the Ash (T21 / T35 on TPO 56) has a potentially weak fork at 1.5 m; however this contention has not been substantiated. The lower part of the stem is covered in ivy, however when this was cut back, it revealed that although the stems are growing quite close together, the union appeared to be sound, and in any event, if it were shown that a weakness was present, the stems of the tree could be supported by installing non-invasive bracing, or the crown of the tree could be lightened in weight by pruning.

The proposed surfacing between the proposed building and garages has been placed very close to the protected Ash (T21 / T35 on TPO 56), as has the proposed garage, and although 'no dig' construction has been proposed, no further details have been provided to explain how the change in levels between the proposed 'no dig' surface and the surrounding, existing ground levels will be addressed. Furthermore, no information has been provided to show how the proposed garage will be constructed without causing damage to the tree and its roots.

Appraisal: The proposed scheme is not sustainable in terms of the long-term retention of several of the protected Ash trees, and furthermore, the scheme will have an adverse impact on the green vista and arboreal / wooded character of the area.

Scope for new planting: Suggestions for new shrubs have been included at this stage; however it may be appropriate to submit a more detailed landscaping plan at a later stage. This matter can be dealt with by condition.

Does scheme conform to HDAS: The design and access statement suggest that two parking spaces will be provided for each dwelling. However, the proposed scheme only appears to provide a double garage for car parking (with a second garage for the residents of 94 Green Lane). It is not clear whether or not other parking is to be provided, however HDAS recommends that 1.5 spaces per dwelling are required and therefore this matter will need to be clarified.

Does scheme conform to SUDS: The scheme proposes to use permeable surfaces, however no

details have been provided. This information can be obtained by condition.

Recommendations: In order to show that this scheme makes adequate provision for the protection and long-term retention of valuable tree/s, the following detail is required (in accordance with BS 5837:2012):

ALL existing and proposed drainage must be shown;

A tree protection plan to show how the trees (to be retained) will be protected during development;

An arboricultural method statement to show any incursion into tree root protection areas (RPA's) will be addressed;

Details of how the tree protection measures will be assessed before demolition / construction starts and how the tree protection (and any procedures described within approved arboricultural method statements) will be supervised during construction;

Tree planting specifics should be provided and must conform to BS 8545:2014

Conclusion (in terms of Saved Policy BE38): Please re-consult on receipt of the requested information (existing and proposed drainage details must be provided at this stage, the remaining points can be dealt with by condition).

(Officer Comment - The Inspectors decision in relation to tree protection is a significant material consideration and given this decision it is not considered necessary or reasonable to request further details at this stage. An appropriate grampian condition would prevent any development occurring until details relating to drainage and tree protection have been provided and this is sufficient to prevent any harm in this respect.)

Conservation and Urban Design:

This backland site adjoins and is partly within the Old Northwood Area of Special Local Character (ASLC) - a heritage asset. This is an area of very traditional, good quality housing from the late Victorian period onwards. To the north, the houses fronting Green Lane are Edwardian or slightly later detached family dwellings with generous gardens. To the west, there is an attractive group of 1960s, Georgian style, purpose built blocks of flats, which form a 'set piece' within the ASLC with a central open space and well designed landscape setting.

This site has previous planning history and residential schemes have been refused due to bulk, design, positioning and other planning reasons. However, in 2012, a scheme for a pair of semi-detached dwellings was considered acceptable at appeal (Appeal Ref: APP/R5510/A/13/220644) in design terms, with the Inspector stating 'The external appearance of the dwellings would be in-keeping with the prevailing architectural style of the properties' and indicating that the design would 'weigh in favour'. See para. 31 below.

Overall conclusions:

3.1 There are some positive aspects of the scheme which weigh in favour of a grant of planning permission given my findings on the second and third main issues stated above. In addition, the development would not harm the living conditions of nearby residents. The external appearance of the dwellings would be in keeping with the prevailing architecture style of the properties of the vicinity. And the development would not harm highway safety. These findings attract significant weight.

This application is for an identical scheme. Whilst I have reservations over the scale, design and location of the development, I am bound by the Inspectors comments/findings above. Plus, given the prevailing later street pattern, the proposal is acceptable in principle.

The proposal therefore must meet the NPPF's core principles; particularly that planning should be seeking to ensure high quality design and seeking to conserve heritage assets in a manner

appropriate to their significance.

