

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT 37-45 DUCKS HILL ROAD NORTHWOOD

**Development:** Erection of 8 detached and 6 semi-detached dwellings with associated access, parking and landscaping.

**LBH Ref Nos:** 59214/APP/2010/1776

**Drawing Nos:** 1834/PL02  
1834/PL03  
1834/PL04  
1834/PL14  
1834/PL13  
1834/PL05 Rev. A  
1834/PL06  
1834/PL07 Rev. A  
1834/PL08  
1834/PL09  
1834/PL10  
1834/PL11  
1834/PL12  
Design & Access Statement  
Land Registry Documents  
Transport Statement, dated 20th July 2010  
Low and Zero Carbon Technologies Options Appraisal, Final Report July 2010  
Arboricultural Implication Assessment and Arboricultural Method Statement, dated 21st July 2010  
Tree Survey Report, dated 28th August 2009  
Phase 2 Ecological Survey (Bat and Reptiles), August 2010  
1834/PL00 Rev. A  
1834/PL01 Rev. A  
1834/PL15  
1834/PL16  
1834/PL17

Letter dated 7/10/10  
Phase 1 Ecological Survey, June 2010

**Date Plans Received:** 30/07/2010      **Date(s) of Amendment(s):** 30/07/2010  
**Date Application Valid:** 17/08/2010      12/10/2010

### 1. SUMMARY

Planning permission is sought for the erection of 8 detached and 6 semi-detached houses with accommodation in the roofspace with associated access, parking and landscaping. The site formally comprised five detached dwellings, but has since been cleared, in anticipation of implementing a previous planning permission for the re-development of this site to provide 6 two-storey blocks comprising 21 flatted units, but the applicants advise that this scheme is no longer viable in the current economic climate. The site contains a number of trees protected by Tree Protection Orders and is bounded by Green Belt land to the south and east, which is also designated as an Area

of Nature Conservation of Grade II Borough Importance.

The proposed layout and design of the scheme is considered acceptable, with the siting of the houses allowing for the retention of the majority of important trees on and off the site. The houses have also been configured to minimise any adverse effects upon neighbouring properties to the north and west of the site. Furthermore, the development would not have an adverse impact upon the amenity of the adjoining Green Belt and would provide suitable safeguards and mitigation works so as not to harm protected species and maintain and enhance the ecological interest of the surrounding area. Adequate car parking would be provided, following the receipt of amended plans, access arrangements are adequate, subject to conditions and it is unlikely that the traffic generation would prejudice the free flow of traffic or safety on the adjoining highway. The scheme would also be capable of satisfying 20% of its energy demand from renewables, which has been conditioned. A financial viability appraisal has been submitted with the application and independently assessed, and it is considered that the development would not be capable of providing affordable housing. Finally, the scheme would make an adequate contribution towards community and education facilities to offset the impact of the development upon local services, which would be controlled by a S106 Agreement.

## **2. RECOMMENDATION**

**That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following:**

**1. That the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:**

**(i) A financial contribution of £117,713 for education facilities and places (ii) A financial contribution of £11,678.51 for healthcare facilities and places.**

**(iii) A financial contribution of £20,000 towards community facilities/the public realm.**

**(iv) A financial contribution of £1,239.70 towards libraries.**

**(v) A financial contribution towards training initiatives equal to £2,500 for every £1 million build cost.**

**(vi) The applicants pay a sum to the Council of 5% of the value of contributions for specified requirements to project manage and oversee implementation of elements of the completed planning (and/or highways) agreement(s).**

**(vii) The applicant shall agree to the full and complete costs to undertake the necessary works, as identified by the Council, for off site highway works, including:**

**a) Junction improvements to the site access with Ducks Hill Road**

**(viii) Agreement that if the applicant implements this permission, they will not implement permission 59214/APP/2005/951 or any part thereof.**

**2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.**

**3. If the S106 Agreement has not been finalised by 16th November 2010, the application will be refused for the following reason:**

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, health, community facilities and libraries, construction and employment training facilities, monitoring and highway junction works). The proposal therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That the application be deferred for determination by the Head of Planning and Enforcement under delegated powers.

6. That if the application is approved, the following conditions be attached:

**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 M1 Details/Samples to be Submitted**

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

**REASON**

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

**3 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the houses are occupied. Development shall be carried out in accordance with the approved details.

**REASON**

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

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

**REASON**

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

## **5 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

### **REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **6 OM19 Construction Management Plan**

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

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

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

### **REASON**

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

## **7 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

### **REASON**

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

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

The first floor and rooflight windows on the side elevations of the houses shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

**9 RPD4 Prevention of Balconies/Roof Gardens**

The flat roof area of the single storey rear projecting addition hereby permitted on Plots 4, 5, 6 and 7 shall not be used as a balcony, roof garden or similar amenity area.

REASON

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

**10 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

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

**11 RPD9 Enlargement to Houses - Roof Additions/Alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed.

REASON

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

**12 NONSC Non Standard Condition**

Notwithstanding the approved plans, side screens glazed with permanently obscured glass shall be provided to the rear balconies on Plots 2, 3, 11, 12, 13 and 14 for so long as the development remains in existence.

REASON

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

**13 NONSC Non Standard Condition**

The houses shall not be occupied until the access and parking spaces have been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority. The access road and parking spaces shall be permanently maintained and available for such at all times thereafter to the reasonable satisfaction of the Local Planning Authority.

REASON

To ensure the provision of a safe and convenient access for vehicular traffic, and adequate facilities are provided prior to occupation in accordance with Policy AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**14 NONSC Non Standard Condition**

The development hereby approved shall not commence on site until full details of the access road junction have been submitted to and approved in writing by the Local Planning Authority. The houses shall not be occupied until the junction has been constructed in accordance with the approved details.

**REASON**

To ensure the provision of a safe and convenient access for vehicular traffic in accordance with Policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**15 NONSC Non Standard Condition**

The accesses to the proposed car parking spaces shall be provided with those parts of a 2.4m x 2.4m visibility splay which can be accommodated within the site in both directions and shall be maintained free of all obstacles to visibility between heights of 0.6m and 2.0m above the level of the adjoining highways.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**16 NONSC Non Standard Condition**

The proposed access to the site shall be provided with driver visibility splays of 2.4m x 90m in both directions and shall be maintained free of all obstacles to visibility (unless otherwise agreed by the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**17 NONSC Non Standard Condition**

Before the development hereby permitted commences, details of street lighting shall be submitted to and agreed in writing by the Local Planning Authority. The access road shall be lit in accordance with BS5489 - 1:2003, and the lighting shall be permanently maintained thereafter.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**18 NONSC Non Standard Condition**

Notwithstanding the details shown on Drw. No. 1834/PL00, revised details of the siting of the vehicle and pedestrian gates shall be submitted to and approved in writing by the Local Planning Authority, to ensure that the gates would be set back at least 10m from

the edge of the highway. The development shall be carried out in strict accordance with the approved revised details.

#### REASON

To ensure, in the interests of highway and pedestrian safety, that adequate space would be available to allow vehicles entering the site to wait off the public highway whilst the gates opened, in accordance with Policy AM7(ii) of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **19 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

#### REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **20 TL2 Trees to be retained**

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

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **21 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of

trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

#### REASON

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

### **22 TL5 Landscaping Scheme - (full apps where details are reserved)**

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

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

The scheme shall also include details of the following: -

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

#### REASON

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

### **23 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).

#### **24 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).

#### **25 TL21 Tree Protection, Building & Demolition Method Statement**

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

#### REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **26 NONSC Non Standard Condition**

Prior to commencement of development, a scheme for the safe capture and removal of slow worms should be submitted to and agreed in writing with the Local Planning Authority. The scheme shall follow the reptile mitigation proposals outlined in Chapter 7 of the Ecology Report. The scheme shall set out the type of fencing to be used, where and when it will be sited and how long it will be in place for. The scheme shall set out a programme for capturing and relocating the slow worms, when it will start and finish and the exact destination of any captured reptiles. The development must then proceed in accordance with the approved scheme.

#### REASON

To ensure the protection and safe relocation of any slow worms (UK Protected Species) found on the site in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**27 NONSC Non Standard Condition**

The development shall proceed in accordance with the Reptile Mitigation Plan shown in Appendix 4 of the Phase 2 Ecological Survey (Bat and Reptiles)  
Ref: R116/Final.

