

Report of the Head of Planning, Sport and Green Spaces

Address 29 COPSE WOOD WAY NORTHWOOD

Development: Two storey, 6-bed, detached dwelling with habitable roofspace with associated parking and amenity space and installation of vehicular crossover to front involving demolition of existing detached dwelling house

LBH Ref Nos: 12537/APP/2015/3396

Drawing Nos: 5329/A101 Rev G
Tree Statement
5329/A/DAS-rev A
5329/A100 Rev A
5329/A102 Rev A
5329/A103 Rev E
5329/A104 Rev E
TS15-20M/1
TS15-20M/2
TS15-20M/3

Date Plans Received: 08/09/2015

Date(s) of Amendment(s):

Date Application Valid: 21/09/2015

1. SUMMARY

The proposed scheme by reason of its unacceptable design, scale, siting, form and proportions is considered to have a detrimental impact on the character and appearance of the surrounding Area of Special Local Character. As such the scheme is considered to be unacceptable in terms of policies BE5, BE6, BE13, BE15, BE19, BE22, BE23, BE38, BE39 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the HDAS: Residential Layouts.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

It is considered that the proposed scheme by reason of its siting bulk and scale, in particular the degree to which it projects beyond the rear elevations of the neighbouring properties would result in an overbearing impact on its neighbours at Nos 27 and 31 Copse Wood Way. As such the scheme is considered to be unacceptable in terms of policies BE19, BE20, BE21, BE22, and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

It has not been demonstrated that the scheme makes adequate provision for the protection and long-term retention of valuable trees. As such, in the absence of sufficient information, the scheme is considered unacceptable in terms of Policies BE38 and Be39 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the

HDAS: Residential Layouts

3 NON2 Non Standard reason for refusal

It is considered that the proposed scheme by reason of its unacceptable design, significant increase in scale, in terms of height, width and siting, form and proportions would have a detrimental impact on the character and appearance of the surrounding Area of Special Local Character. As such the scheme is considered to be unacceptable in terms of policies BE5, BE6, BE13, BE15, and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the HDAS: Residential Layouts.

INFORMATIVES

1 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), the London Plan Policies (2015). 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 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).

3 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) 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 (2015) and national guidance.

AM14	New development and car parking standards.
BE16	New development on the northern frontage of the A4 (Bath Road)
BE17	Design and layout of new development at Heathrow Airport
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
H3	Loss and replacement of residential accommodation

H6	Considerations influencing appropriate density in residential development.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

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If this development had been found acceptable, it would have been liable for a contribution under the Community Infrastructure Levy (CIL).

3. CONSIDERATIONS

3.1 Site and Locality

No. 29 Copse Wood Way is located on the southern side of Copse Wood Way and comprises a large detached two storey house set within a large plot characteristic of houses in the street. The rear garden has an extensive wooded area that screens it from properties to the south.

The street scene is characterised by various size detached two storey dwellings set within spacious plots interspersed with mature trees. The application site is within a Developed Area and the Copse Wood Estate Area of Special Local Character as identified in the policies of the Hillingdon Local Plan - Part 2.

The application site is covered by TPO 398.

3.2 Proposed Scheme

The proposed dwelling would be two storeys with dormer windows in both front and rear elevations. The existing dwelling has a footprint of about 104.6 sqm and the proposed about 280 sqm. The proposed dwelling will be approximately 1.2 metres from the common boundary with No. 27 Copse Wood Way and 1.4 metres from No. 31. The existing dwelling is approximately 8 metres high and the proposed approximately 9.5 metres high. The proposed dwelling will extend between 8 and 11 metres back from the rear elevation of the existing dwelling of which approximately 6 metres will be single storey. The proposed dwelling will be approximately 10.5m back from the pavement. This compares to the existing property which is approximately 12 metres back.

3.3 Relevant Planning History

12537/B/93/0680 29 Copse Wood Way Northwood

Tree surgery to 3 Hornbeams in Area A1 on TPO 398 including thinning of the crowns of two Hornbeams by 10%, the removal of branches less than 1" (2.5 cm) diameter and the pollarding one stem of one Hornbeam

Decision: 09-06-1993 Approved

Comment on Relevant Planning History

There is no relevant planning history

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.
BE16 New development on the northern frontage of the A4 (Bath Road)
BE17 Design and layout of new development at Heathrow Airport
BE18 Design considerations - pedestrian security and safety
BE19 New development must improve or complement the character of the area.
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
BE23 Requires the provision of adequate amenity space.
BE24 Requires new development to ensure adequate levels of privacy to neighbours.
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39 Protection of trees and woodland - tree preservation orders
H3 Loss and replacement of residential accommodation
H6 Considerations influencing appropriate density in residential development.
HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 29/10/2015 and a site notice was displayed on 01/11/2015.

