

Report of the Head of Planning & Enforcement

Address NORTH OF ROUNDWOOD HOUSE NORTHWOOD ROAD HAREFIELD

Development: Construction of new vehicular access with associated hedgerows, timber fencing and gates.

LBH Ref Nos: 53258/APP/2010/91

Drawing Nos: Planning Statement (DAS)
25211/001 Rev. A
25211/005 Rev. A
25211/006
Photographs
25211/004
310022/DWG/SK051 Rev. AF
25211/009 Rev. B
Planting Schedule and Fencing Specifications

Date Plans Received: 18/01/2010 **Date(s) of Amendment(s):**

Date Application Valid: 25/01/2010

1. SUMMARY

Planning permission is sought for the construction of a vehicular access with associated timber fencing, hedgerows and gate. The proposal does not constitute inappropriate development nor would it injure the visual amenities of the Green Belt. Furthermore, it would represent an improvement on the appearance of the street scene and highway and pedestrian safety.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 **Time Limit - full planning application 3 years**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

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

2 OM1 **Development in accordance with Approved Plans**

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

REASON

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

3 TL6 **Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved

landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

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

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

REASON

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

4 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL1 Green Belt - acceptable open land uses and restrictions on new

	development
OL3	OL3 Green Belt -
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

3 I1 Building to Approved Drawing

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

4 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises agricultural land located on the north west side of Northwood Road immediately to the north of Roundwood house. The surrounding area is rural in character and appearance and the application site lies within the Green Belt as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The original access was approved in 1998. It has been widened from 4.5m to 9.2m wide, by National Grid so that they could access the land to lay the Harefield to Southall gas pipeline, carried out under permitted development.

This application seeks to reduce the width of the access to 6m wide, some 1.5m wider than the original access. The access would comprise a driveway some 12m long measured from the road with 1.8m high timber fencing and hedgerows along the perimeter of the driveway. A 1.8m timber gate is also proposed at the end of the driveway.

3.3 Relevant Planning History

53258/98/1586 North Of Roundwood House Northwood Road Harefield
Formation of a means of vehicular access to the highway with the installation of a 1.5 metre high gate and posts

Decision: 18-12-1998 Approved

Comment on Relevant Planning History

None

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL3 OL3 Green Belt -
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

Site Notice Expiry Date:- Not applicable

5.2

6. Consultations

External Consultees

6 adjoining owner/occupiers and the Ickenham Residents' Association consulted. 1 letter received objecting to the proposal on the grounds that the increase in the width of the crossover will spoil the rural character of the area.

Harefield Tenants & Residents' Association:

"Our members discussed this application at our recent meeting and it is our view that the access to this field should be returned to its original width which blended into the countryside. We do not feel the applicant has shown sufficient evidence to support the request to increase the original access to the field by more than a metre."

Internal Consultees

Highways:

No objection is raised on the highways aspect of the proposals.

Trees/Landscape:

The proposed development, including the planting of two new sections of 'native' hedgerow to extend the existing hedge on the road frontage, is acceptable, subject to condition TL6 and TL7.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Planning Policy Guidance Note 2: Green Belts (PPG2) states that the most important attribute of the Green Belt is its openness. Therefore, the construction of new buildings in the Green Belt is inappropriate unless it is for a limited range of uses including agriculture, forestry, recreation, limited alteration/re-building of dwellings, and infilling major developed sites as identified in adopted plans.

PPG2 also makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations and that it is for the applicant to show why permission should be granted.

Paragraph 3.4 of PPG 2 states that the construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- (i) agriculture and forestry;
- (ii) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;
- (iii) limited extension, alteration or replacement of existing dwellings;
- (iv) limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3; or

(v) limited infilling or redevelopment of major existing developed sites identified in adopted local plans.

The proposed access would provide access for agricultural vehicles to agricultural land and vehicles associated with White House, an established building in the Green Belt. As such, the proposal does not constitute inappropriate development.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

The proposed access and associated fencing and hedgerows would represent an improvement over the existing appearance of the site as it would involve additional landscaping. The proposal is not considered to represent a disproportionate change in the appearance and character of the site, would not significantly increase the built up appearance of the site and would not injure the visual amenities of the Green Belt, in accordance with policies OL3 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.06 Environmental Impact

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposed hedgerow and timber fence are considered to harmonise with the existing rural character of the street scene. They would not appear overdominant and would relate satisfactorily with the surrounding area generally. Overall, the proposal would comply with policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

Given the nature of the proposed works, the proposal would not harm residential amenity.

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The applicant has advised that the work by National Grid will soon be coming to an end and there is no requirement for the current access to be retained at its current width. The widening of the access has removed part of the hedgerow on either side of the access which has increase visibility.

The access is used by agricultural vehicles and vehicles associated with White House. If the access was returned to its previous state, the access gate would be on the highway boundary. In this location, vehicles would have to wait on the highway whilst the gates are opened, prejudicing highway and pedestrian safety.

