

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

3 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 OM2 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 Unitary Development Plan Saved Policies (September 2007).

6 OM19 Construction Management Plan

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

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

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

REASON

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

7 RPD1 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 facing Nos.29/30 Campbell Close.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 RPD2 Obscured Glazing and Non-Opening Windows (a)

The first floor bathroom window facing Nos.29/30 Campbell Close 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 Unitary Development Plan Saved Policies (September 2007).

9 RPD3 Obscured Glazing

The ground floor kitchen window on the front elevation of the house facing Campbell Close shall be glazed with permanently obscured glass for so long as the development remains in existence.

REASON

To ensure that the development affords adequate amenities for its occupiers, in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 RPD5 Restrictions on Erection of Extensions and Outbuildings

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 extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 RPD9 Enlargement to Houses - Roof Additions/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 addition to or enlargement of the roof of any dwellinghouse shall

be constructed.

REASON

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place 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 3998 (1989) 'Recommendations for Tree Work' 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 Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

13 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, 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. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

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

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

16 DIS5 Design to Lifetime Homes Standards & to Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

17 SUS4 Code for Sustainable Homes details (only where proposed as

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

18 NONSC Non Standard Condition

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how additional or improved educational facilities will be provided within a 3 miles radius of the site to accommodate the primary and nursery school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with policy R17 of the Hillingdon Unitary Development Plan and the Council's Supplementary Planning Document: Planning Obligations, July 2008.

19 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12

and 4A.13 of the London Plan (February 2008) and PPS25.

20 NONSC Non Standard Condition

Prior to the commencement of works on site, a suitably licensed ecologist shall carry out a detailed assessment of the site for protected species such as great crested newts. Should the site reveal signs of the presence or use by protected species, then a seasonally appropriate survey for these species, and an ecological impact assessment, must be conducted, submitted and approved in writing by the Local Planning Authority, together with details of appropriate mitigation works, which must be carried out before any works begin. The works must be carried out in accordance with the approved details.

REASON

In order to ensure that protected species or their habitat will not be adversely affected by the development, in accordance with Policy EC5 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
H8	Change of use from non-residential to residential
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP	London Plan (February 2008)

HDAS	Residential Layouts Accessible Hillingdon
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies September 2007)
PPS9	Biodiversity and Geological Conservation
PPS3	Housing
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
SPD	Supplementary Planning Document, July 2007: 'Planning Obligations'
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services

3 I1 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.

4 I2 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.

5 I3 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).

6 I5 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.

7 I6 **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.

8 I15 **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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

9 I45 **Discharge of Conditions**

Your attention is drawn to conditions 2, 4, 5, 12, 13, 16 and 17 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of any condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

10 I46 **Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

11 I47 **Damage to Verge**

You are advised that 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

Your attention is drawn to the fact that planning permission does not override any legislation designed to protect European Protected Species, including The Conservation (Natural Habitats etc) Regulations 1994. You should contact English Nature (Tel: 020 7831 6922) if you require further information.

13

In respect of Condition 12, you are advised that the Council considers that one way to ensure compliance with this condition is to enter into an agreement with the Council to ensure the provision of additional educational facilities locally proportionate to the needs arising from the development.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a vacant, roughly triangular site formerly in use as a children's day nursery, located on the north western side of Campbell Close at its northern end. The former single storey nursery has been demolished and the site is now enclosed by hoarding. The application site does not have direct vehicular access, being abutted by footpaths which adjoin the site to the north east, south east and south west, with an adjoining garden abutting the site to the north west.

The surrounding residential development has a distinctive uniform character with defined 'front' and 'rear' building lines along the road. The houses comprise 'back to back' units in blocks of 4, separated by 2m wide side footpaths. The first floors are recessed from both the 'front' and 'rear' elevations of the blocks and private amenity areas adjoin both these elevations, which are enclosed by hedging. Front doors are provided in the side elevations, accessed from the side footpaths. Car parking is provided on street, with a number of parking bays within the grassed, tree lined verge on the north west side of Campbell Close, with a communal car park for 15 plus cars some 25m to the south east of the site, to the north of the housing fronting the north east side of Campbell Close.

The land slopes down towards Eastcote Road to the north west and is adjoined to the east by the Highgrove Woods Nature Reserve, which mainly comprises woodland. The application site forms part of the 'developed area' and the adjoining nature reserve is a Nature Conservation Site of Borough Grade II or Local Importance as identified in the adopted Unitary Development Plan Saved Policies (September 2007).

3.2 Proposed Scheme

The proposal is for a detached two storey, four bedroom L-shaped house with a maximum width of 9.8m and depth of 8.8m, an eaves height of 5m and maximum ridge height of 7.4m.