**REASON**

To ensure the ongoing protection of slow worm (UK Protected Species) in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**28 NONSC Non Standard Condition**

No trees shall be removed during the summer bat breeding season (May to August inclusive) and the winter bat hibernation season (December to February inclusive).

**REASON**

To minimise the risk of harm to Bats (a European Protected Species) in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**29 NONSC Non Standard Condition**

Prior to the commencement of development, a scheme for the enhancement of wildlife and habitats should be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify areas of suitable enhancement opportunities including bat and bird boxes, as well as suitable areas for further reptile enhancements. The development shall be carried out in strict accordance with the approved scheme.

**REASON**

To ensure the enhancement of wildlife and habitats in accordance with in Policy 3D.14 of the London Plan.

**30 NONSC Non Standard Condition**

Prior to the commencement of development, an energy management strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate the final designs and technologies required to reduce the CO2 emissions by 20% from renewable energy sources. The scheme shall also detail how the technology will be monitored and measured. The development shall proceed in strict accordance with the approved scheme.

**REASON**

To ensure the development reduces its carbon emissions in accordance with Policy 4A.7 of the London Plan (February 2008).

**31 NONSC Non Standard Condition**

Before any part of this development is commenced a site survey to assess the land contamination levels, including ground gas shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the

buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works. Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

**REASON**

To ensure that the occupants and users of the development are not subject to any risks from contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**32 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Furthermore 1 of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'. Before the development hereby approved commences, full details of the layout of this unit shall be submitted to and agreed in writing by the Local Planning Authority.

**REASON**

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

**33 SUS5 Sustainable Urban Drainage**

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

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**34 SUS8 Electric Charging Points**

Before development commences, plans and details of an electric vehicle charging point, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

**REASON**

To encourage sustainable travel and to comply with London Plan Policy 4A.3.

**35 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to

achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

#### **36 NONSC Non Standard Condition**

Prior to the commencement of works on site, full details of the bin collection point shown on Drw. No. 1834/PL15 received on 12/10/10 shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that adequate facilities are provided, in accordance with Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2008).

### INFORMATIVES

#### **1 152 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).

#### **2 153 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.

OL5	Development proposals adjacent to the Green Belt
OL26	Protection and enhancement of trees, woodland and landscape features
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC3	Potential effects of development on sites of nature conservation importance
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS9	Biodiversity and Geological Conservation
LP	London Plan (February 2008)
HDAS	'Residential Layouts', July 2006 & 'Accessible Hillingdon', January 2010
SPD	Mayor's Interim Housing Supplementary Planning Guidance, April 2010
SP	Council's Planning Obligations Supplementary Planning Guidance, July 2007
BE7	Development schemes on the south-east side of Ducks Hill Road

### **3            11            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            13            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            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

**6**            16                    **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**7**            115                    **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.

**8**            121                    **Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

**9**            145                    **Discharge of Conditions**

Your attention is drawn to conditions 2, 3, 5, 6, 14, 18, 19, 21, 22, 24, 25, 26, 29, 30, 31, 32, 33 34, 35 and 36 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

**10**

It is contrary to Section 163 of the Highways Act 1980 for surface water from private land

to drain onto the highway or discharge into the highway drainage system.

## 11

The applicant should enter into a S278 Agreement to carry out the access and lighting works on the highway as required.

## 12 IT05 **Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

### 3. **CONSIDERATIONS**

#### 3.1 **Site and Locality**

The site is located to the east of Ducks Hill Road, south of Mallard Way with the main part of the site set back by approximately 60m from the road, linked by a vehicular access. The irregular shaped site extends to approximately 0.76 hectares and generally slopes down towards the south and east. The site formerly comprised 5 residential properties but it has now been cleared and is currently vacant, and the access has been closed with hoarding. There are many mature trees on site, mainly located on the site boundaries with an open grassed area in the centre. The site is covered by TPO 41.

To the north, the site adjoins a two storey residential terrace in Mallard Way and further to the north, two detached houses in Chelwood Close. To the west of the site, north of the access, is Marchbank House, a detached block of 16 flats. To the east, south and west of the site (south of the access road) is a wooded area, which was previously worked as part of the Northwood Gravel Pits and now forms public open space and is part of the Green Belt and a designated Nature Conservation Site of Borough Grade II or Local Importance. The site forms part of the 'developed area' as identified in the adopted Unitary Development Plan Saved Policies (September 2007).

#### 3.2 **Proposed Scheme**

This application seeks permission to erect 8 detached and 6 semi-detached houses with accommodation in the roof, with associated access, parking and landscaping. The semi-detached properties would provide 2 x four-bedroom and 4 x five-bedroom properties and the detached properties would provide five-bedroom properties, although 6 of these would have the potential to provide a sixth bedroom. The access road would be gated with ornate 2.1m high brick piers with ball finials above and 1.95m to 2.35m high railings.

The detached and pairs of semi-detached houses would have square footprints, with a typical width of 11m in the case of the detached houses and 6.5m in the case of the semi-detached houses. The houses would have small crown roofs, with a typical eaves height of 6m and ridge height of 10.2m. The detached houses are double fronted and the semi-detached properties have two storey projecting wings with both gable and hipped roofs. Variation is also added to the house design by incorporating a variety of features, including projecting two storey side and rear wings, single storey rear additions, front and rear balconies, front and rear dormers, integral and detached garages.

A similar scheme was the subject of pre-application advice.

A number of reports have been submitted in support of the application, namely:-

#### Design and Access Statement:

This outlines the proposal, lists the planning documents and describes the planning history. It goes on to describe the site and highlights the relevant planning policies. Recent history on the site is described, stating that the site was cleared in 2008 to allow for the commencement of the flatted scheme of 21 units in six blocks with basement parking granted under consent 59214/APP/2005/951. Due to the recession, the land is now in the control of the official receiver. A financial appraisal of the flatted scheme has also demonstrated that in the current market, this scheme is no longer viable. The layout and design of the overall scheme is then described. The statement goes on to describe how the scheme satisfies lifetime homes standards, and internal floor area and amenity space standards. Issues surrounding trees, energy and sustainability, ecology and wildlife and highway matters are mentioned, often referring the reader to the other relevant submitted reports. The report then states that the scheme satisfies the criteria of the SPG 'Community Safety by Design' with well defined public and private space, with houses overlooking public and communal areas to allow good natural surveillance with pathways being well lit. As regards social housing the report refers to a viability test which concludes that the purchase price paid for the site, which is recorded on the Land Registry Title, would not allow for social housing to be supported. It is also noted that no affordable housing was sought on the previously approved flatted development of 21 units. The statement concludes that the scheme satisfies all relevant planning considerations, results in a lower density with smaller housing blocks, allowing a softer edge and graded transition into the Green Belt, avoids those heavy lorry movements associated with basement construction. It will allow a high quality and greener solution and represents a significant improvement upon the approved development.

#### Transport Statement:

This describes the study and the surrounding highway network. A comparison is made with the previously approved flatted scheme. The study identifies that there will be a small increase in traffic generation over and above the predicted flows for the extant consent for flats, namely 4 vehicles per hour two-way in the morning peak and 3 vehicles per hour two-way in the evening peak. However, the location of the proposed access, on the outside of a bend, with visibility of 2.4 x 90 metres in both directions, coupled with the relatively low volumes of traffic generated, it is not considered that there would be any capacity or safety issue. Refuse vehicles will be able to turn around within the site and exit in a forward gear. Two car parking spaces will be provided per dwelling. Space for two cycles will also be provided for each dwelling, within a cycle shed in the rear gardens. The report then goes on to discuss alternative means of transport and concludes that there are no highway, traffic or transport reasons to prevent this scheme from being granted.

#### Low and Zero Carbon Technologies Options Appraisal:

This provides an executive summary and an introduction. In order to calculate the reduction needed for a 20% saving in CO2 emissions, a baseline figure of carbon emissions for the development is calculated to satisfy Part L of the Building Regulations. This figure is revised to allow for thermal improvement of the houses, with improved performance of the building, efficient heating systems etc. The availability and suitability



of the site for various renewable systems is then assessed. The report concludes that the most appropriate means of reducing CO2 emissions by 20% would be Ground Source Heat Pump heating systems to all units or a combination of Air Source Heat Pumps with either photovoltaic panels or a combination of solar thermal and solar photovoltaic panels.