CONCLUSION: Acceptable. The proposal will sustain the significance of the heritage asset.
Condition sample materials.

Access Observations:

I have considered the detail of this planning application and deem the proposal and its design to be acceptable from an accessibility perspective.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is normally no in principle objection to the intensification of the residential use within an established residential area, subject to normal development control criteria.

In this instance, the proposal would involve the loss of rear garden land and protected trees.

As regards national guidance, paragraph 53 of the NPPF (March 2012) advises:-

'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

With regard to the London Plan, Policy 3.5 "Quality and design of housing developments" states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the Plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.

The London Plan comments in Paragraph 3.34 that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern. This Plan therefore supports development plan-led presumptions against development on back-gardens where locally justified by a sound local evidence base..."

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) advises at point 9 that all new development should amongst other criteria:-

'Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through loss of permeable area;'

Previous applications have been refused on the grounds of the impact of those developments on the character of the area and upheld on appeal. However, the appeal against the most recent application, the impact of the development on the character of the area through the loss of the open aspect and the impact on trees, is considered appropriate by the Inspector, As such, this is in compliance with policies seeking to safeguard rear gardens from development.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban area and has a Public Transport Accessibility Level (PTAL) of 2, where 6 is the most accessible and 1 the least. Taking the site parameters into account, the matrix recommends a density of 35-65 u/ha and 150-250 hr/ha, with an average unit size of 3.8 - 4.6 hr/u. With 8 habitable rooms (counting habitable rooms over 20sqm which could be subdivided as 2 rooms as advised by Paragraph 4.2 of the Council's HDAS: Residential Layouts) the proposed houses are larger than the largest category of house in the guidance. However, this proposal equates to a density of 29 u/ha and 229 hr/ha, with the number of units being less than that advocated by the Mayor's guidance. However, given the spacious character of the surrounding area, no objections are raised to the proposed density.

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

There are no surrounding conservation areas or statutory listed or locally listed buildings that would be affected by the proposed development. Furthermore, the site is not located within an area that is likely to contain archaeological remains.

The southern part of the site does form part of the Old Northwood Area of Special Local Character, which in this particular location is defined by a mix of old and new buildings, set within relatively spacious plots with areas of ancillary open space adjacent to the streets. However, the proposal is identical to that which was subject to the previous appeal and under which the Inspector found the appearance of the development acceptable. Accordingly, the development complies with policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

The site is not situated within or near to Green Belt land. No Green Belt issues are therefore raised by this application.

7.07 Impact on the character & appearance of the area

The layout, design and appearance are identical to those considered under the previous application (Ref: 66134/APP/2012/718) and associated appeal. The appeal decision is a significant material consideration and no objections were raised in respect of character and appearance of the development. Accordingly, the proposal is considered acceptable in this respect.

7.08 Impact on neighbours

The layout of the development and its relationship with neighbouring properties are identical to those considered under the previous application (Ref: 66134/APP/2012/718) and associated appeal. The appeal decision is significant material considerations and no objections were raised in respect of the relationship with neighbouring properties. Accordingly, is therefore considered to comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2009).

7.09 Living conditions for future occupiers

The layout and design of the development are identical to those considered under the previous application (Ref: 66134/APP/2012/718) and associated appeal. The appeal decision is significant material considerations and found that the development would

provide appropriate living conditions for future occupiers. Accordingly, the development is considered acceptable in this respect.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal includes a detached double garage on the southern side of the houses, which would provide a covered parking space for each of the houses with an additional external space for each house provided on the garage forecourt. This arrangement is considered to be acceptable and would satisfy the Council's car parking standards which requires a maximum of 2 spaces per dwelling.

Cycle parking could be provided within the curtilage of each house.

As previously proposed, a replacement double garage for No. 94 Green Lane would be sited on the southern boundary of the site, adjacent to the front garden of No. 34 Ashurst Close. As previously stated in the officer's report to the North Planning Committee on 2/6/11, the garage would be somewhat remote from this property, sited on the southern side of the new development with no direct pedestrian link through the proposed development. Users of the garage would have a circuitous walk, along Ashurst Close, Hallowell Road and Green Lane to access the property at No. 94. However, it has been suggested that the garage would only be used occasionally and as there is already adequate off-street parking at No. 94 within their front garden area, an objection could not be sustained on the grounds that No. 94 would not have adequate replacement parking. The Inspector did not raise concerns with the previous proposal on parking grounds.