The house would align with the two storey 'rear' building line formed by the adjoining houses on Campbell Close, but would align roughly with the single storey 'front' building line, projecting some 3m beyond the first floor building line.

The house would be sited at the back edge of the adjoining footpath, with no front garden, with a 1m set back from the south western side footpath, but the eastern corner of the house would immediately abut the footpath to the north east. The house would provide 225m² of rear amenity space, but have no off-street car parking.

A Planning Statement has been submitted with the application which deals with the loss of the community facility. This states that the former Early Years Centre was built at the same time as the adjoining Highgrove housing site in 1976. The building was registered with Ofsted for use by a maximum of 16 children aged between 2 and 5 years and from 14 months for children with a disability or special needs. Following an adverse Ofsted report and resignation of the manager, it became surplus to requirements as a day nursery in 2005, when the unit was temporarily closed by the Council to explore options for the site. A subsequent report was considered by cabinet on 20th December 2005, when no alternative service requirement was identified and given the proximity of the site to adjoining residential uses, officers considered the site unsuitable for alternative community use. Cabinet also decided that a new day service for children with complex special needs be developed at the nearby Howletts Lane residential unit. The property was therefore declared surplus to requirements and the principle of the sale of the site was agreed. To address Members and residents fears about vandalism, the building was demolished in December 2007 and the site secured by a 2.4m high timber boarded fence. The report goes on to assess London Plan and saved UDP policies, and concludes that there has been no loss of community facilities given the replacement specialist facilities at Howletts Lane and adequate alternative day care facilities in the local area.

3.3 Relevant Planning History

Comment on Relevant Planning History

See Section 3.2

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.6 To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.

Part 2 Policies:

- EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves
- EC2 Nature conservation considerations and ecological assessments
- BE13 New development must harmonise with the existing street scene.

BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
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5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

28 neighbouring properties have been consulted and no responses have been received.

Internal Consultees

Highway Engineer:

The site is located to the northwest at the end of Campbell Close, which is a no through road.

There is a shared parking area on the southern side at the end of Campbell Close and it is free to park on-street. Off-street parking takes place along the north-western side of Campbell Close and there is also a parking area on the south-eastern side adjacent to properties 53 and 54.

The proposal would result in an insignificant increase in traffic and parking demand. No off-street car parking is proposed for the new dwelling, however the availability of shared parking at the end of the road and also on-street parking is considered adequate for the development. Parking associated with the proposals is unlikely to result in a demonstrable harm on road safety. Pedestrian access to the site is also considered to be acceptable. Consequently, no objection is raised on the highways aspect of the proposals.

Trees and Landscape Officer:

Original Scheme

This site is not in a Conservation area, and is not covered by a Tree Preservation Order.

There are two young Oaks close to the eastern side of the development site (approximately 12m away from the proposed building) and a Silver Maple (approximately 17m away) to the south-west (all offsite). Section 3.5 of the Design and Access statement describes 'mature trees growing in the grounds of the adjacent site', but the application does not make provision for their protection and long-term retention.

Construction-related activities may well cause damage to these three trees if they are not protected.

Therefore, the plans should be amended to show these three trees to be retained. The amended plans should also show the position of the protective fencing (which should be in accordance with BS 5837).

In the absence of the above information, the scheme is considered unacceptable because it makes inadequate provision for the protection and long term retention of the trees (off site), contrary to Saved policy BE38 of the UDP.

Revised Scheme

No objections, subject to conditions.

Waste Services:

No objections, subject to informative advising of need for food waste grinder to be fitted as part of kitchen sink unit to allow residents to indirectly recycle their food wastes by grinding it and washing it down into the waste water system for composting by the relevant water company.

Education Services:

There will be an education S106 requirement for this scheme towards nursery, primary, secondary and post-16 places of £16,216.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R11 of the UDP saved policies September 2007 requires proposals that involve the loss of land or buildings for education, social, community and health services will be assessed on the basis that:

- (i) There is a reasonable possibility that a refusal of permission for an alternative use would lead to the retention and continued use of the existing facility;
- (ii) Adequate accessible alternative provision is available to meet foreseeable needs of existing and potential users of the facility and

(iii) The proposed alternative use accords with other policies of the plan.

Given the resolution of the Cabinet, that the site was unsuited to community use and the subsequent demolition of the building, there is little prospect of the continuing use of the site as a nursery or for any other alternative community use. Furthermore, the Planning Statement submitted with the application advises that alternative specialist care provision has been made at Howletts Lane and there are adequate alternative day care facilities in the local area. This provision would also be supplemented by the future planned development of Children Centres. Other policies of the saved UDP would also broadly be met.