#### Arboricultural Implication Assessment and Arboricultural Method Statement:

The Arboricultural Implication Assessment describes the site, the proposed development and the classification of trees used in the study. The report then goes on to assess the implications of the trees for the development, focusing upon the more important trees on site. A list of the tree proposed is provided, together with a brief discussion of the implications for protected species, re-planting, storage of materials, services and tree protection. The Arboricultural Method Statement details the tree works and timings.

#### Tree Survey Report:

This describes the methodology employed on the Tree Survey.

#### Phase 1 Ecological Survey, June 2010:

This provides a summary, describes the site and provides a legislative background for protected species, dealing with amphibians, bats, badgers, birds and reptiles. National and local policy is described. Survey methods have included a walkover survey and biodiversity records have been searched. Survey constraints are noted. Surrounding designated nature conservation sites are described. No records of protected species relate to the application site. The site is then described and habitat types recorded, namely tall ruderal vegetation and ephemeral/short perennial mosaic, marshy grassland, amenity grassland, scattered scrub, introduced shrubs, intact hedgerow and scattered trees. Habitat flora is recorded. Fauna seen on site is recorded, which included a roe deer, and there was evidence of badger activity.

The report then discusses the ecological value of the site and its potential to support protected species. The site is considered to offer potential for reptiles. Badgers and foxes are known to be present in the adjoining Gravel Pits and the site is used for foraging, but the adjoining woodland would be the dominant foraging area. The ivy clad trees also offer potential for bat roosts. The marshy grassland and small areas of standing water are unlikely to support breeding amphibians, particularly great crested newts which tend to need much larger and deeper bodies of water with submerged and emergent vegetation. Also, mapping shows that there are no potential breeding ponds for great crested newts within 500m. There are a few dead trees on the site boundaries that may support stag beetles. The report then goes on to assess the impact of the proposals and states that the loss of tall ruderal vegetation and ephemeral/short perennial vegetation would not be likely to result in the loss of high biodiversity habitat, but there is potential for key species of conservation importance to use the site, particularly reptiles and therefore further survey work is required. The woodland edge would also need to be retained following development, minimising impact if reptiles found to be present. As regards badgers, four sett entrances were present within 10 metres of the site boundary, one being only 3 metres away. Any ground works with machinery could be potentially disturbing to them. A Natural England site licence should be sought. Further survey work is required as regards the potential of the trees to support bat roosts. The report concludes with recommendations, including the need for further survey work as regards reptiles and bats, precautions to be taken as regards badgers, including the need for a

licence as regards the excavation work using machinery, trees and shrubs to be removed once bird nesting is finished and consideration should be given to the formation of a buffer zone between the woodland and any development.

Phase 2 Ecological Survey (Bat and Reptiles), August 2010:

This provides a summary, stating that this survey follows a phase 1 survey, which identified the potential for bats to roost with three trees being affected and for reptiles to be present on site. The site is described, together with the legislative framework. The bat and reptile survey methods are discussed, together with the survey constraints. The report then goes on to discuss the survey findings. As regards bats, emergence and re-entry surveys were undertaken at the trees during June and July, but there was no evidence of bats roosting in the trees. Common pipistrelle and soprano pipistrelle were recorded consistently during surveys, foraging on the hedgerows and wooded site borders and their timings suggest that both species are roosting close to the site. Occasional noctule passes were also recorded, suggesting roosting close to the site. Slow worms were recorded on six of the seven surveys undertaken, although no other reptiles were identified. The report then goes on to describe the precautionary approach measures that would be needed as regards tree work. A low population of slow worms was also recorded, primarily in the northern half of the site. Necessary mitigation works are then described for this species.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

59214/APP/2004/2634 - Erection of five two storey buildings with accommodation in roofspace to provide 21 residential flats with associated car parking at ground and lower ground floor level - Withdrawn 14th December 2004.

59214/APP/2005/951 - Erection of 6 two storey buildings with accommodation in roofspace to provide 21 residential flats with associated car parking at lower ground floor level (Involving demolition of existing dwellinghouses) - Approval 11th January 2006.

Comment: The above is a 5 year permission, meaning it could be implemented up until the 11th January 2011.

## **4. Planning Policies and Standards**

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.6 To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations.

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- OL5 Development proposals adjacent to the Green Belt
- OL26 Protection and enhancement of trees, woodland and landscape features
- EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves
- EC3 Potential effects of development on sites of nature conservation importance
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
  
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE39 Protection of trees and woodland - tree preservation orders
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- H4 Mix of housing units
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- PPS1 Delivering Sustainable Development

PPS3	Housing
PPS9	Biodiversity and Geological Conservation
LP	London Plan (February 2008)
HDAS	'Residential Layouts', July 2006 & 'Accessible Hillingdon', January 2010
SPD	Mayor's Interim Housing Supplementary Planning Guidance, April 2010
SP	Council's Planning Obligations Supplementary Planning Guidance, July 2007
BE7	Development schemes on the south-east side of Ducks Hill Road

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **1st October 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

70 neighbouring properties have been consulted and the application has been advertised in the local paper and a notice has been displayed on site. Responses have been received, making the following comments:

(i) This plot only previously held 5 detached properties and whilst previous application comprised flats, this was for only 6 buildings. To build 14 properties is an unacceptable high number for this relatively small piece of land. This will have adverse impact upon surrounding area and the adjoining Gravel Pits, a protected Nature Conservation Grade II area. The few green spaces left in Northwood and their wildlife should be preserved.

(ii) Plot 6 also extends directly behind and close to Nos. 46 and 48 Mallard Way, relatively small two-bedroom properties with small rear gardens. Plot 6 has 2 side windows and 2 second floor windows directly facing us that will dominate and overlook our properties. This house, together with Plot No. 5 to the south of us will have an adverse impact upon the light reaching our houses and gardens, making it very claustrophobic. This is already a problem for us due to tall conifers across the bottom of our gardens which also remove moisture from the earth and no action has been taken for years. This application proposes to prune the tops by 2 metres but this will do little to alleviate the problem and will be made worse by view of solid house at bottom of our gardens. These arguments were considered on previous application and the plans were changed so same consideration should be given now.

(iii) The proposed height of this development, particularly the properties located at the rear of Chelwood Close will be imposing,

(iv) Proposal would increase noise levels

A letter has also been received, advising that a petition of objection is due to be submitted, but to date, this has not been received.

Directors of Marchbank House (Northwood) Ltd. make the following points:

(i) Generally, houses is more appropriate to this site than flats,

(ii) Access road was widened by the previous developer and some protected trees were removed in the process. As pre the original drawing number 900/P2/1A, the access road was to be 4.8m and allowing for a pedestrian path and hedge, the total width was 6.85m. The actual measurement

from the current plywood hoardings to the southern boundary of Marchbank House is now 8.7m, so they have encroached 2 metres into the woodlands. Also, two points along the access road were narrowed to protect trees to the south side of the access road, and those trees have been removed. This matter needs investigation.

(iii) The Blue Atlas Cedar (No. 7 on the documents produced by the Arboricultural consultant) is a beautiful, prominent tree. Despite losing two limbs in high winds last year, we believe it is perfectly healthy and only needs tidying by a competent tree surgeon. Seems very convenient that tree should be condemned as house on Plot 1 could not be built without its removal. Arboricultural references to this tree are also contradictory.

(iv) Marchbank House (Northwood) Ltd holds the freehold of Marchbank House on behalf of all 16 member flat owners. We are confident that we represent the vast majority of the 16 occupiers and if necessary, will produce a petition. The Director and resident of Cedar Grange, 50 Ducks Hill Road also is in agreement with our protests and confident that the majority of his residents support our position.

Northwood Residents' Association:

#### First Response

BE6 - This backland development will result in an additional, multi-use vehicular access point onto Ducks Hill Road. BE7 - No additional vehicular access points will be permitted along Ducks Hill Road. This piece of land is bounded on two sides by the Gravel Pits that is known to be the habitat of badgers and bats can be seen in the area.