As such, it is considered that the scheme complies with Policies AM7 and AM14 of the Hillingdon Local Plan: Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban design issues have been covered elsewhere in the report and with regard to access and security, conditions would ensure compliance with these requirements.

7.12 Disabled access

The London Plan (2011) requires all new residential development to satisfy Lifetime Homes standards and detailed guidance is provided by the Council's SPD: Accessible Hillingdon.

Lifetime Homes standards conditions would ensure compliance with this requirement.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Saved UDP requires development proposals to retain and utilise landscape features of merit and provide new planting wherever appropriate.

This site comprises the rear garden areas of adjoining properties and forms a small urban woodland of mostly young to middle-aged trees which significantly contributes to the arboreal / wooded character of the area which is viewable from surrounding roads and has a high group amenity value which should be afforded long-term retention and protection. The site is covered by TPOs 56, 57 and 653. The trees are predominantly Ash, some of which form a continuous line of trees along the site's southern and eastern boundaries, which surround a smaller group, and provide a buffer to the adjacent gardens.

The Council's Trees and Landscape Officer advises he still stands by his previous

comments (in relation to 66134/APP/2012/718). Should the proposed development be approved, the new dwelling/s will be between 4.5m and 10m away from several Ash trees (with this growth potential) to the east, south and south-west. Therefore, dappled shade or not, the Tree Officer is convinced that future occupiers will be concerned about living in such close proximity to these trees, and there will be pressure to heavily prune or remove them in the future. However, they have effectively been dismissed by the previous appeal decision (APP/R5510/A/13/2206444). The inspector stated:

"The removal of T8 and T11 would not significantly undermine the remaining trees' amenity value. The development would not materially harm the suburban wooded character of the immediate locality or the nearby ASLC. This is because the location of the dwellings would preserve the wellbeing and longevity of trees elsewhere and there would be some opportunity to implement a landscaping scheme."

As such, subject to conditions, the application is in compliance with Policy BE38 of Hillingdon Local Plan 2012.

7.15 Sustainable waste management

Although there is no requirement for proposals for residential houses with their own curtilages to show the provision to be made for refuse and recycling storage, the submitted plans do show bin storage for two bins at the side of each house. This provision is considered adequate.

7.16 Renewable energy / Sustainability

Renewable energy requirements and sustainability standards could be dealt with by way of a condition.

7.17 Flooding or Drainage Issues

Policy OE8 seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. The site is not within a flood zone. A sustainable urban drainage condition could be attached to mitigate any risk of flooding.

7.18 Noise or Air Quality Issues

It is considered that the proposal would not give rise to any additional noise or air quality issues of concern.

7.19 Comments on Public Consultations

The points raised have been referred to throughout this report, where they are material planning considerations.

7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014. As a result we no longer seek contributions such as education etc on residential developments. However the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of 364sq metres of additional floorspace are as follows:

Hillingdon CIL = £34,580
Mayoral CIL = £13,539.82
Total = £48,119.82

7.21 Expediency of enforcement action

There are no enforcement issues raised by this application.

7.22 Other Issues

The only other relevant planning consideration raised by this application is the likely impact of the proposal upon the development potential of adjoining rear garden land. Although the proposal would restrict access to a possible larger site, given that the proposal involving the loss of garden land is considered inappropriate, development upon a larger area of garden land would also not be encouraged. As such, it is considered that the scheme would not be contrary to Policy BE14 of the Hillingdon Local Plan: Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