It is therefore considered that the proposal would accord with policy R11 of the UDP saved policies September 2007.

7.02 Density of the proposed development

The London Plan states that residential densities should harmonise with the surrounding area and new housing is generally expected to be within the range of 150-200 hr/ha and 30-55 units/hectare.

Although not strictly applicable to in-fill housing on small sites, where the impact of the new housing on the character of the surrounding area is perhaps more important than a strict adherence to a density guideline, the proposed new house does represent a density of approximately 167 hr/ha and 33 units/hectare, which is in accord with the London Plan guidance.

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

Not applicable to this application

7.04 Airport safeguarding

Not applicable to this application

7.05 Impact on the green belt

Not applicable to this application

7.06 Environmental Impact

Not applicable to this application

7.07 Impact on the character & appearance of the area

The application site is located at the end of a no through road, adjacent to mature woodland and has become vacant following the demolition of the former Highgrove Day Nursery. The site has a different shape to the majority of other housing plots on the road and it does not extend so far forward. This obviously presents constraints to any re-development of the site.

Given the location of the application site, particularly its set back from the road, any building on this site would not be able to mimic the built form of the adjoining housing, even if this were desirable. The house proposed is a more traditional detached four-bedroom property, albeit with no front garden, with a recessed projecting two storey side wing on its north eastern side elevation. Although the main two storey rear elevation would align with the two storey elevation of the adjoining properties, its front elevation would align with the single storey elevation of the adjoining properties, which represents a 3m forward projection as compared to their first floors. However, given that the proposal would be sited at the end of the no through road and would be viewed against the back drop of mature woodland, it is considered that this breach of the building line would not appear unduly prominent in the street scene so as to justify a refusal of the application. Furthermore, the overall scale of the property would not be dissimilar to existing housing units and the proposed roof, although this would have a 0.5m greater ridge height, would

have a matching roof slope and gable ends to the rest of the surrounding properties. As such, it is considered the proposal would present a satisfactory appearance in the street scene, in accordance with policies BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The proposed house would be sited to the north of the adjoining units, Nos.29 and 30 Campbell Close. These properties only have their main front doors and a secondary kitchen/dining room area window in their side elevations, so that the proposal would not affect the main outlook of any habitable rooms at these properties and would also not result in any additional overshadowing of these adjoining properties.

The rear elevation of the house would not project beyond the first floor 'rear' elevation of the adjoining properties and although it would project 3m forward of the first floor at the front, the proposal would be separated from this elevation by approximately 3m so that a 45° line of sight would not be breached.

As regards the properties to the rear on Hale End Road, design guidance recommends that two storey development should be sited a minimum distance of 15m from facing habitable room windows in order to avoid being unduly dominant. Although the proposal would be sited on higher ground than the properties on Hale End Road, the separation distance would be 21m from the ground floor (24m from the first floor) and therefore satisfies design guidance. As regards privacy, design guidance suggests that a 21m distance should be retained between habitable room windows and a 3m deep private area of rear garden adjoining the rear elevation of a property. Although a 21m distance would be maintained between habitable rooms, the private amenity area of adjoining properties in Hale End Road would be overlooked by first floor windows of the proposal within the 21m distance. However, as the proposal would maintain a similar relationship and separation distance as that which already exists between properties in Campbell Close and Hale End Close, the proposal would not result in an unacceptable material increase in overlooking and therefore a reason for refusal on this ground would be difficult to sustain. The proposal is therefore considered to comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.09 Living conditions for future occupiers

The proposal would provide a rear garden area of approximately 220m². This would satisfy the minimum area of 100m² required by design guidance for a four bedroom house. The 3m deep private area would also not be overlooked by first floor windows within a 21m distance.

With a gross internal floor area of 112m², the proposed house would satisfy the Council's minimum 92m² internal floor area for a four-bedroom, two storey house. All habitable rooms would have an adequate outlook and natural lighting. Although the ground floor kitchen window would be sited close to the adjoining footpath, amended plans have been received which show the kitchen opened up to form an open plan area with the adjoining dining/living room area which has rear facing French doors and windows. As such, the kitchen area would maintain an adequate outlook through these windows, allowing the window facing the footpath to be obscure glazed to protect privacy.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site does not have any direct vehicular access to the surrounding public highway as the site is immediately adjoined by public footpaths and therefore no off-street car parking provision would be available on site.

Off-street parking does take place along the north-western side of Campbell Close and

there is also a parking area at the end of Campbell Close on its south-eastern side. On-street parking also takes place on the south eastern side of Campbell Close.