#### Second Response

1. The land was occupied by four houses and two bungalows. Fourteen houses is an overdevelopment of the site.

2. The access track is only wide enough to permit the single passage of a motor car. Its boundaries are the green area known as The Gravel Pits on one side and the grounds of Marchbank House on the other. The entrance to the access track lies on a bend in Ducks Hill Road which is hazardous enough without traffic queuing to gain access.

Mallard Way Residents' Association:

In response to the new planning application for land at 37 - 45 Duck's Hill Road, Northwood, my main concern is that access to and from the new development would be from Ducks Hill Road only and not via Mallard Way. This is my understanding from looking at the files on-line. However, without seeing a proposed site plan overlaid on existing roads, I can't be certain.

Natural England

#### Original Response

Thank you for consulting us on the above-mentioned application. The application site is adjacent to a SINC - The Gravel Pits, Northwood.

A number of Badger setts have been recorded close to the application site. The council should ensure that appropriate mitigation measures are put in place with regards to reducing adverse impact on badgers, which are a protected species. A Natural England license is required if, on the basis of survey information and specialist knowledge, it is considered that the proposed activity is reasonably likely to result in an offence being committed.

As identified in the Ecology Report, further protected species surveys are required with regards to bats and reptiles. These should be undertaken prior to granting planning permission.

This is in line with paragraph 98 of ODPM Circular 06/2005 which states that 'It is essential that the

presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.'

With regards to bats, the council should ensure that all buildings/structures and trees scheduled to be affected by the development are assessed for their potential to support bats. Any tree stumps to be removed should also be assessed for their potential to support stag beetles, a UK protected species.

We advise the council to secure all the recommendations outlined in the Ecology Report through use of a planning condition.

#### Amended Response

In light of the newly submitted Bat and Reptile ecology report, we recommend (in addition to our previous comments) that the council secures all the proposed mitigation measures as outlined in the report with regards to reducing adverse impacts on protected species as a result of the development.

Please note that a Natural England license is required if, on the basis of survey information and specialist knowledge, it is considered that the proposed activity is reasonably likely to result in an offence being committed.

Thames Water:

#### Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

#### Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Internal Consultees

Urban Design/Conservation Officer:

Proposal: Erection of 8 detached and 6 semi-detached residential dwelling houses with garaging, including access off Ducks Hill Road.

## RECOMMENDATIONS

The site, situated in the outskirts of Northwood, is situated in tranquil and wooded surroundings. The green character of a garden suburb characterise the area, which is one of the most attractive in the borough.

The site slopes gently from the main road, with a drop of 6.5 metres to the eastern boundary, and a 4.2 metre drop from the north to the south boundary. The southern and eastern boundaries are bounded by Green Belt land, and a public park. Unfortunately only fragments remain of the vegetation within this previously wooded site.

The neighbourhood is characterised by a mixture of terraced, semi-detached and detached residential dwellings, set within green, spacious surroundings. The surrounding woodland comes straight up to the perimeter boundary, and provides good visual screening.

As a result of pre-application advice, the layout is built on the design concept to provide a character of large villas set in a spacious parkland setting, to continue the established garden suburb tradition which characterise this area as a whole. The traditional large, detached and semi-detached brick buildings, which incorporate characteristic features such as hipped roofs, projecting bays, classic balustrading, stone bonding and quoins, are considered to be suitable given the local distinctiveness of the area.

The principle, nature, scale, height and density of the proposed development is supported from an urban design point of view, and is the result of discussions and detailed advice during the pre-application process. As a result, garages for three dwellings have been incorporated into a shared, single garage building designed in the same style, and carefully integrated into the landscape setting to the far west end of the site. Similarly, a separate building for refuse facilities, in a similar style and of the same high quality design, has been discretely positioned in the same part of the site to avoid visual clutter.

It is however important to retain also the informal and green character of the access road, as previously discussed, and to create a low key, gentle character of the hard landscaping. Consequently surface materials and detailing should reflect this overall design driver.

In order to create a seem-less and soft interface between the proposed development and the surrounding green belt/woodland character, and to allow the woodland character to visually integrate into the actual site, all fencing and other boundary materials needs to be conditioned. This is important in order to continue the tradition of good quality design in this attractive area, and to avoid ending up with a stereotypical isolated development with poor detailing, harsh colours and unsuitable materials which do not weather well. It is similarly important to establish a soft landscaping on the garden suburb theme as quickly as possible, particularly as a lot of vegetation has been lost in the clearance of the site.

### Conditions

Samples of all building materials and hard landscaping to be submitted to the LPA and agreed in writing prior to the commencement of any works.

Full details including colour schemes for all boundary treatments to be submitted to the LPA and agreed in writing prior to the commencement of any works.

All permitted development rights to be removed.

Highway Officer:

## Original Plans

The proposed site is located east of Ducks Hill Road which is a classified Borough Secondary Distributory Road and is also designated as a Local Distributor Road in the Council's UDP.

The applicant proposes an access road of 4.8m wide carriageway with a 1.2m footway, connected into Ducks Hill Road. It is also indicated that at the junction of the access road with Ducks Hill Road, visibility splay of 2.4 x 90m is achievable that is in compliance with the current guidelines.

The proposal is to accommodate a 1.2m continuous footway on the south side of the access road and no provision is made for the north access road footway. The 1.2m proposed footway on one side will leave inadequate space for pedestrians specially those with mobility handicaps and those with prams/shopping to comfortably and safely pass each other.

The submitted drawing 1834/PL01 Rev. shows that proposed south side footway construction is not continuous and is terminating approximately 10m west of block 14, which is contrary to the submitted Transport Statement.

The plan also proposes a standard turning head on the development site to be used by 9.86m refuse vehicle, with kerb build out either side of the turning head. This is shown as appendix D attached to the Transport statement.

However, the designer has failed to address accessibility of those vehicles wishing to use allocated garages/ parking spaces in Block 6, 7, 8, 9, 10, 11, and 12. The same plan also shows 1.2m footway around the hammer head in dotted lines. Designer should be requested to clarify their proposal of limitation of footway construction.

Traffic calming proposal as stated in item 4.1 of applicant's submitted Transport Assessment and shown on the same plan is incorrect in terms of its proposed position, distance from Junction and distance apart of each traffic calming feature.

The comparison of predicted traffic flows for current proposal and that of previous application for 21 flats indicates a small increase in traffic generation from that of the previous consent. The sample sites used for trip generation are not fully comparable with the site in subject. However the proposals are not considered to result in significant traffic on the surrounding highway network.

The applicant should be requested to provide the following:

- 1) Minimum of 1.8m continuous footway on one side only or 1.5m both sides of Access Road.
- 2) Clarification on turning head proposal particularly with respect to the footway shown around the hammer head.
- 3) Tracking for a 10.5m refuse vehicle entering and exiting the site, and at the turning head.
- 4) It appears unlikely for the refuse vehicles to reverse back into narrow road serving blocks 4, 5, 6, 7 and 8 to trundle collection bins. Please clearly indicate your proposal for refuse collection from those properties.
- 5) Clear and concise plan showing proposed access road to the garages/parking spaces of block 6, 7, 8, 9, 10, 11 and 12.
- 6) Clarification of the depth of parking space of block 9 and 10 in relation to the hammer head.
- 7) Correct positioning and design of traffic calming.



## Amended Plans

This is a response to the developer's amended drawings with due consideration to previous highway comments dated 30th September 2010 for the above proposed site.

The applicant's amended drawings and response to previous comments dated 07 October 2010, with respect to turning head for refuse vehicles, refuse bin collection point, access to blocks 6-12 depth of garages for block 9-10, and traffic calming have satisfactory been addressed.

The transport statement attached to the planning application is proposing to provide two cycle storage spaces per dwelling, in the garden that complies with the Council's UDP.

In general, proposal to provide 1.8m continuous footway on south side of access road, particularly extending it to plot 14, and providing shared surface access thereafter complies with the highway requirement.

However, in order to accommodate the 1.8m footway on the south side of the access road, the applicant is proposing to slightly relocate the original access Road to the north of the site. It is recommended that the following be considered:

- 1) Relocating the entrance to the access road, may affect the existing vehicle cross over leading into the site. The applicant is advised to consider entering into s278 of the Highway Act 1981 in respect of constructing the vehicle access to the site.
- 2) Relocating the access road, may affect the land ownership north of the site. An appropriately larger scale plan of current land ownership/ Location Plan edged red should be superimposed on the proposed access road Plan No 1834/PL00 Rev.A
- 3) The applicant should take account of the needs of cyclists in the design of material to be used for shared highway surface.
- 4) Adequate lighting level for the Access Road and junction of Access Road and Ducks Hill Road to be provided. This should be covered through suitable planning condition.

