

Report of the Head of Planning, Sport and Green Spaces

Address LAND TO THE REAR OF ROBINS HEARNE AND LITTLEWOOD DUCKS HILL ROAD NORTHWOOD

Development: Erection of 4 x two storey, 4-bed detached dwellings with associated parking and amenity space (Outline application for access and layout with some matters reserved).

LBH Ref Nos: 41674/APP/2017/381

Drawing Nos: 1:1250 Location Plan
15.17.1 Rev. B
DHR/FC/04
DHR/FC/05
15.167.2 (Illustrative plans and elevations for Plots 3 and 4
Design and Access Statement
Tree Protection Plan
Arboricultural Survey to British Standard B.S. 5837:2012 'Trees in relation to design, demolition and construction - Recommendations at Land rear of Robins Hearne, Ducks Hill Road, Northwood
Extended Phase 1 Habitat Survey Report, February 2016
Stratton Associates letter dated 5/4/17

Date Plans Received: 01/02/2017

Date(s) of Amendment(s):

Date Application Valid: 06/03/2017

1. SUMMARY

This application seeks outline permission for the erection of 4 detached houses, involving rear garden land to the rear of properties which front Ducks Hill Road. Means of access, which would be taken from Fringewood Close and layout only are to be determined at this stage, with the plans showing the floor plans and elevations of the houses only being indicative. Appearance, landscaping and scale are reserved for subsequent approval.

This scheme is a resubmission of a very similar outline application for 4 houses on this site (App. No. 41674/APP/2015/2100 refers) that was presented to the North Planning Committee on 21st June 2016. Although the officer recommendation was for approval, Members resolved to refuse the scheme and a subsequent appeal was dismissed on 20th February 2017.

The current proposal is an almost identical scheme and the changes made and clarification provided are not considered to have addressed the Member's reason for refusal of the previous scheme or the Inspector's justification for dismissing the subsequent appeal and therefore the scheme is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic

context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the NPPF.

INFORMATIVES

1 152 **Compulsory Informative (1)**

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

2 153 **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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF11	NPPF - Conserving & enhancing the natural environment
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.3	(2016) Sustainable design and construction
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties

	and the local area
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an irregular-shaped area of land forming part of and located at the end of the rear gardens of a detached house known as Robins Hearne and part of a recently constructed flatted block known as 'Woodlands' which front the south-east side of Ducks Hill Road. The site is located to the north of the turning head at the northern end of Fringewood Close, sited in front of No.17 which immediately adjoins the application site to the south. Fringewood Close only has detached houses on its south eastern side, with the north western side of the road comprising the ends of the rear gardens of properties fronting Ducks Hill Road. The garden areas are characterised by numerous mature trees, of which a number within and close to the application site are protected under Tree Preservation Order No. 281.

The site forms part of the 'developed area' as identified by the Local Plan Policies and is surrounded by adjoining properties and their rear gardens, with the rear gardens to the south east forming part of the Copsewood Estate, Northwood Area of Special Local Character.

3.2 Proposed Scheme

This application seeks outline permission for the erection of 4 detached houses on the site. Means of access and layout only is to be determined at this stage and the plans showing the siting and floor plans of the houses are only indicative. Appearance, landscaping and scale are reserved for subsequent approval.

Access to the site would be by means of extending Fringewood Close on the south western boundary of the application site. The houses on Plots 1 and 2 would be sited on the south eastern side of the extended access road and Plots 3 and 4 would be on the north western side.

This scheme differs from this previous application (App. No. 41674/APP/2015/2100 refers) in that the separation gap between the houses on Plots 3 and 4 has increased from approximately 4 to 5m. Changes have also been made to the footprint of the houses on Plots 3 and 4, although their general siting remains the same, with the main differences involving the small rear projecting 'conservatory' shaped additions from each of these houses have been omitted and the overall width of the house on Plot 4 has been reduced by approximately 1m and the house on Plot 3 by approximately 3.1m. The overall length of the access road has also been shortened and the width and length of the individual driveways has been reduced. Following comments made in the Inspector's decision letter, the agent has also provided clarification that the rear elevation of the nearest house (Plot 4) to the rear elevation of the newly built flatted block known as Woodlands at 103 - 1057 Ducks Hill Road would be some 22.8m.