Reinstating the gates some 12m back from the highway would alleviate this highway issue and result in an improvement on highway and pedestrian safety.

The proposed access would maintain visibility for vehicles exiting onto the highway. Overall, the proposal would comply with policies AM7(ii) of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

This is not applicable to this application.

7.12 Disabled access

This is not applicable to this application.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

The proposed native hedgerows are considered to improve the landscape appearance of the area and as such would comply with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

The comments raised are addressed in the report.

7.20 Planning Obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

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

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

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

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

infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

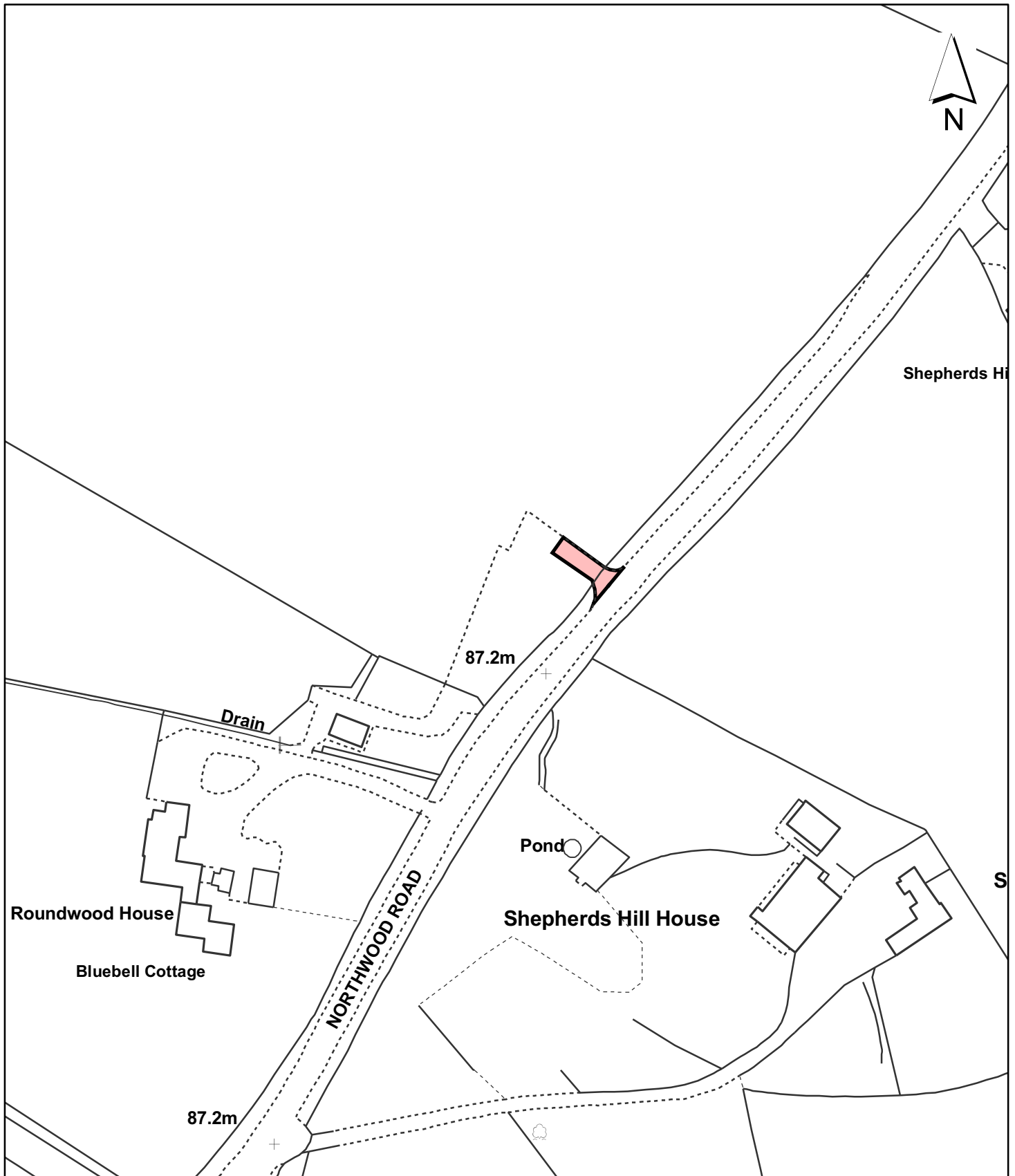
The proposal would represent an improvement on the visual amenities of the street scene and on highway and pedestrian safety. As such, this application is recommended for approval.

11. Reference Documents


Planning Policy Guidance Note 2: Green Belt
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

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Notes

 Site boundary

For identification purposes only.

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Site Address

**North of Roundwood House
Northwood Road
Harefield**

Planning Application Ref:

53258/APP/2010/91

Planning Committee

North

Scale

1:1,250

Date

April 2010

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

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