Consequently there is no objection to the proposed development subject to the above issues being covered by the following conditions.

## Conditions

1. The use of the access and vehicle parking shall not be commenced until the area has been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be permanently maintained and available for such at all times thereafter to the Authority's satisfaction
2. The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the details first submitted to and approved in writing by the Local Planning Authority.
3. The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.
4. The access road shall be lit in accordance with BS 5489 - 1:2003, and the lighting shall be permanently maintained thereafter.
5. The proposed access to the site shall be provided with driver visibility splays of 2.4m x 90m in both directions and shall be maintained free of all obstacles to visibility (unless agreed with the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway.

## Informatives

1. It is contrary to section 163 of the Highways Act 1980 for surface water from private land to

drain onto the highway or discharge into the highway drainage system.

#### Legal Agreement

1. The applicant shall enter into s278 agreement to carry out the access and lighting works on the highway as required.

#### Tree Officer:

The open/cleared site is surrounded by trees and woodland in the Gravel Pits (Council-owned land and trees), and the access is adjacent to the Council-owned woodland in the Gravel Pits.

The 2009 tree survey submitted with the applications refers to 51 trees and 17 groups of trees on and close to the site. Several trees on the western and eastern sides of the site are the subject of Tree Preservation Order No. 41 (TPO 41).

The proposed development of 14 houses retains all but one of the trees of notable value (Categorised as A or B according to the recommendations of British Standard 5837:2005), and involves the loss of 15 low value trees and five groups of trees. The scheme also provides for the planting of sixteen new trees on the site.

It is proposed to remove two trees (one B category Chestnut - tree 2 on the survey, and one C category Cedar - tree 7 on the survey) subject to TPO 41 (group G3) as part of the proposed development. It is proposed to remove the Chestnut, which could be retained, because it is considered that it would (a) likely be suppressed by the protected Poplar in proximity to it, and (b) reduce the amenity space of plot 1. It is proposed to remove the Cedar because it has started to drop major limbs and, given that the species is prone to limb-shedding at maturity, there is a foreseeable risk of further limb failure (hazard). The tree planting scheme includes two Deodar Cedars in replacement of the TPO Cedar.

The application includes an Arboricultural Method Statement (July 2010) (AMS) for the scheme, which is based on an assessment of the tree-related implications of the proposed development, includes a tree protection plan (TPP) and makes provision for the protection and long-term retention of the valuable trees on and close to the site. However, these documents relate to the submitted scheme, and do not necessarily consider of the very recent revisions to the access driveway. The AMS and TPP should be reviewed and, if necessary, updated/revised to take account of the recent changes to the proposed development.

Given that the vast majority of valuable trees, and several trees of lesser value, and on and close to the site, including the woodland on the Gravel Pits, are retained and it is proposed to plant sixteen new trees as part of the scheme, there is no objection to the loss of the Horse Chestnut (category B) and the Cedar (category C), which poses a risk of further limb failure and damage in the future.

Subject to conditions TL1 (services and levels ONLY), TL2, TL3\*, TL5 (including the tree planting illustrated on the approved Arboricultural Implications Plan), TL6, TL7, TL21\*, the application is acceptable in terms of Saved Policy BE38 of the Hillingdon UDP.

Note\* - IF the AMS and TPP are reviewed and updated/amended versions submitted prior to the determination of the application, then these conditions should be modified to require the implementation of the amended/approved TPP (TL3) and that the works be carried out in accordance with the amended/approved AMS (TL21).

#### S106 Officer:

Therefore the proposed planning obligations required to make your scheme acceptable are as

follows:

1. Affordable Housing: The FVA is currently being considered by our third party consultant.
2. Education: In line with the SPD on Education a contribution in the sum of £117,713 is sought.
3. Health: In line with the SPD for Health a contribution in the sum of £11,678.51 is sought.
4. Community Facilities/Public Realm: In line with the SPD chapters on community facilities and the Public Realm a contribution in the sum of £20,000 is sought.
5. Libraries Contribution: in line with the SPD a libraries contribution in the sum of £1,239.70 is sought.
6. Construction Training: In line with the SPD a financial contribution towards training schemes will be sought as a result of this application given its nature and scale. Under the SPD document a contribution equal to £2,500 for every £1 million build cost could be sought for employment training initiatives. There is also the provision for an in-kind scheme to be delivered however this needs to be submitted to and agreed by the local authority.  
Please submit to me an estimation of the construction cost for the development and we can look to agree this figure.
7. Project Mgmt and Monitoring: In line with the SPD a contribution towards project management and monitoring is sought equal to 5% of the total cash contributions secured from this proposal (currently at £7,531.56).
8. Transport: there may be the need for a s278 to deal with the junction works as identified by the Highways engineer.

Therefore the resulting s106 package exclusive of construction training and any s278 works is: £158,162.77

Education Services:

A contribution of £117,713 is required, consisting of £0 for nursery, £52,345 for primary, £48,311 for secondary and £17,057 for Post-16.

Sustainability Officer:

Proposal

Erection of 8 detached and 6 semi detached dwellings

Energy Observations

I have reviewed the energy statement again and following discussions with the applicant I can confirm that I no longer wish to object subject to the following comments

The proposed energy strategy does not provide sufficient information as to how the development will meet the 20% renewables target within the London Plan. However, it does set out a broad strategy that demonstrates it can be achieved. Accordingly the following condition is required:

CONDITION

Prior to the commencement of development an energy management strategy shall be submitted to

and approved in writing by the Local Planning Authority. The scheme shall demonstrate the final designs and technologies required to reduce the CO2 emissions by 20% from renewable energy sources. The scheme shall also detail how the technology will be monitored and measured. The development shall proceed in accordance with the approved scheme.

## REASON

To ensure the development reduces its carbon emissions in accordance with Policy 4A.7 of the London Plan.

The above report shall detail:

- \* Confirmation of the final technological solution to reducing 20% of CO2 emissions by Renewables.
- \* Specific details of size of the systems to be used, their efficiency, inputs and outputs.
- \* Location of the chosen technology within the site, either in a plan layout (ground source heat pumps) or elevations (air source heat pumps) and roof layouts (solar systems) or a combination of all three.
- \* How the systems will be monitored to ensure they perform to the standard being shown in the updated energy report.

## Ecology Observations

The Ecology report is comprehensive and well presented. It demonstrates that bats and reptiles have been fully investigated. I therefore have no objections on ecology grounds but have comments and conditions relating to:

- \* Reptiles
- \* Bats
- \* Ecological Enhancements

## Reptiles

The site has been identified as supporting slow worms, a UK protected species. The report acknowledges that there is a risk to slow worms through the construction of the development if there is no mitigation. The land around also provides suitable habitat for slow worms so the loss of this site as optimum habitat should not result in the decline in species numbers provided the advice on how the risk to slow worms will be minimised and suitable mitigation is put in place. The following condition is therefore required:

## CONDITION

Prior to commencement of development a scheme for the safe capture and removal of slow worms should be submitted and agreed in writing with the Local Authority. The scheme shall follow the reptile mitigation proposals outlined in chapter 7 of the ecology report. The scheme shall set out, the type of fencing to be used, where and when it will be sited and how long it will be in place for. The scheme shall set out a programme for capturing and relocating the slow worms when it will start and finish and the exact destination of any captured reptiles. The development must then proceed in accordance with the approved scheme.

## REASON

To ensure the protection and safe relocation of any slow worms (UK Protected Species) found on the site in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the Unitary Development Plan.

#### NOTE

I would like to be advised of when the relocation will be taking place.

#### CONDITION

The development must proceed in accordance with the Reptile Mitigation Plan shown in appendix 4 of the Phase 2 Ecological Survey (Bat and Reptiles)  
Ref: R116/Final

#### REASON

To ensure the ongoing protection of slow worm (UK Protected Species) in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the Unitary Development Plan.

