

Report of the Head of Planning, Transportation and Regeneration

Address 46 THE DRIVE NORTHWOOD

Development: Demolition of existing building (containing three self-contained flats) and replacement with a new three-storey building containing 1 x 3 bedroom and 7 2 bedroom self contained flats. Proposal includes basement parking (Resubmission following 65098/APP/2016/3555)

LBH Ref Nos: 65098/APP/2018/1128

Drawing Nos: 16-08/103B Elevations - Sheet 2
Ecological Appraisal (January 2016)
Bat Assessment (October 2015)
16-08/105B Residential Amenity Space
Heritage Statement (February 2018)
16-08/101B Site Layout Plan
16-08/100B Proposed Floor Plan
16-08/102B Elevations Sheet 1
16-08/103B Elevations Sheet 2
Buildings Survey (16 March 2018)
16-08/10A Existing Building and Location Plan
2288/1 Topographic Survey

Date Plans Received: 26/03/2018

Date(s) of Amendment(s):

Date Application Valid: 27/03/2018

1. SUMMARY

The application seeks permission for the erection of a detached three storey building with a basement level to create 8 self contained flats (7 x 2 bed, and 1 x 3 bed) with associated landscaping works following demolition of existing building containing three self contained flats.

This is a re-submission of a previously refused scheme (application reference 65098/APP/2016/3555), that was also dismissed at appeal. It is considered that the reasons for refusal have not been properly addressed.

22 objections have been received which raise a number of concerns primarily regarding the impact of the proposal on the visual amenity of the area and on neighbours. The Northwood Resident's Association and Ruislip, Northwood & Eastcote Local History Society similarly raise an objection to the proposal. A petition of objection has also been received.

The Council's Conservation and Urban Design Team has raised an objection regarding the loss of the undesignated heritage asset (the existing residential building known as Dane End) and the impact on the visual amenity of the area by virtue of the design and scale of the proposed development within the site.

Furthermore, due to insufficient and inadequate external amenity space provision and lack of defensible space, the proposal would result in substandard residential accommodation for future occupiers.

It has also not been demonstrated that the proposal would not result in an adverse impact on drainage, flooding, ground water conditions, and structural stability, contrary to policy EM6 Flood Risk Management in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (2016); and National Planning Policy Framework (2012).

Having considered the proposal against all of the relevant planning policies, the development is not considered acceptable and should be refused for the reasons set out in the recommendation.

2. RECOMMENDATION

1 NONSC Loss of Heritage Asset and Impact on Visual Amenity

The development proposal would result in the loss of a non designated heritage asset of significant historic, architectural, and social value, and the development by virtue of its design, scale and built form represents an incongruous development of the site, failing to respect the existing urban grain of the area, appearing dominant and out of keeping with its character and appearance and therefore, harmful to the visual amenity of the area, contrary to adopted policies BE1 and HE1 of the Local Plan Part 1 (2012); policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); and policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016).

2 NONSC Loss of Privacy to Neighbours

The proposed development incorporates habitable room windows within close proximity of and facing habitable room windows that serve neighbouring properties that would allow overlooking, resulting in loss of privacy, and harming the residential amenity of occupiers within No. 50 'The Drive', contrary to policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document - Residential Layouts.

3 NONSC Insufficient and Inadequate Outdoor Amenity Space

The development proposal, by virtue of insufficient and inadequate external amenity space provision would offer substandard residential accommodation for future occupiers to their detriment, contrary to policy BE23 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012).

4 NONSC Flooding

The proposed development has failed to demonstrate that it would not result in adverse impact on drainage, flooding, ground water conditions, and structural stability, contrary to policy EM6 Flood Risk Management in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (2016); and National Planning Policy Framework (2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

AM2	Development proposals - assessment of traffic generation, impact or congestion and public transport availability and capacity
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.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE16	New development on the northern frontage of the A4 (Bath Road)
BE18	Design considerations - pedestrian security and safety
BE17	Design and layout of new development at Heathrow Airport
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.
BE39	Protection of trees and woodland - tree preservation orders
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC4	Monitoring of existing sites of nature conservation importance and identification of new sites
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
EM6	(2012) Flood Risk Management
H11	Provision of affordable housing
H3	Loss and replacement of residential accommodation
H4	Mix of housing units

H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 2.8	(2015) Outer London: Transport
LPP 3.13	(2015) Affordable housing thresholds
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.16	(2015) Waste self-sufficiency
LPP 5.18	(2015) Construction, excavation and demolition waste
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.21	(2015) Contaminated land
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 6.13	(2015) Parking
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2015) Cycling
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.2	(2015) An inclusive environment
LPP 7.21	(2015) Trees and woodland
LPP 7.4	(2015) Local character
LPP 7.6	(2015) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.9	(2015) Heritage-led regeneration
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
LPP 8.4	(2015) Monitoring and review for London
NPPF	National Planning Policy Framework
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations

POBS	Supplementary Planning Document, adopted 23 September 2010
SPD-PO	Planning Obligations Supplementary Planning Document, July 2008
SPG	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Residential layouts and house design. Air Quality Supplementary Planning Guidance, adopted May 2002

3

Please be advised that the current vehicular ramp access to the basement is not considered acceptable for the reasons set out in this report. In addition, the car parking space at ground level would also raise highway safety concerns. Had this application been recommended for approval, conditions would have been sought to address these issues. Also, a S106 would have been sought for appropriate highway works to the access point.

4

Please be advised that the submitted Ecological Appraisal and Bat Assessment Report are not considered to be sufficiently up-to-date. Had this application been recommended for approval, conditions would have been sought to address this issue.

5 171 **LBH worked applicant in a positive & proactive (Refusing)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The rectangular site measures approximately 0.15 hectares and is located on the west side of 'The Drive', approximately 330m south of its junction with Rickmansworth Road. The property is neither listed nor located within a conservation area. There are Tree Preservation Areas to the north and east of the site, but none covering the property itself.

'The Drive' is characterised by mainly large detached two and three storey dwelling houses, well set back from the public highway, and surrounded by spacious verdant grounds. To the west of the site there is a cluster of dwellings accessed via a road that adjoins the application site to the south. Further to the south, there is a two storey dwelling positioned facing north-eastwards onto 'The Drive', beyond which is Haste Hill Golf Course. To the east, there is mainly two storey detached houses, well set back from the public highway with long drives and mature gardens.