The application is supported by the following documents:-

Design and Access Statement:

This provides a brief statement, advising that the current application is a re-submission of 41674/APP/2015/2100. It goes on to provide a brief summary of the planning history, noting there has been a history of planning approvals for the same development on this site since 2002, albeit the site was split into two separate applications and each application and its successor was approved until the Planning Committee overturned the officer's recommendation for approval on the last submission (App. No. 41674/APP/2015/2100 refers).

It goes on to note that an Arboricultural Report and accompanying plans, together with a Stage 1 Ecology Survey were submitted with the last application and found to be acceptable by the Council and are included as part of this resubmission as they are within acceptable timescales.

It notes that following the decision of the Planning Committee, a meeting was held with planning officers and it was agreed the re-submission may benefit from slight changes to the siting of the houses on Plots 3 and 4, namely:-

- reduction in the length of the access drive into the site itself together with a shortening of the width and depth of the individual access drives to Plots 3 and 4,
- An increase in the separation width between the houses on Plots 3 and 4,
- Although application is in outline, indicative floor plans have been included in past submission.

The statement goes on to advise that the shortest distance between the rear elevations of the newly built flatted block and the house on Plot 4 is 22.8m, comprising of 7.8m from the nearest part of the apartment building to the rear boundary and a minimum distance of 15m from that common boundary to the rear of the proposed dwelling on Plot 4.

The statement goes on to advise that no issues have been raised with the vehicular and pedestrian arrangements since the scheme was first approved in 2002 and the site is level so that there would not be any issues in terms of satisfying Part M of the Building Regulations as regards accessibility.

Extended Phase 1 Habitat Survey Report, February 2016:

The describes relevant legislation and outlines the methodology, which comprised a desk and site surveys. Results are presented and appropriate mitigation measures and enhancement work are recommended.

Arboricultural Survey to British Standard B.S. 5837: 2012 'Trees in relations to design, demolition and construction - Recommendations':

This provides an assessment of the existing trees on site and considers the impact of the proposed development. It concludes that there are several important trees that should be retained and the submitted tree protection plan shows how the site can be laid out to minimize tree loss and provide suitable amenity space for the house. There would be small encroachments upon the root protection areas of a few trees but these are acceptable and can be overcome with specific approved techniques.

3.3 Relevant Planning History

Comment on Relevant Planning History

This application is essentially a re-submission of a very similar outline application (App. No. 41674/APP/2015/2100 refers) for 4 detached houses on this site which Members overturned the officer recommendation for approval at the North Planning Committee on 21/6/16 for the following reason:-

The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the NPPF.

A subsequent appeal was dismissed on 24/1/17.

Prior to this, there has been a lengthy history of planning applications on this or part of this site for housing development which go back to the 1990s.

Schedule of Previous Decisions:

41674/APP/2013/543 - Extension of Fringewood Close and 2 x two storey, 4- bedroom detached dwellings (Outline planning application for access and layout with other matters reserved) - Refused for the following reasons:

1. The proposal fails to provide sufficient details, including an up to date tree survey, an arboricultural impact assessment, tree retention/removal strategy and tree protection method statement and thus fails to demonstrate that the proposal would result in the trees on site being safeguarded. The proposal is therefore contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2. The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, particularly in respect of education. The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations Supplementary Planning Guidance.

41674/APP/2013/546 - Extension of Fringewood Close and 2 x two storey, 4- bedroom detached dwellings (Outline planning application for access and layout with other matters reserved)

reserved) - Refused for the following reasons:

1. The proposal fails to provide sufficient details, including an up to date tree survey, an arboricultural impact assessment, tree retention/removal strategy and tree protection method statement and thus fails to demonstrate that the proposal would result in the trees on site being safeguarded. The proposal is therefore contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2. The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, particularly in respect of education. The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations Supplementary Planning Guidance.