#### Bats

I have no objections to the surveying or consideration of bats within the ecology report. I accept the findings that the site is more likely to be used for foraging and resting as opposed to roosting. I also accept that the expanse of the surrounding habitat will ensure the loss of this site will maintain the favourable conservation of the species.

The development must be in compliance with the recommendations of the ecology plan. The following condition is therefore needed:

#### CONDITION

No trees should be removed during summer bat breeding season (May to August inclusive) and winter bat hibernation season (December to February inclusive).

#### REASON

To minimise the risk of harm to Bats (a European Protected Species) in accordance with Policy 3D.14 of the London Plan and Policy EC2 of the Unitary Development Plan

#### Ecological Enhancements

The development will result in the loss of a site has increased in quality with regards to biodiversity whilst it has been left unmanaged. In accordance with PPS9, and Circular 06/2005, the proposals should demonstrate suitable compensation for the loss of biodiversity on the site, including the impacts on bats and slow worm. The protection area will help minimise the impacts on protected species, however more is needed to demonstrate that habitats and wildlife populations will be enhanced.

The following condition should therefore be attached to any subsequent approval:

#### CONDITION

Prior to commencement of development a scheme for the enhancement of wildlife and habitats should be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify areas of suitable enhancement opportunities including bat and bird boxes, as well suitable

areas for further reptile enhancements. The development should then proceed in accordance with the approved scheme.

## REASON

To ensure the enhancement of wildlife and habitats in accordance with in Policy 3D.14 of the London Plan.

## ENVIRONMENTAL PROTECTION OFFICER:

I do not wish to object to this proposal or recommend any conditions.

Should planning permission be granted, please ensure the following informative is added in respect of the construction phases;

### Construction Site Informative:

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday
- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is Building Research Establishment Report 456).

(iii) No bonfires on the site shall be allowed to take place at any time.

### Environmental Protection Officer (Land Contamination):

No information on potential contamination has been identified at the application site. The application site appears to be located adjacent to the Gravel Pits. It is not clear if these pits were ever infilled at any time (partially).

As the development will consist of 14 potentially sensitive dwellings it is recommended the following contaminated land condition is included in any permission that may be given. The investigation needs to also consider if there are any potential ground gas issues at the site.

### AMENDED EPU L1 Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels, including ground gas shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

## REASON

To ensure that the occupants and users of the development are not subject to any risks from contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: The Environmental Protection Unit (EPU) must be consulted at each stage for their advice when using this condition. Supplementary Planning Guidance on Land Contamination provides some general guidance on the information required to satisfy the condition. The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the soil, water (ground/surface) and gas within the land or exist on the surface of the land.

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance.

The following access observations are provided:

1. Whilst plot 10 has been designated as a wheelchair standard home, it should be redesigned in accordance with the detail specified in the above Supplementary Planning Document. Crucially, the through-ceiling-lift should be accessible from the hallway and landing, and not via the living room and bedroom, as indicated.
2. At least one bathroom/ensuite facility on each floor, where there is bedroom accommodation, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
3. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage. It would be advantageous to provide a level access (wet room) shower area that could double up as a transfer area, rather than necessitate a complete bathroom redesign.

Conclusion:

The above observations should be incorporated into revised plans, which should be a pre-requisite to any planning approval.

Access Officer:

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance.

The following access observations are provided:

1. Whilst plot 10 has been designated as a wheelchair standard home, it should be redesigned in accordance with the detail specified in the above Supplementary Planning Document. Crucially, the

through-ceiling-lift should be accessible from the hallway and landing, and not via the living room and bedroom, as indicated.

2. At least one bathroom/ensuite facility on each floor, where there is bedroom accommodation, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

3. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage. It would be advantageous to provide a level access (wet room) shower area that could double up as a transfer area, rather than necessitate a complete bathroom redesign.

Conclusion:

The above observations should be incorporated into revised plans, which should be a pre-requisite to any planning approval.

Waste Services:

I would make the following comments on the above application regarding waste management.

I would estimate the waste produced from each house to be as: -

\* Weekly residual (refuse) waste - using sacks purchased by the occupier (allow 70 litre sacks per bedroom for each dwelling).

\* Weekly dry recycling collection - using specially marked sacks provided by the Council (allow 40 litres per bedroom for each dwelling)

\* Fortnightly green garden waste collection - using the specially marked reusable bags provided by the Council (3 bags provided per household).

It would be best if residents present their waste at the curtilage of their own property on the allocated collection day. If the communal collection points are created this may encourage piles of refuse to be left out many days before collection, and the sacks being scavenged by animals resulting in bags splitting and subsequent spillage.

The access road must be 4 metres wide to allow ingress to the development by the refuse collection vehicle. The construction of the carriageway must be able to withstand the load of a 26 tonnes refuse collection vehicle.

General Points

a) The value of the construction project will be in excess of £300,000, so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

b) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site was previously in use as housing and is located on the edge of existing housing,



within the 'develop area', where there would be no objection in principle to new residential development, subject to other policy considerations.

Additional guidance on the development of gardens and the interpretation of related policies has recently been published and as the former use of the site included gardens, it is a material consideration in assessing the principle of this development.

Key changes in the policy context, since the adoption of the UDP Saved Policies, includes the adoption of The London Plan (consolidated with alterations since 2004), the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, The London Plan Interim Housing Supplementary Planning Guidance April 2010, and new Planning Policy Statement (PPS) 3: Housing adopted June 2010.

In relation to National Policy, the Letter to Chief Planning Officers clarifies that "there is no presumption that previously developed land is necessarily suitable for housing, nor that all of the curtilage should be developed" and commits to move this clarification to a more prominent position within the PPS. It further clarifies that "the main focus of the Government's position therefore is that local authorities are best placed to develop policies and take decisions on the most suitable locations for housing and they can, if appropriate, resist development on existing gardens".

The London Plan Interim Housing Supplementary Planning Guidance (April 2010) was published following the national advice above and represents the Mayor of London's guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments.

The guidance requires that "In implementing London Plan housing policies and especially Policy 3A.3, the Mayor will, and Boroughs and other partners are advised when considering development proposals which entail the loss of garden land, to take full account of the contribution of gardens to achievement of London Plan policies on:

- \* local context and character including the historic and built environment;
  - \* safe, secure and sustainable environments;
  - \* bio-diversity;
  - \* trees;
  - \* green corridors and networks;
  - \* flood risk;
  - \* climate change including the heat island effect, and
  - \* enhancing the distinct character of suburban London,
- and carefully balance these policy objectives against the generally limited contribution such developments can make toward achieving housing targets."

(The various issues are discussed in more detail within the relevant sections of the report.)

It is considered that as the site has already been cleared, with the majority of the site provided scrubland, with the mature trees on site mainly being on the site boundaries, the guidance is of limited value. It will be more important to ensure that any re-development of the site is appropriate to this edge of Green Belt setting, the implications for existing trees on site are carefully considered and the ecological value of the site is safeguarded.

## **7.02 Density of the proposed development**

Policy 3A.3 of the London Plan (February 2008) advises that Boroughs should ensure that development proposals achieve the maximum intensity of use compatible with the local context, design principles and public transport accessibility. At Table 3A.2, the London Plan establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban fringe location and has a Public Transport Accessibility Level (PTAL) of 1a/b. Taking these parameters into account, the matrix recommends a density of 35-55 u/ha and 150-200 hr/ha, assuming units have an indicative size of 3.8 to 4.6 hr/unit. This proposal involves large houses with numerous habitable rooms and equates to a density of 18 u/ha and with a total of 175 habitable rooms, 230 hr/ha (counting habitable rooms over 20sqm and capable of subdivision as 2 rooms). The proposed density represents a shortfall in terms of the number of units but exceeds the habitable rooms per hectare as compared to that recommended by the London Plan. However, given the general character of the surrounding area, with typically large properties on spacious plots, and the location of the development, within an urban fringe location adjoining the Green Belt, it is considered that the proposed density is appropriate.

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

The proposal would not affect any known archaeological remains, or impact upon a conservation area or an area of special local character.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues raised by this development.