3.2 **Proposed Scheme**

The proposal seeks to provide a 3-storey building and basement to provide 8 (7 x 2 bedroom and 1 x 3 bedroom) self contained units. The proposal also includes an access ramp leading to 16 car parking spaces (including 2 disable parking spaces) within the basement. The

footprint of the proposed building would total 355.6 square metres.

3.3 Relevant Planning History

65098/APP/2016/3555 46 The Drive Northwood

Erection of detached three storey building with basement level to create nine self contained flats with associated landscaping works following demolition of existing building containing three self contained flats.

Decision: 06-12-2016 Refused

Appeal: 03-03-2017 Dismissed

65098/APP/2016/835 46 The Drive Northwood

Erection of detached three storey building with basement level to create nine self contained flats (8 x 3 bed and 1 x 4 bed unit) with associated landscaping works following demolition of existing building containing three self contained flats.

Decision: 19-05-2016 Withdrawn

Comment on Relevant Planning History

A previous application (reference 65098/APP/2016/3555) was refused at the North Committee Meeting on 6th December 2016 for the following reasons:

- Loss of heritage asset and impact on visual amenity;
- Loss of privacy to neighbours;
- Loss of outlook and sense of enclosure;
- Lack of defensible space and poor outdoor amenity space; and
- Insufficient information regarding drainage and flood management.

An appeal was lodged against the decision and was dismissed on 3rd March 2017.

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.EM11 (2012) Sustainable Waste Management
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.H1 (2012) Housing Growth
- PT1.HE1 (2012) Heritage

Part 2 Policies:

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE16	New development on the northern frontage of the A4 (Bath Road)
BE18	Design considerations - pedestrian security and safety
BE17	Design and layout of new development at Heathrow Airport
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.
BE39	Protection of trees and woodland - tree preservation orders
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC4	Monitoring of existing sites of nature conservation importance and identification of new sites
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
EM6	(2012) Flood Risk Management
H11	Provision of affordable housing
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water

run-off - requirement for attenuation measures

HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 2.8	(2015) Outer London: Transport
LPP 3.13	(2015) Affordable housing thresholds
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.16	(2015) Waste self-sufficiency
LPP 5.18	(2015) Construction, excavation and demolition waste
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.21	(2015) Contaminated land
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 6.13	(2015) Parking
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2015) Cycling
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.2	(2015) An inclusive environment
LPP 7.21	(2015) Trees and woodland
LPP 7.4	(2015) Local character
LPP 7.6	(2015) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.9	(2015) Heritage-led regeneration
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
LPP 8.4	(2015) Monitoring and review for London

NPPF	National Planning Policy Framework
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010
POBS	Planning Obligations Supplementary Planning Document, July 2008
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG	Residential layouts and house design.
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

Letters were sent to neighbouring properties and a site notice was erected. All forms of consultation expired 21/05/2018. 22 objections and 1 comment in support were received from members of the public. The concerns raised were similar to those raised to the previous application and are summarised below:

- The proposal is excessive in width, depth and height resulting in an over-dominant development that would be intrusive in streetscene.
- Overdevelopment of the site and out of keeping with the general pattern of development in the area
- Beyond the established building line fronting the highway
- Excessive footprint
- The design is poor and out of keeping with the character and appearance of the area
- Loss of privacy to neighbouring properties
- Cause a detrimental sense of enclosure to neighbouring properties, particularly No. 50
- 'The Drive' already experiences parking stress and inadequate and substandard car parking provision will worsen the situation
- Increased vehicular movements would worsen air quality and cause noise.
- Increased congestion will be a hazard to pedestrians.
- Loss of existing building (Dane End House) is probably the oldest house in 'The Drive' and is a detached Edwardian family residence of an unusual and attractive appearance with major historical and architectural merit.
- Impact on wider infrastructure including water supply
- Reduce the value of neighbouring properties
- Subsidence from excavation works in relation to the basement
- Disturbance during construction from noise, traffic and dust
- Removal of trees from the site
- Adverse impact on drainage and may lead to flooding due to excessive basement
- Failed to address the issue of drainage which was raised for the previous application
- The stagger of the existing houses 52, 50 and 46 affords an uncrowded vista to the east. The proposed building will blot this out completely.
- Loss of light to neighbouring properties.
- Sets a precedent for more flat development.

- Increased pressure on local services.
- Arboricultural impact assessment is missing.
- There are no renewable energy or sustainable development proposals.

The comment in support of the development raises the following points:

- Only 2 people are able to live in property as top flat is uninhabitable.
- A new building would provide more residential accommodation.
- The cost to improve the living standards of the property are beyond the residents.
- The existing building is an eye sore and the proposed would complement visual amenity.

Northwood Residents Association Comments:

The Northwood Residents Association endorses the comments made by an objector whose comments have been taken into account.

Greater London Archaeology Advisory Service Comments:

No comment.

Thames Water Comments:

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Internal Consultees

Conservation and Urban Design Officer Comments:

BACKGROUND:

Taken from Conservation comments for 65098/APP/2016/3555:

The existing detached attractive building is located on a modest plot along 'The Drive' in Northwood. Originally known as Dane End, the property dates from the early 19th Century and was built by local architects Swannell and Sly, who were well known of their time and responsible for many other notable buildings around Northwood and Rickmansworth. This was the first property to be built along the road. Dane End was originally built as a single family dwelling on a substantially sized plot, this comprised of where numbers 48, 50, 52 and 54 are now situated. The existing property is well characterised with a steeply pitched gambrel roof form with eaves finishing at ground floor level and gable ends at either side. The property can be described as 2 and a half storeys in height, which is externally finished with a tiled roof, render, and brick. The property is uniquely orientated with a recessed porch/patio area on the south elevation and an 'M' shaped projecting gable on the north elevation. There is also a single storey element attached to the northern aspect of the main property which may have been the original service wing of the building. The principal elevation (eastern elevation) features the entrance door which is situated under a recessed porch area and characterised by a substantial timber post. Taking into account the historical, architectural and social value of the existing building it would be considered a building of significant heritage value and can be termed as a heritage asset. Therefore, we would regret the loss of such a significant building.

Whilst the original plot of the building was subdivided in the past for the construction of 4 other properties, the existing site remains relatively open and visible from various aspects, maintaining the semi-rural/ suburban principles that the property was most likely originally built with. The southern elevation of the property is visible via the access-way for Nos. 48, 50 and 52. The elevation facing onto 'The Drive' had previously been well screened from the road by well established mature trees. The existing boundary treatments to the site are commendable and consist of natural boundaries such as hedges, mature trees and short close boarded timber fencing. Dane End is well set back from the road respecting the building lines of adjacent properties. It is uniquely orientated which adds to the character of the property and the road.