41674/APP/2009/2651 - Erection of 2 four bedroom detached houses (Outline application) - Approved 2 March 2010.

41674/APP/2009/2643 - Extension of Fringewood Close and erection of 2 four bedroom detached houses (Outline application) - Approved 2 March 2010.

41674/APP/2005/396 - Erection of two detached houses (Outline Application) - Approved 31 March 2005.

41674/APP/2005/150 - Extension of Fringewood Close and erection of two detached houses (Outline Application) (Renewal of planning permission ref. 41674/APP/2002/385, dated 25/04/2002) - Approved 8th March 2005.

41674/APP/2002/385 - Extension of Fringewood Close and erection of two detached houses (Outline application) (Renewal of planning permission ref. 41674/98/1199, dated 24th September 1999) - Approved 25th April 2002.

41674/98/1199 - Extension of Fringewood Close and erection of two detached houses (Outline application - Approved 24th September 1999.

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.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
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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

47 neighbouring properties have been consulted on this application, 2 site notices have been displayed adjacent to the site on 30/3/17 with a closing date of 19/4/17, one on Fringewood Close, one on Ducks Hill Road. 8 individual responses have been received, objecting to the proposal, together with 2 'petitions', objecting to the proposal with 28 and 17 signatories respectively. Although the second 'petition' comprises less than the 20 valid signatories, it is to be considered as an addition to the valid petition.

The petition with 28 signatories is summarized as follows:-

The petition is from the undersigned 28 adult residents of Fringewood Close who wish to:

- object to the above planning application to build four houses on gardens to the rear of "Robin's Hearne" and "Littlewood" on Ducks Hill Road
- petition the Council to refuse this application

The application is a virtually identical repeat of 41674/APP/2015/2100 which was rejected unanimously by the North Planning Committee at their meeting on 21 June 2016 and subsequently rejected at appeal on 20 February 2017.

The petitioners reiteration their grounds for objection to the previous scheme (41674/APP/2015/2100 refers) as set out in their petition to that application which is re-submitted here and summarized as follows:-

- The proposal constitutes overdevelopment,
- It would change the character of this section of Fringewood Close, with the 'double sided' development either side of the extended access road being at odds with the rest of the 'single sided' nature of the northern part of the road, being visually incompatible and failing to harmonise with the existing street scene,
- Proposal would fail to provide adequate parking facilities which would exacerbate existing parking congestion in the road and contravene rights of owners of private road frontage,
- Proposal would negatively impact upon the residential amenity of residents in the Close,
- Planning history for similar development here includes both approved and refused schemes and some residents may not of been aware proposal included a total of 4 houses,
- Proposal unlikely to be capable of connecting to main sewers and privately owned and jointly maintained sewage station at No. 17 which also serves No. 15 is unlikely to be able to cope with 6 houses, and would quickly back-up in event of break down,
- There have been changes in circumstances in that the Government in 2010 have enabled LPAs to refuse schemes which involve garden grabbing and road conditions and traffic congestion have been made worse with all the other development in Ducks Hill Road that has taken place,

Further observations

The Committee's decision of 30 August 2016 (agreed in similar terms by the Inspector in his decision of 20 February 2017) stated:

"The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan, the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the NPPF."

The petitioners strongly object to this repeat application on these grounds and the repeat application makes no attempt to address this issue.

The submitted location plan is inaccurate as it fails to take account of the subsequent construction, size and location of the Woodlands apartment building. This subsequent development simply reinforces the conclusions reached in relation to the previous application and the reasons given in the August 2016 notice of decision.