### **7.05 Impact on the green belt**

The application site abuts the Green Belt to the south and west. The proposed layout mainly ensures that rear gardens adjoin the site boundaries, providing a good transition zone between the built up elements of the proposal and the soft edge of the Green Belt. The scheme also safeguards the vast majority of trees along these boundaries. As such, it is considered that the scheme would not unduly harm the openness and character of the adjoining Green Belt, in accordance with Policy OL5 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **7.06 Environmental Impact**

Saved policies EC2, EC3 and EC5 of the UDP relate to ecological considerations. PPS9: Biodiversity and Geological Conservation aims to protect and enhance biodiversity. London Plan Policy 3D.14 states that where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site and if this is not possible, to minimise such impact and seek mitigation of any residual impacts.

The site is surrounded on two sides by a designated Nature Conservation Site of Borough Grade II Importance. Ecological and bat surveys have revealed that common pipistrelles (*Pipistrellus pipistrellus*), soprano pipistrelles (*Pipistrellus pygmaeus*) and noctule (*Nyctalus noctula*) bats were active on the site, with the pipistrelles consistently seen foraging along the hedgerows and wooded site borders (all British bat species are fully protected). The timings of the recordings also suggest that all these species are roosting

close to the site, but emergence and re-entry surveys reveal that the bats are not roosting within the trees on site. However, given the levels of activity, the statement recommends a precautionary approach as regards tree work. This would involve tree felling outside of the summer bat breeding and winter hibernation seasons. Ivy growth on trees should be severed and allowed to die back before felling, with trees inspected by licensed ecologist for any cavities or splits that might harbour bats. If these features are found, tree to be section felled and carefully lowered to ground and left unlogged for 24 hours. If bats are found during course of these works, Natural England would need to be contacted on advice of how to proceed.

Surveys also revealed the presence of slow worms (*Anguis fragilis*) on site, a UK protected species. Mitigation measures involve animals being excluded from the development footprint in advance of any ground or site clearance works. Temporary reptile exclusion fencing will be erected and refugia established and checked twice daily. Any animals found on the site shall be transferred to the area outside of the fence line. Once trapping rates have declined to zero, destructive search of the area would be carried out, under the supervision of an ecologist. Habitat enhancement for reptiles is recommended to take place in the area outside of the fence line.

The Council's Sustainability Officer advises that the ecology report is comprehensive and no objections are raised, subject to appropriate conditions to ensure that the mitigation works are implemented. Natural England also raise no objections, providing the mitigation works are conditioned as part of any approval.

The site has also increased in quality as regards biodiversity whilst it has been left unmanaged. It will therefore be important to ensure that the loss of this biodiversity is fully compensated by wildlife and habitat enhancement works. This has been conditioned.

Subject to these conditions, the proposal is considered to accord with PPS9: Biodiversity and Geological Conservation, Policy 3D.14 of the London Plan (February 2008) and Policies EC2, EC3 and EC5 of the Adopted Unitary Development Plan Saved Policies (September 2007).

#### **7.07 Impact on the character & appearance of the area**

The site is located on the edge of Northwood, situated in tranquil and wooded surroundings. It is this green, spacious and wooded character which defines the surrounding suburban area. The surrounding woodland abuts the site to the south and east and provides effective screening.

Being sited at the end of the access road, the development would be self-contained and not particularly visible from adjoining roads. The proposed houses would be loosely grouped around the access road, with the houses staggered on their plots so that there is no defined building line and with many of the houses having an angled orientation relative to its neighbouring properties, the overall result is of an informal open plan layout. The variation in the individual house designs helps to enhance this informal character, although the use of common features and materials would maintain a sense of harmony. The overall design concept is to impart the character of large villas being set within a spacious parkland/garden suburb setting. The houses have been kept away from the site

boundaries, particularly the southern and eastern Green Belt boundaries and would maintain a minimum 2m gap between their side elevations, with a 3m gap being typical, allowing mature trees on the boundaries of the site to be glimpsed and maintains a number of wider gaps in the built-up frontage to allow views out over the adjoining Green Belt.

The proposed houses would respect the scale of surrounding residential development. The houses would be of a reasonably traditional design, with the flat roof areas on the crown roofs being kept to a minimum, with pitched roof elements dominating the roof design. The proposed gates on the access road would be visible on Ducks Hill Road, but they would not be out of keeping with similar frontage treatment along Ducks Hill Road and being set back by 10m from the highway, as required by condition, the gates would not appear unduly prominent.

The Council's Urban Design Officer has been involved with the design of the scheme at the pre-application stage and considers it acceptable and will promote local distinctiveness. It is considered that the overall layout, scale and design of the development is acceptable, and does represent a significant improvement on the previous approved flatted development, which did propose larger blocks. The scheme is considered to be in accordance with policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.08 Impact on neighbours**

The application site is surrounded by a number of residential properties, namely Marchbank House which fronts Ducks Hill Road to the west, residential terraces on Mallard Way to the north and west and houses on Chelwood Close to the north. The rear elevations of houses on Plots 1 to 5 would be set back from the rear elevation of Marchbank House by approx. 28m. Houses on Plots 6 and 7 would be set back a similar distance to the rear elevations of properties on Chelwood Close. The rear elevation of the nearest terraced property on Mallard Way to the nearest house on Plot 6 would be over 16m. These distances are sufficient to satisfy the minimum 15m separation distance required by design guidance to prevent adjoining building appearing unduly dominant. Given the relationship of surrounding residential properties, there would be no material loss of sunlight to surrounding properties or their rear gardens.

Design guidance also requires proposals to maintain the privacy of surrounding properties by maintaining at least a 21m separation distance between facing habitable room windows and 'patio' areas, taken to be the 3m deep part of the rear garden which adjoins the rear elevation of a property. The separation distances ensure that the privacy of surrounding properties would not be compromised. Although the house on Plot 6 is within 21m of the front elevation of the terrace at Nos. 36 to 48 Mallard Way, the facing elevation is a side elevation, with the only windows above ground floor being non-habitable or secondary windows which can be conditioned to be obscure glazed and non-opening below a height of 1.8m above finished floor level. The single storey rear projecting rear addition has also been conditioned so that it can not be used to provide a balcony or other amenity space. The rear elevations of the houses of Plots 4 and 5 are also over 21m from the front elevation of Nos. 50 to 60 Mallard Way, the terrace sited further to the west.

The proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.09 Living conditions for future occupiers**

The proposed houses would have internal floor areas ranging from approximately 190m<sup>2</sup> in the case of the houses on Plots 6 and 7 to approx. 320m<sup>2</sup> in the case of the house on Plot 14. These areas are adequate in order to satisfy the minimum 108m<sup>2</sup> internal floor area required by design guidance in order to provide suitable living accommodation. Design guidance also stipulates that 5+ bedroom houses should have a minimum rear amenity area of 100m<sup>2</sup> and with the smallest garden on Plot 2 being 125m<sup>2</sup>, the scheme satisfies guidance. The garden areas have also been configured so that the areas would not be excessively overshadowed by surrounding trees.

The houses would be sited so as to maintain at least a 15m separation distance from their main habitable room windows. Apart from a very minor incursion on Plot 11, the 45° line of sight from habitable room windows would be maintained by the staggered relationship of the houses and the projecting rear elevations are not excessive, given the large gardens. The proposed habitable rooms of the houses would all have adequate outlook and natural lighting. Habitable room windows that front the road do not afford the same degree of privacy as rear facing rooms. There is therefore no requirement for a 21m separation distance to be maintained between houses on the opposite sides of the road and the separation proposed is considered to be acceptable.

A number of the houses, namely those on Plots 2, 3, 11, 12, 13, 14 would have rear balconies. In order to protect the privacy of adjoining properties, a condition requiring privacy screens has been attached. With the other properties with a single storey flat roof addition at the rear, namely Plots 4 to 7, a condition has been attached, stipulating that these areas can not be used to provide balcony/roof garden space. The rear garden of the house on Plot 6 would be within 21m of the nearest terrace in Mallard Way and the rear garden of Plot 13 would be within 21m of the front elevation of the house on Plot 12, but here, the houses have been designed with projecting rear additions that would screen at least a 3m deep private patio area.