3 letters of objection have been received together with a petition with 24 signatures in objection to the application.

These submissions raise the following concerns:

- The dwelling is of excessive scale and height and covers almost the width of the plot, and extends deep into the garden
- The new dwelling will not be sympathetic to the surrounding street and will appear at odds with Copse Wood Estate
- The front projection of the proposal is completely out of character and fails to replicate the features evident on other buildings
- The rear projection will be overbearing, visually intrusive and will result in loss of privacy
- The existing Arts and Crafts dwelling will be lost

Internal Consultees

TREE & LANDSCAPE PLANNING OBSERVATIONS:

This site is covered by TPO 398.

Significant trees / other vegetation of merit in terms of Saved Policy BE38: There are several protected trees within and adjacent to this site that merit protection and long-term retention.

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):

1. A tree survey to categorize the trees on and off site;
2. A tree constraints plan to show how the proposal fits within the context of the trees on and off site;
 - 2.1 Existing and proposed levels (any proposed changes in levels must be clearly defined and shown in colour on the plans)
 - 2.2 ALL existing and proposed drainage must be shown
3. A tree protection plan to show how the trees (to be retained) will be protected during development;
4. An arboricultural method statement to show any incursion into tree root protection areas (RPA's) will be addressed.
5. 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.
6. A landscape scheme in accordance with the HDAS showing at least 25% of the front garden retained as soft landscaping

Conclusion (in terms of Saved Policy BE38): The scheme is considered unacceptable because it does not make adequate provision for the protection and long-term retention of valuable trees.

OFFICER NOTE: In light of the recommendation additional details have not been sought.

HIGHWAYS:

No highways objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is within the Developed Area and the proposed replacement dwelling is acceptable in principle.

7.02 Density of the proposed development

It is not considered that the density of development is highly relevant to consideration of applications for a single dwelling where the assessment should be based more on the actual impacts of the proposal, however it is noted that the proposal would not change the density of development of the site which would continue to have a single dwelling within a generous plot.

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

The application site is not located within an archaeological priority area, nor would the proposal affect the setting of any listed buildings.

Consideration of the impacts on the Copse Wood Estate Area of Special Local Character are contained within the 'Impact on the character & appearance of the area' section of this report.

7.04 Airport safeguarding

The proposal does not raise any airport safeguarding issues.

7.05 Impact on the green belt

The application site is not within the green belt.

7.06 Environmental Impact

The proposal is not considered to give rise to any unacceptable environmental impacts.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area.

Policies BE6 and BE22 apply specifically to development within the ASLC at Copsewood estate. These policies seek to ensure that two-storey developments in the Copsewood Estate are set-in 1.5 metres from the side boundary. Further, there is a requirement for these to be constructed on building plots of a similar average width as surrounding residential development, be constructed on a similar building line (formed by the front main walls of existing houses), be of a similar scale, form and proportion as adjacent houses, and reflect the materials, design features and architectural style predominant in the area.

In terms of the layout and siting of the proposed dwelling, the predominant character within this part of Copse Wood Way, is dwellings set a substantial distance from the front boundary. The proposed building has been sited 10.5 metres from the front boundary to the site. Whilst No. 27 has a projection further forward than the proposed front building line, this is single storey. The development would be wholly two-storey with dormer windows in the roof and further forward than both its neighbours at Nos 27 and 31 Copse Wood Way. The dwelling would be significantly larger than both its immediate neighbours. The proposal would be 1.4 metres and 1.2 metres from the respective boundaries. This is below the standard referred to above and the result will be an overly intensive development which is harmful to the character of the area.

The proposed dwelling would be 9.5 metres in height, compared to the existing 8 metre building. The existing dwelling is two storeys but with the second storey in the roofspace. The proposed development would be approximately 2.5 metres higher than No. 27. It is on rising land which tends to emphasise its dominance. No. 31 is on higher land and would appear taller than the proposal. The applicant has referred to the resultant development being narrower than the existing. The existing front elevation measures 18 metres in width and the proposed 15.5 metres. However, the existing has cat slide roofs and a single storey garage on the side closest to No. 31. This design effectively retains a gap and gives views of the trees beyond. In contrast, the proposed development effectively fills the plot and significantly reduces the visual separation between the plot and its neighbours. It is considered that the overall size, scale and massing of the proposed dwelling is unacceptable as it would dominate the plot and its setting to an unacceptable degree.