10. CONCLUSION

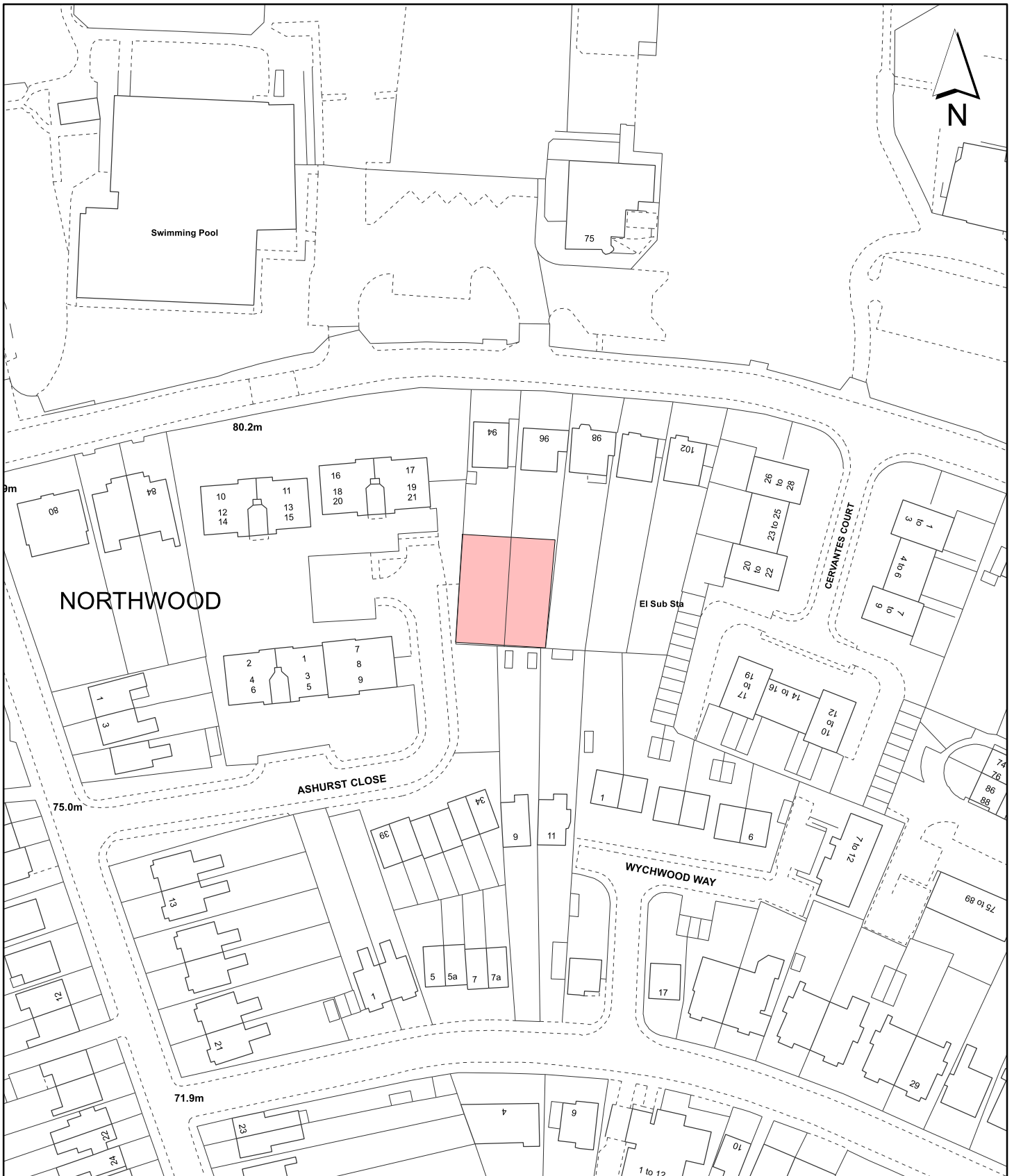
It is considered that the principle of two new houses on this site is acceptable, and that the proposed building and use would not be harmful to the character and appearance of the street scene, nor the amenities of nearby residents. Parking and highway safety matters are also satisfactory. The application accords with the Council's planning policies and is therefore recommended for approval, subject to appropriate conditions.

11. Reference Documents

NPPF (March 2012) and NPPG
London Plan (July 2011).
Hillingdon Local Plan (November 2012).
Hillingdon Design and Accessibility Statement: Residential Layouts.
Hillingdon Design and Accessibility Statement: Accessible Hillingdon.
Hillingdon Planning Obligations Supplementary Planning Document July (2008) and updated chapter 4 Education (August 2010).
Council's Adopted Car Parking Standards (Annex 1, Hillingdon Unitary Development Plan, Saved Policies, September 2007).
Consultation responses

Contact Officer: Mandeep Chaggar

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">Land Rear Of 94-96 Green Lane Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p align="center">Residents Services Planning Section</p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">66134/APP/2014/2228</p>	<p>Scale</p> <p align="center">1:1,250</p>	 <p align="center">HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">September 2014</p>	