'The Drive' as a road is a dead end, which leads to Haste Hill Golf course. It is dominated by two storey, detached single family dwellings on modest to substantially sized plots, which contribute to the suburban character of the area. The properties are centrally positioned on their respective plots and maintain substantial gaps between neighbouring properties. They are well set back from the road giving a lane-like characteristic to the road. Whilst properties along 'The Drive' have been altered and modernised, large built-for-purpose flat developments are not a known or established feature, and would be considered an unwelcome precedent.

This application was refused and dismissed at appeal (APP/R5510/W/16/3164371). The current application also proposes demolishing the house and replacing it with an apartment block of eight flats incorporated within a traditionally styled building which is visually broken up into two houses joined by a glazed link. This is in contrast to the previous application which read as one large detached building. This application is accompanied by a Heritage Statement from the Heritage Collective.

COMMENTS:

The non-designated heritage asset: 46 The Drive

The Heritage Collective statement's main point is their view that 46 The Drive "falls within the very lowest level of heritage significance" and that the benefits of the proposed development would outweigh the "very small degree of harm in heritage terms" of demolition. They reach the conclusion of the low level of heritage significance through an evaluation of the building against the Council's eligibility criteria for local listing. They give the building a rating of 4 thereby suggesting that it falls below the Council's rating for inclusion in the local list.

Firstly it needs to be emphasised that a non-designated heritage asset does not need to be included on a local list to be regarded as such. This is made explicit in the NPPF's glossary for Heritage asse

"Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)."

And in the NPPG which states that there is "no requirement" to place non-designated heritage assets on a local list but that LPAs are "encouraged" to make clear and up to date information on non-designated heritage assets available. This was upheld by the Inspector's report for the appeal (APP/R5510/W/16/3164371) in point 13 where he also stated that he was satisfied that the building "has a sufficient degree of significance because of its heritage interest to be given due regards as a non-designated heritage asset". This remains pertinent to this application.

Having stated the above I would disagree with the Heritage Collective's view that the building falls below the 5-9 bracket for inclusion on the local list. They score the building 0 for Architectural/Artistic interest point e) designed by notable local or national architects engineers or designers. They themselves describe the architects Swannell and Sly as "a prolific, commercial practice of architects and builders that exploited the building boom in the outer suburbs of north-west London/Hertfordshire". In other words that they were high profile and had a strong association with the area. Their rationale it seems for scoring zero is that none of the buildings are listed and when national and metropolitan archives were searched (presumably online) there was only one result. I don't believe that either of these facts merits the conclusion that Swannell and Sly were not notable or local and therefore the score must be higher than 0 taking it into the 5-9 bracket for inclusion on the local list.

The proposal and its impact on the character and appearance of the area:

There have been marginal reductions in the scale and siting of the current proposal. The number of apartments has been reduced by one to eight. When viewed from the road where previously the building had been one single block it is now divided into two with a glazed link, the area above this is now open. The south east corner is set further back from the front boundary to sit more closely in line with the rest of the building.

However, the alterations do not go far enough to counter concerns that it will have a negative impact on the character and appearance of the area. Where previously the footprint was a "T" shape, the central rear projection has simply been shifted to the south to form an "L" shape. It remains three storeys filling the plot very much as it did previously, thereby replacing the open character of the existing house and garden with one that is cramped and at odds with the prevailing centrally sited detached family dwellings set well back from The Drive.

Conclusion

Number 46 The Driveway is a non-designated heritage asset whose demolition would be highly regrettable. I dispute the Heritage Collective's view that it is of low heritage value but instead argue that it easily merits the status of local listing and that its heritage value and significance have been

accepted by the appeal inspector. The proposed development remains an overly large and bulky built form whose visual division into two properties and small alterations in the front building line do not alter the view that it is an inappropriate development on this suburban road and would be an incongruous addition within the street scene. I therefore dispute the Heritage Collective's view that the benefit of the development would outweigh the harm of demolition of the heritage asset. On the contrary in view of NPPF 135 the demolition of number 46 would be of great harm to the heritage asset and the proposed replacement building would not offset this

RECOMMENDATION: Refusal

Trees and Landscaping Officer Comments:

SITE CONTEXT

This site is occupied by a two-storey house, set back from the road, within an exceptionally large plot with a wide frontage. The existing house is situated slightly off-centre, towards the rear of the site. A driveway along the north boundary leads to a double garage on the same boundary. Close to the garages, there is an off-site purple beech tree (approximately 10 metres in height), in the front garden of house number 44. This is not indicated on the plans - but should be. Otherwise, the large garden contains no trees of merit and no other significant landscape features. The purple beech is a protected tree, T4 on the schedule of TPO 441.

COMMENT

This submission follows the previous application ref. 2016/1128, which was refused. According to the response to the planning questionnaire (Q15), there are no off-site trees close to the site which may influence it. In fact, the protected copper beech is close enough to the site to influence it - or be adversely influenced by the development.

The proposed site layout (drawing No. 16-08/105B) fails to show the location / retention of the copper beech.

Although the proposed layout should not have a direct impact, protective measures will be required to safeguard the tree from indirect impacts - including the demolition of the existing garages.

The external amenity space will be dominated and severely compromised by the footprint of the ramp to the underground car park.

If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

RECOMMENDATION

No objection subject to conditions RES6, RES8, RES9 (parts 1,2,4,5 and 6) and RES10.

Highways Officer Comments:

With this re-submission, there is very little to add to previous Highways Officer comments made regarding the prior application for 9 flats (65098/APP/2016/3555). These comments are still valid and can therefore be applied to this new application but with minor variations which are summarised below :

A) The number of unit and mix has altered from 9 flats (3x1,2x2,4x3 beds) to 8 flats (7x2,1x3 beds) resulting in a slightly lower parking requirement of 12 rather 14 spaces. 16 basement spaces are

proposed which is considered acceptable.

B) The cycle parking requirement has now reduced from 13 to 9 spaces and the provision remains at 24 spaces which is welcomed and is therefore acceptable.

C) A suitable bin store has now replaced the redundant disabled bay on the site frontage.

In summary there is no transport/highways related objection to the proposal as was previously the case.