Overall, the scheme is considered unacceptable and does not comply with policies BE5, BE6, BE13, BE15, BE19, and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP

Policies (November 2012) and BE1 of Hillingdon Local Plan: Part One Strategic Policies (November 2012).

7.08 Impact on neighbours

Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity.

Paragraph 4.11 of HDAS Residential Layouts states that the 45 degree principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. There are no habitable rooms in either of the side elevations of the neighbouring properties. No. 29 has a first floor window in the flank elevation but this appears to serve a landing. The proposed development has side 1st floor windows. These either serve on-suite bathrooms where obscure glazing would be expected or would not face towards any windows in the adjoining properties.

No. 31 is located to the south west of the application site and consists of a large detached dwelling. The proposed dwelling would be located 1.4 metres from the party boundary and it is important to note that there is a rise in ground level of approximately 1.5 metres from the application site to No. 31

In terms of the impact of the proposed development on this property, the proposed dwelling would extend approximately 6 metres beyond the rear elevation at ground floor level and 2 metres at first floor level. No. 31 has rear facing windows and it is considered that the rear projection beyond the rear elevation would exceed the amount normally permitted by the Council's Policies and Guidance and it is considered that the development would appear unduly overbearing and visually intrusive to this occupier.

In relation to the impact of the proposal on No. 27, the development will project some 10.5 metres back from the existing rear wall with approximately 4 metres being two-storey. No. 27 has both rear windows and a side facing first floor window. Due to the significant increase in scale, bulk, height and depth it is considered that the development would appear unduly overbearing and visually intrusive to this occupier.

7.09 Living conditions for future occupiers

The London Plan seeks to ensure that all housing developments are to the highest quality, both internally and externally, and in relation to their context. It sets out minimum internal floor spaces required for residential developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

However, on 25 March 2015 through a written ministerial statement, the government introduced new technical housing standards in England and detailed how these would be applied through planning policy. The system comprises of new additional 'optional' building regulations on water and access, and national space standards for new homes (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015.

Until such time as the Minor Alterations to the London Plan have been adopted, transitional arrangements will apply. Details are set out in the London Plan Housing Standards Policy Transitional Statement.

The floor space standards therefore need to be assessed against the London Plan Transition Statement and the Mayor's Draft SPG. The standard under the Draft SPG is for a six bedroom dwelling is 129 sqm. All the bedrooms are capable of twin occupation. The proposed dwelling is 280 sqm which significantly exceeds the minimum standard. The development significantly exceeds this level of internal floorspace.

The size of the amenity space at over 750sq.m would easily meet London Plan and Council standards. It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policies 3.5 and 5.3 of the London Plan (2015).

Overall, it is concluded that the development will result in a high standard of living conditions.

7.10 Traffic impact, car/cycle parking, pedestrian safety

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

7.11 Urban design, access and security

The issues relating to urban design have been covered in Section 7 of the report. Issues relating to security would be covered by the imposition of a secure by design condition in the event of any approval.

7.12 Disabled access

No specific details have been provided. However, given the scale of the proposal there is no doubt that it could easily provide disabled access or modifications to achieve this.

7.13 Provision of affordable & special needs housing

This is a single unit of accommodation and there is no requirement to provide affordable or special needs housing.

7.14 Trees, Landscaping and Ecology

The application site is covered by TPO 398 and there are other protected trees adjacent to the site. There are no details within the application to demonstrate that valuable trees will be retained or protected. There is an objection from the Council's Trees and Landscape officer and the proposals are considered to be contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.15 Sustainable waste management

The submitted Design and Access statement sets out sustainability provisions. Were the application to be approved these matters could be secured by appropriate conditions

7.16 Renewable energy / Sustainability

The submitted Design and Access statement sets out sustainability provisions. Were the application to be approved these matters could be secured by appropriate conditions

7.17 Flooding or Drainage Issues

No issues arise

7.18 Noise or Air Quality Issues

No issues arise

7.19 Comments on Public Consultations

The issues arising from the consultation are addressed within the body of the report.

7.20 Planning Obligations

The application is subject to Community Infrastructure Levy.

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.

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

None

10. CONCLUSION

It is considered that the proposed scheme by reason of its unacceptable design, significant increase in scale, in terms of height, width and siting, form and proportions will have a detrimental impact on the character and appearance of the surrounding Area of Special Local Character. In addition, it will have an overbearing impact on its neighbours at Nos 27 and 31 Copse Wood Way. As such the scheme is considered to be unacceptable in terms of policies BE5, BE6, BE13, BE15, BE19, BE22, BE23, BE38, BE39 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the HDAS: Residential Layouts.