The Design and Access Statement indicates that planning officers have suggested "slight changes" to the siting of the houses on plots 3 and 4 may "benefit the resubmission". The changes appear to be so slight as to be invisible when seeking to compare the site layout plans for this and the previous application and are presumably designed to edge the houses on plots 3 and 4 away from Woodlands in the hope of trying to neutralize concerns of Woodlands residents about overlooking. However, shortening drives a few imperceptible feet fails to address the concerns of Fringewood Close residents (and of Councillors at the June 2016 meeting). The impact of the Woodlands apartment block did not feature in the June 2016 discussion and simply reinforces the view that the development would be out of character and over-intensive for the location.

The petitioners view the re-submission of what is effectively the same application as an abuse of the planning process. The changes from the previous application are insignificant.

We understand that the Council has authority to decline to consider an application which is resubmitted without significant change within two years of the rejection of the appeal and call upon the Council to exercise that power in relation to any further attempt to repeat this application for four houses at this location.

The petitioners in the second petition object to the proposal on the following grounds:

- The Location Plan, Site Layout Plan and Tree Survey are out of date as they show previous Plots 103 - 107 instead of the new Woodlands apartments development erected in 2015-16,
- The scheme will cause significant loss of light and privacy to Woodlands as a result of at least two of the proposed properties (Plots 3 and 4),
- Huge impact on wildlife including many bird species,
- Ducks Hill Road is already busy and additional properties will further increase traffic load from Fringewood Close,
- Proposal would conflict with Unitary Development and Hillingdon Plans as cited in Council's decision notice and Planning Inspectorate's Appeal decision letter, including, but not limited to Policy BE1 of the Hillingdon Local Plan, Part One - Strategic Policies (2012), Policies BE13 and BE19 of the Hillingdon Local Plan, Part Two - Saved UDP Policies (2012) which seek to achieve high quality design that contributes positively to local areas in terms of layout and improves the character of the area and Policies 3.5, 7.1 and 7.4 of the London Plan that require housing to enhance the quality of local places, have regard to the pattern and grain of the area and reinforce local character among other things.

The individual responses raise the following summarized concerns:-

- (i) New development will result in loss of privacy to surrounding properties, particularly Woodlands and Wildwood and private and communal gardens,
- (ii) New development will block morning sunlight from Woodlands apartments and patio,
- (iii) Quiet residential garden would be turned into site for 4 houses, increasing noise and activity,
- (iv) Development would be overbearing, out of character with tranquil setting,
- (v) Loss of existing views from neighbouring properties,
- (vi) Separation distance quoted by agent is irrelevant as does not change the concerns raised by the Inspector that scheme 'there can be no assurances that the dwelling at Plot 4 would achieve suitable separation distance to fit in with the prevailing pattern of development and maintain the existing high levels of spaciousness and the 'there being no flexibility over the layout of the dwellings the proposal would therefore result in a cramped development that would be harmful to the character and appearance of the area'.
- (vii) Proposal would exacerbate light pollution,
- (viii) Application makes no attempt to address previous refusal and therefore conflicts with policies cited by Planning Committee and Inspector. Not aware there has since been any change to planning policy,
- (ix) Given inconvenience of another application, can Council refuse to deal with it?
- (x) Submitted plans show previous houses at 103 - 107 Ducks Hill Road and not 'Woodlands',
- (xi) Large impact upon wildlife,
- (xii) Ducks Hill Road is already busy and proposal will increase traffic from Fringewood Close,
- (xiii) There will not be sufficient parking,
- (xiv) Extending access road to serve more properties would exacerbate access difficulties, particularly for larger vehicles,
- (xv) Septic tank for Nos. 15 and 17 Fringewood Close would not be able to cope with additional pressure,

Northwood Residents' Association:

The proposal is detrimental to the visual amenity and character of the area, contrary to Local Plan Policies, BE1, BE13 and BE19.

Internal Consultees

Tree/ Landscaping Officer:

This site was the subject of a previous planning application ref. 2015/2100 which was refused at appeal.

Comment

The current submission includes a the tree survey by Merewood, dated 2015, prepared for the previous application. Although it is now 2 years old, in this case the information is still relevant and appropriate. The layout is very similar to the previous application.

Recommendation

No objections, subject to conditions RES8, RES9 and RES10.