Flooding and Water Management Officer Comments:

When determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that their proposals:

- a) Maintain the structural stability of the building and neighbouring properties;
- b) Avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) Avoid cumulative impacts upon structural stability or the water environment in the local area;

REASON: The proposal could increase flood risk and is therefore not in accordance with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy DMHD 3: Basement Development in emerging Hillingdon Local Plan Part 2 Development Management Policies, Policy 5.12 Flood Risk Management of the London Plan 2016), and National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

A site investigation must be undertaken to inform the proposal, to establish the principle of the basement. Where groundwater is found suitable mitigation provided. For information a proposal where a basement extends the full width of a plot will not be looked on favourably. This basement is proposed to extend on two sides right to the edge of the site boundary, therefore not allowing appropriate mitigation should that be required. Allowance should be left on all sides so that groundwater flows do not impact on the surrounding area. This area has had numerous reports of springs arising and development diverting flows causing flood risk to neighbours.

Environmental Protection Unit Officer Comments:

I have taken a look through the submitted information and there is potential for noise and vibration issues during the construction phase and also internal noise issues needs to be addressed to protect future occupants from noise. These can be dealt with by way of condition and therefore I do not have any objections to the application and suggest the following should you be mindful to grant the application.

Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for pest control, dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.

Approved details shall be implemented throughout the project period.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site.

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ [and $L'_{nT,w}$] of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration.

Metropolitan Police Comments:

I do not object to this proposal, however do request that a condition is applied, to ensure that secured by design accreditation is achieved. This would ensure that appropriate levels of security and crime prevention measures are installed.

Access Officer Comments:

I have no accessibility observations to make at this stage, however, the following planning conditions should be attached to any grant of planning permission:

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 d, is achieved and maintained.

i. Ninety percent of the dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) Accessible and Adaptable dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure an appropriate standard of housing stock in accordance with London Plan policy 3.8 c, is achieved and maintained.

ii. Prior to the occupation of the dwellings hereby approved, evidence of compliance with the prescribed standards for M4(2) and M4(3) dwellings as set out in Approved Document M to the Building Regulations (2010), 2015 edition, shall be submitted to the Local Planning Authority.

REASON: To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 (c) and (d), is constructed.

Legal Officer Comments:

Mr Whale, Counsel for Page Homes Limited, has provided advice on the inspector's appeal decision dated 3 March 2017 and our pre-application preliminary assessment dated 15 January 2018. The latter has not been provided to me, I will need to see this in order to comment on it.

With regards to the inspector's decision, this was made some time before the High Court case of *Bohm v Secretary of State for Communities and Local Government*. Mr Whale says that the inspector did not adopt the approach explained in that case, which is to consider the application as a whole ie consider the demolition of the existing building and the construction of the new building. The inspector can only have been expected to comply with paragraph 135 of the National Planning Framework. I have however considered if his decision had been made after the *Bohm* case, whether his decision does accurately followed the guidance in *Bohm*.

The relevant parts of the judgment in *Bohm* is at paragraphs 34 to 35 which I have reproduced below

'The Inspector also had to apply the policy test in para 135 of the NPPF. Unsurprisingly, given that an NDHA does not itself have statutory protection, the test in para 135 is different from that in paras 132-4, which concern designated heritage assets. Paragraph 135 calls for weighing "applications" that affect an NDHA, in other words the consideration under that paragraph must be of the application as a whole, not merely the demolition but also the construction of the new building. It then requires a balanced judgement to be made by the decision maker. The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter. This is the analysis that the Inspector undertook in the decision letter. She considered the significance of the NDHA in its own right in paras 3-11. Her conclusion in para 10 was that the building had some limited local heritage interest, but that did not weigh significantly in favour of retention. At para 11 she weighed up the loss of the building with the construction of the new building, which she said would be acceptable and would promote and reinforce local distinctiveness. She concluded that there would not be an adverse impact from the loss. This was precisely the "balanced judgement" that she was required to do under para 135.'

I disagree with Mr Whale. It is clear to me that the inspector considered the significance of the existing building in its own right at paragraphs 12 to 14. His conclusion is that the loss of the building would have a harmful effect on the character and appearance of the street scene. At paragraphs 10 and 11 and 15-31 the inspector has considered the proposed development in full and he has arrived at his decision by considering both the loss of the existing building and the effects of the proposed development. This is all of no real relevance in any event as planning appeal decisions can only be challenged in the High Court on a point of law within six weeks of the decision, meaning the deadline for any legal challenge was passed a long time ago.

Ecology Officer Comments:

An Ecological Appraisal report dated January 2016 and a Bat Assessment report dated October 2015 have been submitted with this application. Despite the findings of these reports, this information is not considered to be sufficiently up-to-date given the relevant surveys were carried out on the 22nd September 2015. Therefore, if this application was to be approved, conditions regarding the submission of an up-to-date Ecological Appraisal and Bat Assessment should be imposed.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

HDAS Residential Layouts SPD states that redevelopment of more than 10% of properties on a residential street is unlikely to be acceptable, including the number of houses which have been redeveloped for new blocks of flats.

Policy DMH 4 'Residential Conversions and Redevelopment' of the emerging Development Management Plan states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties have been being redeveloped into flats.
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road to be assessed for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 square metres; and
- iv) units are limited to one unit per floor for residential conversions.

Given that the existing building comprises flats, the principle of flats within this site has been established.

The Local Plan proposals map does not allocate the site for any specific land use. There is currently a residential building containing 3 flats within the site. In principle, optimising or making better use of an existing residential use to increase London's housing stock is supported in planning policy terms, subject to the development not causing any material harm.

7.02 Density of the proposed development

DENSITY

Policy 3.4 of the London Plan (2016) seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The application site has an area of 0.15 hectares and the proposal seeks to provide 1x 3 bedroom and 7 x 2 bedroom units. The local area is considered to represent an suburban context and has a Public Transport Accessibility Level (PTAL) of 1a/1b (Very Poor). Table 3.2 of the London Plan (2016) advises that an appropriate residential density for the site would range from 150-200 habitable rooms per hectare (hr/ha) and 35-55 units per hectare (u/ha) for units with a typical size of 3.8 - 4.6 habitable rooms per unit (hr/u).

The development would have a density of 53 units per hectare and 166 habitable rooms per hectare. The proposed thereby complies with the guidance in the density matrix. Nevertheless, the proposal should be considered against the other relevant planning policies to weigh up whether the proposal constitutes over development of the site and is harmful as a result.

HOUSING MIX

Policy 3.8 'Housing Choice' of the London Plan (2016) encourages a full range of housing choice and policies H4 and H5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) seek to ensure a practicable mix of housing units are provided within residential schemes.