The proposal for a single house would result in an insignificant increase in traffic and parking demand, particularly as compared against the last use of the site as a community facility. No off-street car parking is proposed for the new dwelling, however the availability of a shared parking at the end of the road and also on-street parking is considered adequate for the development. The Council's Highway Engineer advises that parking associated with the proposal is therefore unlikely to result in any demonstrable harm to road safety. Pedestrian access is readily available to the site from surrounding footpaths.

It is therefore considered that the proposal, although it would not provide two off-street car parking spaces in accordance with the Council's maximum off-street car parking standards, would not be harmful to highway and pedestrian safety. The proposal thus complies with policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

See Section 7.07

7.12 Disabled access

The submitted Design and Access Statement advises that the site of the proposed building is generally level and the scheme would be built to Lifetime Homes standards. This has been controlled by condition. As such, the proposal would comply with policies 3A.5, 3A.13, 3A.17 and 4B.5 of the London Plan (February 2008).

7.13 Provision of affordable & special needs housing

Not applicable to this application

7.14 Trees, Landscaping and Ecology

Impact on existing trees

There are no trees on the application site, although the site does adjoin the Highgrove Woods SNIC and there is a roadside tree on Campbell Close, some 14m to the south of the site. Following the advice from the Council's Tree Officer, amended plans have been received which now show protective fencing along the boundary of the adjoining footpath and Highgrove Wood SNIC and around that part of the canopy of the roadside tree which is within the grass verge. On this basis, the Tree Officer advises that the scheme provides adequate protection to surrounding trees. A landscaping scheme would assist with softening the development, which is close to a number of boundaries, whilst helping to afford greater privacy to the future occupants of the property. This has been controlled by condition, in accordance with policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

Ecology

Great crested newts, a European Protected Species, are known to be present on the adjoining Highgrove SINC. The application site itself has been cleared, and has no ecological interest and little vegetation. Furthermore, a 2.4m high solid hoarding has been erected on all sides. As such, the proposal is unlikely to adversely affect protected species. However, a condition is recommended to ensure protected species are not adversely affected. As such, the proposal complies with policies EC1 and EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

As the proposal is for a house with its own curtilage, there is no requirement for the

proposal to identify bin and cycle storage provision. Residents would need to leave the refuse/recycling on the adjoining highway on collection days.

7.16 Renewable energy / Sustainability

As regards energy conservation and sustainability, the Design and Access Statement states that the proposal would be constructed where possible, taking into account the constraints on site to the Code for Sustainable Homes. A condition has been attached to ensure that the house satisfies level 3 of the Code. As such, the proposal accords with policies 4A.1 and 4A.3 of the London Plan (February 2008).

7.17 Flooding or Drainage Issues

Not applicable to this application

7.18 Noise or Air Quality Issues

Not applicable to this application

7.19 Comments on Public Consultations

None

7.20 Planning Obligations

Not applicable to this application

7.21 Expediency of enforcement action

Not applicable to this application

7.22 Other Issues

There is a requirement for this scheme to make a contribution of £16,216 towards nursery, primary, secondary and post 16 education provision. This has been dealt with by means of condition. As such, the scheme complies with policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document, July 2007: 'Planning obligations'.

8. Observations of the Borough Solicitor

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

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

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

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

Article 14 states that the rights under the Convention shall be secured without

discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable to this application

10. CONCLUSION

Any housing re-development of the application site would not be able to mimic the pattern and design of the surrounding housing development, due to the constraints of the site. It is considered that the proposed house represents a suitable compromise, which would have a more traditional appearance and given that the site is located at the end of Campbell Close, adjoining woodland to the north, it is considered that it would not appear unduly out of keeping with the character and appearance of the surrounding area. Following concerns raised by officers, the projecting wing has been set back from the rear elevation so that it would appear subordinate to the main rear elevation of the house. The house, although it would be sited within 21m of the private rear amenity space at Nos. 36 to 39 Hale End Road, this relationship mimics the existing relationship between the two rows of units on Campbell Close and Hale End Close. Furthermore, the ecological interest of the adjoining Highgrove Woods Nature Reserve would not be compromised and a condition has been added imposed to ensure protected species are not adversely affected, given the close proximity to a lake known to contain Greater Crested Newts. The Highways Engineer does not raise any objection to the lack of off-street car parking, given the existing on-street car parking arrangements and the shared parking available at the end of the road. The proposal is thus recommended for approval.

11. Reference Documents


PPS3: Housing

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Former Highgrove Day Nursery
Campbell Close
Ruislip**

Planning Application Ref:
48552/APP/2009/2334

Planning Committee
North

Scale
1:1,250

Date
February 2010

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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



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