Sustainability Officer:

No objections to the scheme, subject to conditions to require further detailed bat, reptile and mammal habitat and species surveys to be submitted and approved prior to the commencement of development. A wildlife enhancement scheme would also be required.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Although the proposed development for 4 houses on this site, accessed from an extension to Fringewood Close has previously been approved on this site, as noted by the Inspector

in his decision letter on the previous, almost identical application:-

'Although there is a history of previous planning permissions at the appeal site I have no evidence before me that these remain extant. Therefore while the principle of development has previously been established I am required to consider the proposal against the policies of the development plan currently in force and any material changes in circumstances.'

The Inspector went on to consider the planning merits of the scheme and noted that in this regard, an adjoining site at Nos. 103 - 107 Ducks Hill Road 'Woodlands' had been re-developed as a flatted block which had not been shown on the application plans, nor mentioned by the LPA. The Inspector advised at paragraphs 9 to 11:-

9. Given the additional height and short rear gardens of Woodlands there can be no assurances that the proposed dwelling at Plot 4 would achieve suitable separation distances to fit in with the prevailing pattern of development and maintain the existing high levels of spaciousness. I acknowledge that the arrangement of houses along Copsewood Way is of limited significance to the proposal due to the limited visual association with that estate. The extensive trees and hedgerows of the appeal site would also largely screen the proposal in streetscene views along Fringewood Close.

10. However, the proposal would be clearly visible from properties along Duck Hill Road. On the limited information before me the close relationship between Plot 4 and the Woodlands would not appear to maintain existing densities or the spaciousness of the area. There being no flexibility over the layout of the dwellings the proposal would therefore result in a cramped development that would be harmful to the character and appearance of the area. The limited benefits of four additional units to the dwelling supply and the Council's acceptance of the access proposed would not outweigh this significant harm.

11. I conclude that the proposal would result in harm to the character and appearance of the area. As a result it would conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies 2012 and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies 2012 that seek to achieve high quality design that makes a positive contribution to local areas in terms of layout, and which complements and improves the character of the area. It would also conflict with Policies 3.5, 7.1 and 7.4 of the London Plan that require housing to enhance the quality of local places, have regard to pattern and grain, and improve or reinforce character, among other things.

Since the appeal decision in February 2017, there has been no significant change in planning policy and the minor changes made do not significantly alter the scheme and it is not considered that the Inspector's concerns have been overcome. The proposal is therefore recommended for refusal.

7.02 Density of the proposed development

When considering small scale developments such on this, the Mayor's density guidelines are of little value and it is more relevant to assess the scheme in terms of the character and appearance of the area. To this end, on the previous appeal, the Inspector noted that:

'On the limited information before me the close relationship between plot 4 and the Woodlands would not appear to maintain existing densities or the spaciousness of the area. There being no flexibility over the layout of the dwellings the proposal would therefore result in a cramped development that would be harmful to the character and appearance of the area.'

The current scheme proposes an almost identical housing layout that does not address the Inspector's concern and therefore the cramped nature of the proposed scheme forms part of the reason for refusal.

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

Although the site lies adjacent to the Copsewood Estate, Northwood Area of Special Local Character, the adjoining rear ends of the back gardens which form the boundary of the area of special character comprise dense woodland so that the proposed scheme would not have any significant impact upon the character of the adjoining area.

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

This is dealt with in Section 7.01 above.

7.08 Impact on neighbours

Although this application is for outline permission, with only the means of access and layout to be determined at this stage, the site would be capable of accommodating four houses without adversely affecting the amenities of surrounding properties. Notwithstanding the screening afforded by existing trees, the layout shows that the nearest house would be sufficiently remote from adjoining properties and the agent has confirmed that a separation distance of 22.9m would be retained between the rear elevation of the house on Plot 4 and the rear elevation of the newly constructed 'Woodlands' flatted block.

The separation distances would ensure that the proposed houses would not result in any overshadowing or appear unduly dominant from neighbouring properties and would not be overlooked within a distance of 21m. As such, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS Residential Layouts.