These policies are supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for Councils in assessing their local needs. Policy 3.11 of the London Plan (2016) states that within affordable housing provision, priority should be accorded to family housing.

The development would provide 8 units with a housing mix of 1 x 3 bedroom and 7 x 2 bedroom units. The housing mix proposed at this location serves to provide one family sized unit and is considered acceptable.

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

The site is not located within an area of archaeological interest. Nonetheless, the proposal includes a basement. Therefore, should the application be considered acceptable, a condition should be imposed to safeguard any potential archaeological finds that are of significance.

7.04 Airport safeguarding

Given the scale and nature of the proposal, there is not considered to be any airport safeguarding concerns.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Adopted policy BE1 of the Local Plan Part 1 (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Adopted policy HE1 of the Local Plan Part 1 (2012) requires all new development to conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) seek to ensure that the new development complements or improves the character and amenity of the area, whilst 'saved' policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

Chapter 7 of the London Plan (2016) sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world class, high quality design and design led change in key locations.

Policy 7.8 'Heritage Assets and archaeology' of the London Plan (2016) recommends that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate and development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.9 'Heritage Led Regeneration' of the London Plan (2016) explains that the significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and

economic vitality.

The existing detached attractive building is located on a modest plot along 'The Drive' in Northwood. Originally known as Dane End, the property dates from the early 19th Century and was built by local architects Swannell and Sly, who were well known of their time and responsible for many other notable buildings around Northwood and Rickmansworth. This was the first property to be built along the road. Dane End was originally built as a single family dwelling on a substantially sized plot, this comprised of where numbers 48, 50, 52 and 54 are now situated.

The existing property is well characterised with a steeply pitched gambrel roof form with eaves finishing at ground floor level and gable ends at either side. The property can be described as 2 and a half storeys in height, which is externally finished with a tiled roof and painted render. The property is uniquely orientated with a recessed porch/patio area on the south elevation and an 'M' shaped projecting gable on the north elevation. There is also a single storey element attached to the northern aspect of the main property which may have been the original service wing of the building. The principal elevation (eastern elevation) features the entrance door which is situated under a recessed porch area and characterised by a substantial timber post.

The Council's Conservation Officer has stated that taking into account the historical, architectural and social value of the existing building it would be considered a building of significant heritage value and can be termed as a non-designated heritage asset.

Paragraph 135 of the National Planning Policy Framework (2012) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining applications. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal would result in the complete loss of a non designated heritage asset without demonstrating that this loss would be outweighed by any public or wider benefits. The loss of the building would harm the visual amenity, heritage and social interest of the area. Therefore, the principle of development is unacceptable.

Whilst the original plot of the building was subdivided in the past for the construction of 4 other properties, the existing site remains relatively open and visible from various aspects, maintaining the semi-rural/ suburban principles that the property was most likely originally built with. The southern elevation of the property is visible via the access-way for Nos. 48, 50 and 52. The elevation facing onto 'The Drive' had previously been well screened from the road by well established mature trees.

Dane End is well set back from the road respecting the building lines of adjacent properties. It is uniquely orientated which adds to the character of the property and the road.

'The Drive' leads to Haste Hill Golf course. It is dominated by two storey, detached single family dwellings on modest to substantially sized plots, which contribute to the suburban character of the area. The properties are centrally positioned on their respective plots and maintain substantial gaps between neighbouring properties. They are well set back from the road giving a lane-like characteristic to the road. Whilst properties along 'The Drive' have been altered and modernised, large purpose built flat developments are not a known or

established feature.

The footprint and scale of a building should take into account the size of the site and in turn be proportionate to the space available. The proposed building would be detached and would measure a width of approximately 32.25m. 'The Drive' is characterised by mainly large detached dwellinghouses. However, none would be so wide. No. 44, the adjoining neighbour is one of the largest on the street and it measures approximately 20m wide, whereas most of the other properties are smaller. The depth of the proposed building is also excessive, as it measures approximately 21.45m, this being notably deeper than any of the other buildings on 'The Drive'.

The footprint can determine the built form of a building. However, the built form must respond positively to the established streetscape. The bulk of a building can be defined by its form, height and materiality. Taking into account the perceived bulk of the building, the built form would be considered an incongruous addition along this road. The complicated nature of various projecting elements to the front and rear of the property creates an obtrusive built form, which would not be considered an appropriate design aesthetic along this road. The inclusion of a basement extends the built form of the building below ground and across the entire site leaving limited open space around the proposed building. It does not adequately respond to the sense of openness currently characterising this site and neighbouring properties.

The excessive depth and width of the building is considered to be out of keeping with the existing urban grain of the area and is exacerbated by its positioning within the plot. The proposed building would be positioned approximately 7m to 9m back from the front boundary with the public highway. The neighbouring property (No. 44) is set back 24m and most of the buildings in the street maintain a 14-15m set back from the public highway. It is acknowledged that to the south, No. 54 is closer to the highway. However, this property does not directly face 'The Drive' and is much smaller in scale. In addition, the topography and verdant nature of the site reduces the dominance of No. 54 in the streetscene.

Due to the recent removal of some trees on the site, this has increased the visibility of the site from 'The Drive'. The proposed building would be positioned approximately 15m beyond the building line of No. 44 and 5m beyond No. 42. The proposal would not respect the established building line of the street and given its combined width and height, it would be considered to appear dominant in the streetscene. In addition, the proposal would be considered detrimental to the established rhythmic placing of the existing properties along the road given its width and lack of appropriate set back from the front boundary.

The proposed building would be set back 2.7m from the adjacent access-way. Unlike the previous refusal, it is not considered that the proposed building would have an oppressive impact on this access-way used by properties to the rear.

SUBMITTED HERITAGE STATEMENT

The submitted Heritage Statement (February 2018) notes the Council and the Inspector's consideration of the building as a non-designated heritage asset and criticises the lack of a criteria-based analysis of the relative interest of the building. It is concluded within the statement that when the property is assessed against the Council's eligibility criteria for the inclusion of a building in the local list, the house at no. 46 The Drive would fall within the lowest degree of heritage significance and would not have sufficient criteria. The description

of the property as "uniquely orientated" within a previous Officer report is criticised and it is noted that other properties are similarly orientated. A small degree of interest for the building is noted within the Heritage Statement but its value is criticised. For example, the rear elevation of the house is described as banal by virtue of its service abutment, "clutter" of vents and down pipes. It is considered within this report, that the orientation of the building emphasises this character of the building.