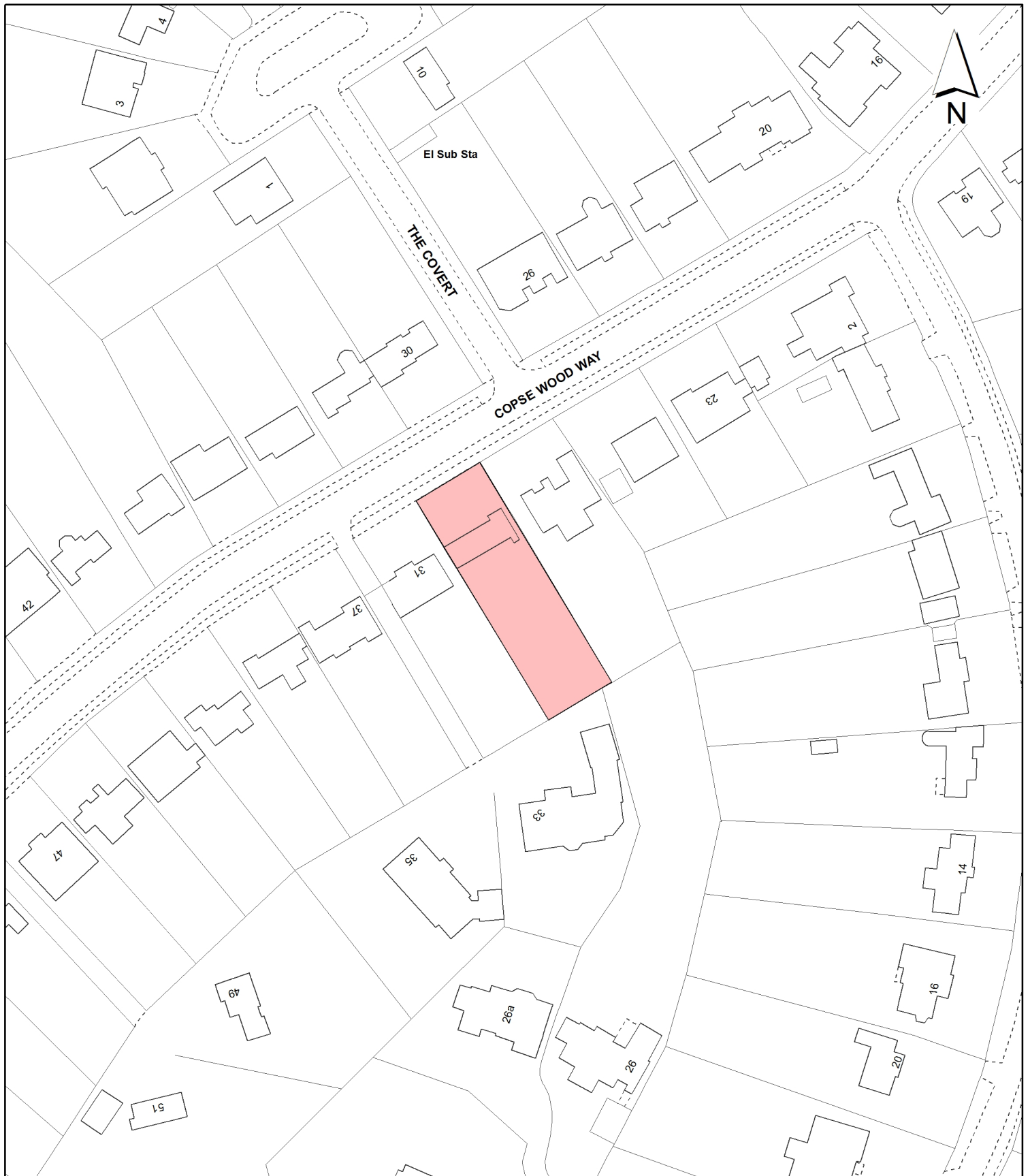
Furthermore, it has not been adequately demonstrated that the scheme makes adequate provision for the protection and long-term retention of valuable trees. As such, in the absence of sufficient information, the scheme is considered unacceptable in terms of Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the HDAS: Residential Layouts

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
HDAS: Residential Layouts
The London Plan 2015 and Housing Standards transition statement and SPG
The Mayor's London Housing Supplementary Planning Document
HDAS: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

**29 Copse Wood Way
Northwood**

Planning Application Ref:

12537-APP-2015-3396

Planning Committee:

North

Scale:

1:1,250

Date:

January 2016

**LONDON BOROUGH
OF HILLINGDON**
Residents Services
Planning Section

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