7.09 Living conditions for future occupiers

Private amenity space

The rear amenity spaces provided would comply with the Council's minimum standards. The house on Plot 1 would have an area of approximately 225m², with Plot 2 having an area of 525m², Plot 3 would have an area of approximately 300m², with Plot 4 having an area of 267m².

Amenities created for future occupiers

This outline application does not specify the proposed number of bedrooms, although the indicative floor plans do suggest that 4 bedrooms would be provided. These are large detached properties that would easily satisfy the National space standards in order to achieve satisfactory living conditions for future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

No objections were raised by the Highway Engineer to the previous applications. The layout of the houses suggests that adequate car parking to satisfy the Council's off-street car parking standards could be provided and these details could have been controlled at the reserved matters stage had the application not of been recommended for refusal, together with details of the road extension.

7.11 Urban design, access and security

Access and security matters are now largely covered by Building Regulations and appropriate conditions could have been added had the application not of been recommended for refusal.

7.12 Disabled access

See section 7.11.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The Council's Tree Officer advises that the scheme makes adequate provision for the long term retention of the important trees on site and many others of lesser quality on this and adjoining sites. Sufficient space is provided to provide additional planting and a landscaped scheme. The Tree Officer advises that the impact of the development would be acceptable, subject to the imposition of appropriate conditions. Had the application not of been recommended for refusal, these conditions could have formed part of the officer recommendation.

7.15 Sustainable waste management

Not applicable to this outline application which is for 4 detached houses on their own curtilages.

7.16 Renewable energy / Sustainability

Energy efficiency would be dealt with by the Building Regulations.

Ecology

A Phase 1 Habitat survey was submitted with the application. The Council's Sustainability Officer reviewed the report and has raised no objection subject to a condition requiring detailed bat, reptile and mammal habitat and species surveys to be submitted and approved prior to the commencement of development. A wildlife enhancement scheme would also have been required. Appropriate conditions could have been recommended had the application not of been recommended for refusal.

7.17 Flooding or Drainage Issues

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

7.18 Noise or Air Quality Issues

The application site is not located within Hillingdon's Air Quality management Area and it is considered that the proposal would not give rise to any significant noise or air quality issues as compared to the surrounding situation.

7.19 Comments on Public Consultations

As regards the comments raised by the individual consultees and petitioners, the scale of development is not before the Council for consideration at this stage so that the impacts in terms of privacy, sunlight and dominance and views (points (i), (ii), (iv) and (v)) are not known, but that said, the scheme does maintain at least a 21m distance from the principal elevations of adjoining properties so that the amenities of adjoining properties are unlikely to be affected in terms of policies BE20, BE21 and BE24. In terms of points (iv) and (vii), the increase in noise/activity and light pollution would be no greater than that deriving from surrounding residential development so that further reasons for refusal on this ground could not be justified and in terms of the light, appropriate measures could be put in place to mitigate the impact on wildlife. Points (vi), (viii), (x), (xi), (xii), (xiii) and (xiv) have been dealt with in the officer's report. As regards point (xv), this is not a planning matter that would justify withholding permission. As regards point (ix), it is considered that the changes

made to the scheme could not justify the LPA refusing to deal with it.

7.20 Planning obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and 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.

7.21 Expediency of enforcement action

Not applicable to this site/scheme.

7.22 Other Issues

No other issues are raised by this planning application.

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

This outline application is recommended for refusal.