The submitted Heritage Statement (February 2018) assesses the impact of the proposal. It notes that the design has been revised so that the development does not appear as a single property, but a pair of houses. Further, it is highlighted that other properties take up most of their plot widths. It also notes that the proposed design incorporates features, such as timber framed gables, chimneys, dormer windows, porches and timber balconies and utilises a varying palette of materials in order to add to the character of the proposed building. The bulk, scale and built form of the proposed development has been reduced from that of the appeal scheme. The statement also indicates that the increased density should not be considered a deviation from the overall pattern of development on The Drive. It is highlighted that the established building lines vary and that no.54 would remain the closest to the highway. The statement concludes that the proposed Edwardian style buildings would harmonise with the local context.

CASE OFFICER SUMMARY

Despite the conclusions made within the submitted Heritage Statement (February 2018), it is considered that the Council's Conservation Officer comments and Appeal Inspector's decision regarding application reference 65098/APP/2016/3555 hold notable material weight in the consideration of this application. The proposed development would still result in the loss of a non designated heritage asset of significant historic, architectural, and social value, and the development by virtue of its design, bulk, scale, built form, and positioning within the site, represents an incongruous over development of the site, failing to respect the established building line or existing urban grain of the area, appearing dominant and out of keeping with its character and appearance and therefore, harmful to the visual amenity of the area, contrary to adopted policies BE1 and HE1 of the Local Plan Part 1 (2012); policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); and policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016).

7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under policy BE20, whilst potential impacts on daylight/sunlight (policy BE21) and privacy (policy BE24) are also assessed.

Policy OE1 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally.

The nearest property to the development is to the west, No. 50. This property is primarily residential but has a osteopathy clinic as part of the ground floor. The proposed development would be located approximately 4.6m from the shared boundary with this neighbour at its closest point and 10m from the house. At its closest point, the main eaves

line of the development would measure 6m high and a maximum height at the ridge of 10.3m. The flank wall of No. 50 faces the development site and this neighbour has two secondary windows located on this elevation at ground level. At first floor level, there is a primary habitable room window. It is noted that the development complies with the 25 degree test in relation to this window. However, given the height and proximity of the proposal, it is likely to result in loss of outlook to this neighbour and a detrimental sense of enclosure. In addition, the Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document (Residential Layouts) states that 15m will be the minimum acceptable distance between buildings that abut a property or its garden. The distance between No. 50 and the development is much less. Therefore, and despite compliance with the 25 degree test, the proposal is still considered to adversely affect the level of daylight to the first floor level bedroom window to this neighbour. Furthermore, at first floor level, there is a balcony proposed to a living room that would permit overlooking of this window. This would be considered to cause significant loss of privacy and harm to the residential amenity of its occupiers.

The building as proposed would be positioned forward (towards the public highway) from where the existing building is situated on the site. Therefore, unlike the existing residential building, the windows on the southern side wall of No. 44 would not directly face the nearest parts of the proposed building. The nearest parts of the development would be located approximately 16m from this property and is at a slightly lower ground level. Therefore, the impact on outlook and daylight would be less on this neighbour.

To the south, the main front wall of No. 54 is located approximately 23m away from the development. It is noted that there are habitable room openings proposed at first and second floor levels. However, the Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document (Residential Layouts) only requires that a minimum of 21m is maintained as a distance between facing habitable room windows. The proposal thereby accords with this requirement. No. 54 has a wing that contains a window and projects closer to the development, but it is angled slightly away from where the development would be positioned. It is also noted that there is a row of evergreen trees between the sites. Overall, it is not considered that the proposal would result in an unacceptable loss of outlook, detrimental sense of enclosure to openings or loss of privacy to No. 54.

The neighbouring properties on the opposite side of 'The Drive' are located approximately 35m from the development, which would be sufficient to ensure that their occupiers were not impacted by loss of privacy, daylight, outlook, or a detrimental sense of enclosure.

To conclude, the proposed development incorporates balconies/habitable room windows within close proximity of and facing habitable room windows that serve neighbouring properties that would allow overlooking, resulting in loss of privacy, and harming the residential amenity of occupiers within Nos. 50 and 54 'The Drive', contrary to policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document - Residential Layouts.

Also, the proposed development, by virtue of its design, width, depth, height and proximity to neighbouring properties would result in loss of daylight, outlook, and a detrimental sense of enclosure to neighbouring properties, particularly, Nos. 50 and 54 'The Drive', harmful to the residential amenity of occupiers and contrary to policy BE21 and BE23 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document - Residential Layouts.

7.09 Living conditions for future occupiers

INTERNAL LIVING SPACE

The Government's national space standards contained in the Technical Housing Standards and policy 3.5 of the London Plan (2016) set out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants.

Generous and spacious residential floor space provision would be provided which exceed the minimum standards of policy 3.5 of the London Plan (2016) and Technical Housing Standards. All of the units would be multi aspect and would be considered to benefit from adequate outlook and natural daylight.

Level access from the street to the building would be could be conditioned should the application be approved. The core is appropriately positioned and the communal corridors would be acceptable in terms of accessibility. Please see 'Accessibility' below for further consideration of these matters.

The site is not located in an area that suffers from exposure to excessive noise or poor air quality. Therefore, the proposed accommodation is unlikely to suffer from poor air quality or excessive noise, in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policies 7.14 and 7.15 of the London Plan (2016).

EXTERNAL AMENITY SPACE

Policy BE23 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupants which is useable in terms of its shape and siting.

The Hillingdon Design and Access Statement for Residential Layouts SPD requires that a 2 bed bedroom flat provides 25 square metres of amenity space per flat and that 3+ bedroom flats provide 30 square metres per flat.

The overall amenity space requirement for this development is 205 square metres of usable and conveniently located communal garden space. Drawing reference '16-08/105 B' indicates that the proposed amenity space for each flat is as follows:

- Flat 1 - 84.1 square metres
- Flat 2 - 80.6 square metres
- Flat 3 - 68.6 square metres
- Flat 4 - 4.8 square metres (balcony)
- Flat 5 - 6.5 square metres (balcony)
- Flat 6 - 8.2 square metres (balcony)
- Shared amenity space - 241.4 square metres

Paragraph 4.9 of the Hillingdon Design and Access Statement for Residential Layouts SPD states that amenity space should receive adequate daylight and sunlight. Further, paragraph 4.17 states that developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats they serve. It should be of an appropriate size, having regard to the size

of the flats and the character of the area. Where houses have been converted into flats, adequate garden space should be provided according to the number of units created. Space situated adjacent to roads or parking areas will not be considered suitable.