11. Reference Documents

NPPF (March 2012)

London Plan (March 2016)

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

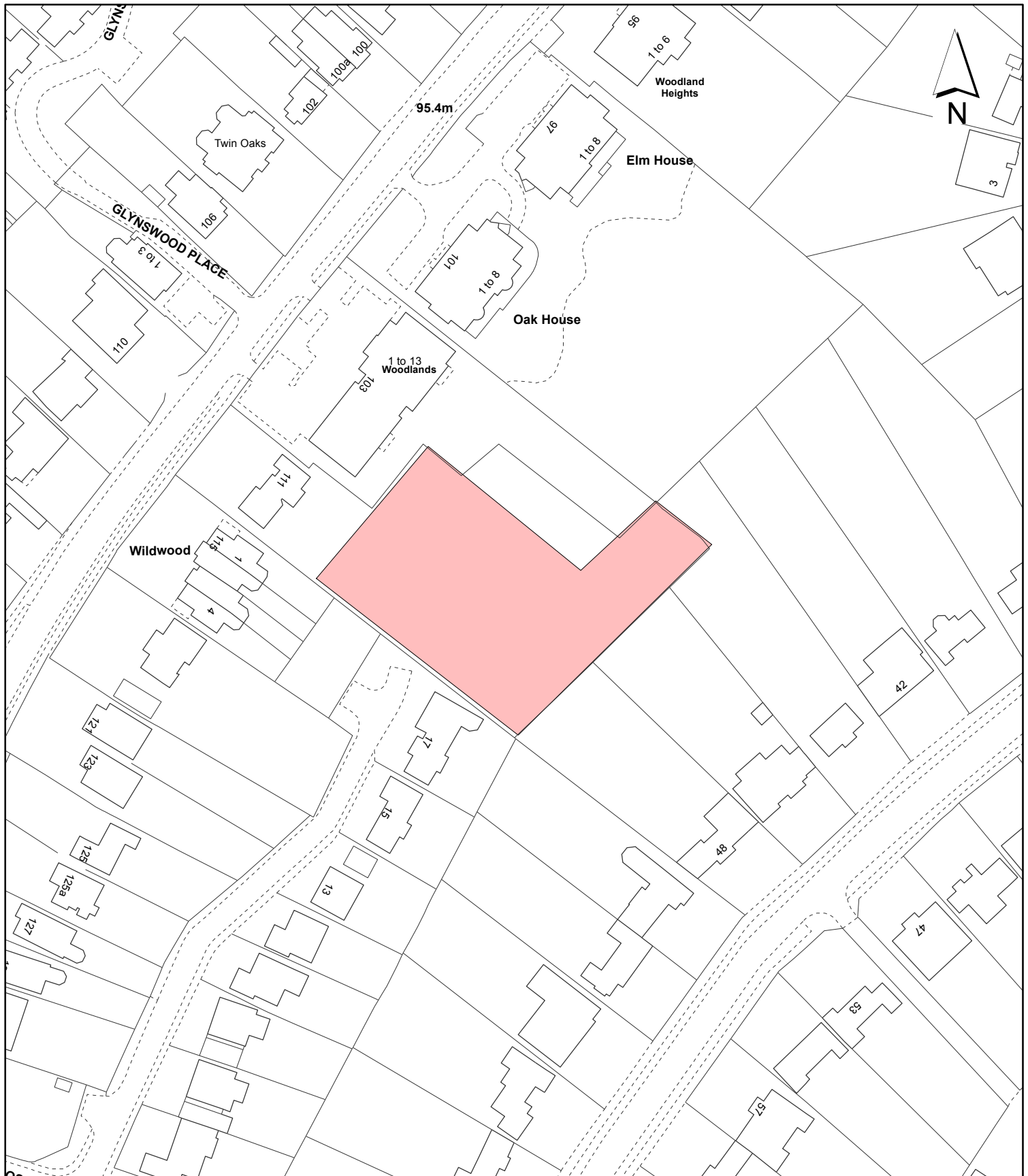
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

Supplementary Planning Document HDAS: Residential Layouts (July 2006)

Supplementary Planning Document HDAS 'Accessible Hillingdon' Supplementary Planning Document (May 2013).

Contact Officer: Richard Phillips

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Notes:

 Site boundary

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Site Address:

**Land to the rear of
 Robins Hearne & Littlewood,
 Ducks Hill Road**

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
41674/APP/2017/381

Scale:
1:1,250

Planning Committee:
North

Date:
May 2017



HILLINGDON
 LONDON