Given the shape and size of some of the proposed amenity space, the quantum of sufficient and adequate amenity space is considered to be less than what is indicated on drawing reference '16-08/105 B'.

Regarding Flat 1, the proposed amenity space to the rear would generally be considered adequate but the strip of space towards the side of the proposed building would not be considered usable or of sufficient quality. Flat 1 is therefore considered to have access to approximately 67 square metres of sufficient and adequate amenity space.

Regarding Flat 2, the proposed amenity is situated adjacent to both a road and an access way. The strip of land to the side of the proposed building is also of a shape and size which is not considered to be usable. Thus, Flat 2 is not considered to have access to any sufficient and adequate amenity space.

Regarding Flat 3, most of the proposed amenity space to the front of the proposed building is considered to be of an adequate standard. The narrow strip of space leading to this space is not, however, considered to qualify. Further, the proposed amenity space to the rear is of such a narrow shape and small size that it is not considered to be usable. Its location immediately next to the proposed access ramp serving the underground car park further reduces its quality. Thus, Flat 3 is considered to have access to approximately 26 square metres of sufficient and adequate amenity space.

Similarly, the shared amenity space to the rear of the site is a narrow strip, located adjacent to the proposed access ramp serving the underground car park and is thereby inconvenient to access. The shared amenity space to the front of the site is situated adjacent to a road. Hence, both proposed forms of shared amenity space are not considered to be sufficient or adequate.

It is recognised that Flats 4, 5 and 6 would benefit from their own private terraces/balconies. It is also noted that the second floor units would not have access to such private amenity space.

Overall, the proposed flats would be served by substandard amenity space and would only have access to approximately 112.5 square metres of sufficient and adequate amenity space. This is a shortfall of 92.5 square metres. Hence, the development proposal would be contrary to policy BE23 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012

- Children's Play Space

Policy 3.6 'Children and young people's play and informal recreation facilities' of the London Plan (2016) recommends that developments that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation sets out guidance to assist in this process.

It is anticipated that there would be less than five children within the development (based on the housing mix). The London Plan and the SPG do not require children's play space for a child population of less than ten. Therefore, provision of children's play space would not be necessary on this site.

7.10 Traffic impact, car/cycle parking, pedestrian safety

TRAFFIC IMPACT/PEDESTRIAN SAFETY

Policy AM2 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that all proposals for development will be assessed against: (i) their contribution to traffic generation and their impact on congestion, particularly on the principal road network as defined in paragraph 14.14 of the plan, and (ii) the present and potential availability of public transport, and its capacity to meet increased demand.

Policy AM7 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that the local planning authority will consider whether the traffic generated by proposed developments is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying through traffic. The local planning authority will not grant permission for developments whose traffic generation is likely to: (i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network; or (ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety; (iii) diminish materially the environmental benefits brought about by new or improved roads; or (iv) infiltrate streets classed as local roads in the borough road hierarchy unless satisfactory traffic calming measures can be installed. Traffic calming schemes should, where appropriate, include environmental improvements such as hard and soft landscaping, and should be completed before the development is first used or occupied.

Policy 6.3 'Assessing effects of development on transport capacity' of the London Plan (2016) states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.

The access to the site would remain in a similar location to existing. However, the plans indicate that it would be enhanced by improving the grass verge and visibility. The access is unlikely to raise any highway safety concerns, although should this application be approved a S106 to secure highway works would be required.

The development would increase the number of units from 3 to 8. This level of intensification is not considered likely to cause significant traffic implications given the capacity of surrounding roads.

The development provides parking at basement level accessed via a ramp. It would have a gradient of 1:12 which is considered acceptable. However, it contains bends which could raise highway safety concerns. Therefore, should the application be approved, a condition should be imposed to ascertain a signal scheme for the ramp to safeguard future users or to deliver other measures to address this highway safety concern. In addition, the parking space at ground level has potential to raise highway safety concerns by causing a conflict between vehicles entering/exiting the basement and vehicles manoeuvring in and out of the space. However, the Council's Highway Engineer considers the proposal to provide more

car parking than is needed. Therefore, this space could be removed from the scheme to make it acceptable.

Subject to conditions, the proposal is considered to be acceptable in terms of access, traffic impact, and pedestrian safety, in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policy 6.3 of the London Plan (2016).

CAR/CYCLE PARKING

Policy AM14 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that new development will only be permitted where it is in accordance with the council's adopted car parking standards.

Policy AM15 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that all car parks provided for new development shall contain conveniently located reserved spaces for disabled persons in accordance with the council's adopted car parking standard

Policy 6.9 'Cycling' of the London Plan (2016) states that development should provide a secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards (or subsequent revisions).

Policy 6.13 'Parking' of the London Plan (2016) sets maximum standards laid out in Table 6.2 in the parking addendum. In addition, developments must:

- ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles
- provide parking for disabled people
- meet the minimum cycle parking standards set out in Table 6.3
- provide for the needs of businesses for delivery and servicing.

The development would provide a total of 16 car parking spaces and includes 2 disabled parking bays. Given the site has a PTAL of 1a/1b, this level of provision would be considered acceptable. The level of disabled car parking is also satisfactory. Should the application be approved, a condition should be imposed to secure a satisfactory level of electric charging points.

The proposal includes provision for 24 cycle parking spaces which would be located at basement level. They would be secure and sheltered, however, there is concern regarding their access. Specifically, whether there is cycle friendly doors and lift with adequate width and automation. Should the application be granted, a condition to secure adequate access to/from the cycle parking for cyclists would be required.

Overall, subject to conditions, the level of parking would be considered policy compliant and acceptable, in accordance with policies AM14 and AM15 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policies 6.9 and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

URBAN DESIGN

Please see 'Impact on the character & appearance of the area' section of this report for

consideration of how the design of the development impacts the visual amenity of the area

ACCESSIBILITY

Subject to a condition to ensure that all of the units would be designed to the standards of 'accessible and adaptable' M4(2) of Approved Document M of the Building Regulations (2015), the proposal would be considered to comply with policy 3.8 'Housing Choice' of the London Plan (2016) and ensure the delivery of a range of housing types that meet the diverse needs of Londoners and an ageing population.

SECURITY

Please see 'Living conditions for future occupiers' section of this report for consideration of security.

7.12 Disabled access

Please see 'Living conditions for future occupiers' and 'Urban design, access and security' sections of this report for consideration of disabled access.

7.13 Provision of affordable & special needs housing

Should this application be approved, highways works to secure an appropriate access from 'The Drive' would be sought.

In addition, local and mayoral CIL would be required.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPING

Policy BE38 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

Policy BE39 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that the Local Planning Authority recognises the importance of Tree Preservation Orders in protecting trees and woodlands in the landscape and will make orders where the possible loss of trees or woodlands would have a significant impact on their surroundings.

Policy OL26 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) recommends that the Local Planning Authority will protect trees and woodlands and encourage the preservation, proper management and in appropriate locations the extension of woodlands. Proposals for development in the more rural areas of the borough should be accompanied by proposals for landscaping and tree planting wherever practicable, and the retention of existing landscaping features where appropriate.

Policy 7.21 'Tree and Woodlands' of the London Plan (2016) stipulates that existing trees of value should be retained and any loss as the result of development should be replaced.

As stated by the Council's Trees and Landscaping Officer, the protected copper beech tree is close enough to the site to influence the development or be adversely influenced by the development. The proposed site layout (drawing No. 16-08/105B) fails to show the location

or retention of the copper beech tree, and protective measures would be required to safeguard it against any indirect impacts. It is also noted that the external amenity space will be dominated and severely compromised by the footprint of the ramp to the underground car park. If the application was to be approved, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

Subject to conditions as requested by the Council's Tree and Landscaping Officer, the proposal would be considered acceptable in terms of tree protection and landscaping, in accordance with local, regional and national planning policy.

ECOLOGY

An Ecological Appraisal report dated January 2016 and a Bat Assessment report dated October 2015 accompanies the planning application and concludes that the site is of low ecological value, with minimal potential to support protected, priority or rare species, or with significant abundance of common or widespread species, and with no UK priority habitats present. As stated by the Council's Ecology Officer, this information is not considered to be sufficiently up-to-date. Therefore, if this application was to be approved, conditions regarding the submission of an up-to-date Ecological Appraisal and Bat Assessment would be imposed.

Subject to these conditions, the development is considered acceptable in terms of ecology, in accordance with policies EC2, EC3, EC4, EC5, and EC6 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policy 7.19 of the London Plan (2016).

7.15 Sustainable waste management

Waste storage would be provided at ground level in a self contained refuse building next to the access road to the basement. The plans indicate that sufficient space would be provided to accommodate adequate capacity for waste and recycling. It would also be conveniently located for future occupants and for collection. Therefore, the refuse and recycling storage proposed would be acceptable, in compliance with policy 5.17 of the London Plan (2016).

7.16 Renewable energy / Sustainability

Given the scale and nature of the proposed development, it is not considered likely to raise significant sustainability concerns.

7.17 Flooding or Drainage Issues

The site is not located in an area at risk from flooding. However, when determining proposals for basement and other underground development, the Council will require an assessment of the impact of the scheme on drainage, flooding, groundwater conditions and structural stability. A site investigation should be undertaken to inform the proposal, and where groundwater is found then suitable mitigation should be provided.

In the absence of this site investigation/assessment, the proposal is recommended for refusal by the Council's Flood and Water Management Officer due to potential adverse impact from the development on drainage, flooding, ground water conditions, and structural stability.

The proposed development has failed to demonstrate that it would not result in adverse impact on drainage, flooding, ground water conditions, and structural stability, contrary to policy EM6 Flood Risk Management in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (2016); and National Planning Policy Framework (2012).

7.18 Noise or Air Quality Issues

Given the scale and nature of the proposed development, it is not considered likely to cause significant noise or air quality issues, in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policies 7.14 and 7.15 of the London Plan (2016).

7.19 Comments on Public Consultations

Please see 'external consultees' section of this report.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

CONTAMINATION

The Council's Environmental Health Officer has been consulted on the proposal and raises no concern regarding contamination subject to the imposition of a condition for soil testing. On this basis, the proposal is not considered likely to cause harm to future occupiers or construction workers, in accordance with policy 5.21 of the London Plan (2016).

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 Probitry 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

Not applicable to this application.

10. CONCLUSION

Having considered the proposal against all of the relevant planning policies, the development is not considered acceptable and should be refused.

The proposals have failed to overcome the previous reasons for refusal. More specifically, the development proposal would result in the loss of a non designated heritage asset of significant historic, architectural, and social value, and the development by virtue of its design, bulk, scale, built form, and positioning within the site, represents an incongruous over development of the site, failing to respect the established building line or existing urban grain of the area, appearing dominant and out of keeping with its character and appearance and therefore, harmful to the visual amenity of the area, contrary to adopted policies BE1 and HE1 of the Local Plan Part 1 (2012); policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); and policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016).

The proposed development incorporates habitable room windows within close proximity of and facing habitable room windows that serve neighbouring properties that would allow overlooking, resulting in loss of privacy, and harming the residential amenity of occupiers within No. 50 'The Drive', contrary to policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document - Residential Layouts.

The proposed development, by virtue of its design, width, depth, height and proximity to neighbouring properties would result in loss of daylight, outlook, and a detrimental sense of enclosure to neighbouring properties, particularly, No. 50 'The Drive', harmful to the residential amenity of occupiers and contrary to policy BE21 and BE23 of the Hillingdon

Local Plan: Part 2 Saved UDP Policies (Nov 2012) and Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document - Residential Layouts.

The development proposal, by virtue of insufficient and inadequate external amenity space provision would offer substandard residential accommodation for future occupiers to their detriment, contrary to policy BE23 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012).

The proposed development has failed to demonstrate that it would not result in adverse impact on drainage, flooding, ground water conditions, and structural stability, contrary to policy EM6 Flood Risk Management in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (2016); and National Planning Policy Framework (2012).

11. Reference Documents

The Hillingdon Local Plan: Part 1 - Strategic Policies (8th November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan (2016)

National Planning Policy Framework (2012)

Technical Housing Standards - Nationally described space standards (2015)

Council's Supplementary Planning Guidance - Air Quality

Council's Supplementary Planning Guidance - Community Safety

Council's Supplementary Planning Guidance - Land Contamination

Council's Supplementary Planning Document - Accessible Hillingdon

Council's Supplementary Planning Document - Affordable Housing

Council's Supplementary Planning Document - Noise

Council's Supplementary Planning Document - Planning Obligations

The Mayor's Housing Supplementary Planning Guidance

Contact Officer: Michael Briginshaw

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

**46 The Drive
 Northwood**

**LONDON BOROUGH
 OF HILLINGDON**

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

Planning Application Ref:
65098/APP/2018/1128

Scale:
1:1,250

Planning Committee:
North

Date:
July 2018