The scheme is therefore considered to afford an appropriate level of amenity for future occupiers, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

The proposed access is existing and therefore there is no conflict with Policy BE7 of the saved UDP which prevents additional vehicular access points. The scheme would not generate a significant amount of additional traffic over and above the previously approved scheme for 21 flats which is still extant. The Council's Highway Engineer advises that the traffic levels are acceptable would not present a threat to highway safety. Amended plans have been received which not afford suitable pedestrian access into the development. The scheme would also provide two car parking spaces per house, in accordance with the Council's car parking standards. Subject to suitable conditions controlling the construction of the access, the scheme is acceptable, and accords with Policies AM7 and AM14 of the saved UDP.

#### **7.11 Urban design, access and security**

- Mix of units

It is considered that given the location of the development, the mix of units between 4 and 5 bedroom units is acceptable.

### **7.12 Disabled access**

The Council's Access Officer makes a number of detailed points regarding lifetime homes standards. It is considered that these points can be adequately addressed by condition.

### **7.13 Provision of affordable & special needs housing**

A Financial Viability Appraisal has been submitted with this application. Officers are satisfied that the scheme is not capable of generating any affordable housing.

### **7.14 Trees, Landscaping and Ecology**

Policy BE38 of the saved UDP states amongst other things, that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The 2009 tree survey submitted with the application refers to 51 trees and 17 groups of trees on and close to the site. Several trees on the western and eastern sides of the site are the subject of Tree Preservation Order No. 41 (TPO 41).

The proposed development of 14 houses retains all but one of the trees of notable value (Categorised as A or B according to the recommendations of British Standard 5837:2005), and involves the loss of 15 low value trees and five groups of trees. The scheme also provides for the planting of sixteen new trees on the site.

It is proposed to remove two trees, one B category Chestnut (tree 2 on the survey), and one C category Cedar (tree 7 on the survey) subject to TPO 41 (group G3) as part of the proposed development. The justification advanced for removing the Chestnut, which could be retained, is that it is considered that it would (a) be likely to be suppressed by the protected Poplar in proximity to it, and (b) reduce the amenity space of plot 1. It is proposed to remove the Cedar because it has started to drop major limbs and, given that the species is prone to limb-shedding at maturity, there is a foreseeable risk of further limb failure, which represents a safety hazard. The tree planting scheme does include two Deodar Cedars as replacement of the TPO Cedar. On this basis, the Council's Tree Officer does not raise any objections to the proposed tree loss.

The application includes an Arboricultural Method Statement (July 2010) (AMS) for the scheme, which is based on an assessment of the tree-related implications of the proposed development, includes a tree protection plan (TPP) and makes provision for the protection and long-term retention of the valuable trees on and close to the site. However, these documents relate to the submitted scheme, and do not necessarily consider the very recent revisions to the access driveway. The AMS and TPP should be reviewed and, if necessary, updated/revised to take account of the recent changes to the proposed development. This has been controlled by condition.

The Tree Officer concludes that given that the vast majority of valuable trees, and several trees of lesser value, on and close to the site, including the woodland on the Gravel Pits, are retained and it is proposed to plant sixteen new trees as part of the scheme, there is no objection to the loss of the Horse Chestnut (category B) and the Cedar (category C), which poses a risk of further limb failure and damage in the future.

Subject to conditions TL1 (services and levels only), TL2, TL3, TL5 (including the tree planting illustrated on the approved Arboricultural Implications Plan), TL6, TL7, TL21, the application is acceptable in terms of Saved Policy BE38 of the Hillingdon UDP.

### **7.15 Sustainable waste management**

The occupiers of the proposed houses would generally make their own arrangements for the storage and collection of refuse and recycling within their curtilages. The submitted plans do show that a refuse vehicle would not be able to access the full length of the northern limb of the access road. As the curtilages of Plots 6 and 7 would be outside of the 25m trundle distance of the refuse vehicle, provision has been made for a bin collection point adjoining the access road within this distance. Details of this facility have been controlled by condition. The Council's Waste Manager does not raise any objection to the scheme.

### **7.16 Renewable energy / Sustainability**

The London Plan clearly outlines the importance of reducing carbon emissions and the role that planning should play in helping to achieve that goal. The London Plan contains a number of policies relating to climate change.

In the supporting text to Policy 4A.1 which outlines the role of developments in contributing to mitigation of and adaptation to climate change it states Policies 4A.2 - 4A.16 include targets that developments should meet in terms of the assessment of and contribution to tackling climate change. There will be a presumption that the targets will be met in full except where developers can demonstrate that in the particular circumstances of a proposal there are compelling reasons for the relaxation of the targets. In all cases, the most important contribution will be to the achievement of reductions in carbon dioxide emissions.

Policy 4A.4 (Energy assessment) requires that an energy assessment be submitted and details the energy demand and carbon dioxide emissions from proposed major developments and should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development, including the feasibility of CHP/CCHP and community heating systems. The assessment should include:

- calculation of baseline energy demand and carbon dioxide emissions
- proposals for the reduction of energy demand and carbon dioxide emissions from heating, cooling and electrical power (Policy 4A.6)
- proposals for meeting residual energy demands through sustainable energy measures (Policies 4A.7 and 4A.8)
- calculation of the remaining energy demand and carbon dioxide emissions.

Policy 4A.6 (Decentralised Energy: Heating, Cooling and Power) of the London Plan 2008, requires developments to evaluate combined cooling, heat, and power (CCHP) and combined heat and power (CHP) systems and where a new CCHP/CHP system is installed as part of a new development, examine opportunities to extend the scheme beyond the site boundary to adjacent areas. The Mayor will expect all major developments to demonstrate that the proposed heating and cooling systems have been selected in accordance with the following order of preference:

- connection to existing CCHP/CHP distribution networks
- site-wide CCHP/CHP powered by renewable energy
- gas-fired CCHP/CHP or hydrogen fuel cells, both accompanied by renewables
- communal heating and cooling fuelled by renewable sources of energy
- gas fired communal heating and cooling.

In Policy 4A.7 it states the presumption that developments will achieve a reduction in

carbon dioxide emissions of 20% from on-site renewable energy generation unless it can be demonstrated that such provision is not feasible. Regarding the above policy, the onus is on the applicant to demonstrate compliance with the policy. In order to illustrate compliance it is necessary for an energy assessment of a development proposal to be undertaken. Policy 4A.4 of the London Plan is an overarching policy which links to Policy 4A.7 and outlines the need for an energy assessment.

Policy 4A.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development.

Policy 4A.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

An energy statement has been submitted with the application. Although it does not clearly commit to a preferred means of technology to reduce carbon emissions, it clearly demonstrates that options are available. On this basis, the Council's Sustainability Officer advises on the use of a condition, that would commit the scheme to a preferred technology in order to satisfy London Plan policies.

#### **7.17 Flooding or Drainage Issues**

The site is not within a Flood Zone and therefore no specific flooding issues are raised by the proposal.

#### **7.18 Noise or Air Quality Issues**

N/A to this development.

#### **7.19 Comments on Public Consultations**

As regards the points raised in the individual responses, points (i) - (iii) have been dealt with in the main report. As regards point (iv), there is no reason to suppose that this residential development would generate any additional noise as compared to surrounding residential properties. Construction noise is not a planning matter and would be dealt with by Environmental Services.

As regards the Letter from the Directors of Marchbank House (Northwood) Ltd., points (i) and (iv) are noted. In terms of point (ii), it appears that a thin strip of land to the south of the access has been included within the red line boundary of the application site and the application forms state that the applicant has control over the application site. Land registry documents have also been supplied which suggest that this land is within their ownership. Point (iii) regarding the Blue Atlas Cedar has been dealt with in the main report.

#### **7.20 Planning Obligations**

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.



Should the application be approved, a full range range of planning obligations should be sought to mitigate the impact of the development. These include contributions towards education, health care, community facilities and public realm, libraries, construction training and monitoring, together with the implementation of the access road junction.

With regard to education contributions, the applicants have agreed to make a financial contribution of £117,713 towards education provision based on the Education Services' projected child yield of this development, comprising £0 for nursery, £52,345 for primary, £48,311 for secondary and £17,057 for Post-16.

The applicant has agreed to these proposed Heads of Terms, which are to be secured by way of the S106 Agreement. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the saved UDP.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

There are no other relevant planning issues raised by this application.

### **8. Observations of the Borough Solicitor**

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

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

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

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

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

## 9. **Observations of the Director of Finance**

Not applicable to this application.

## 10. **CONCLUSION**

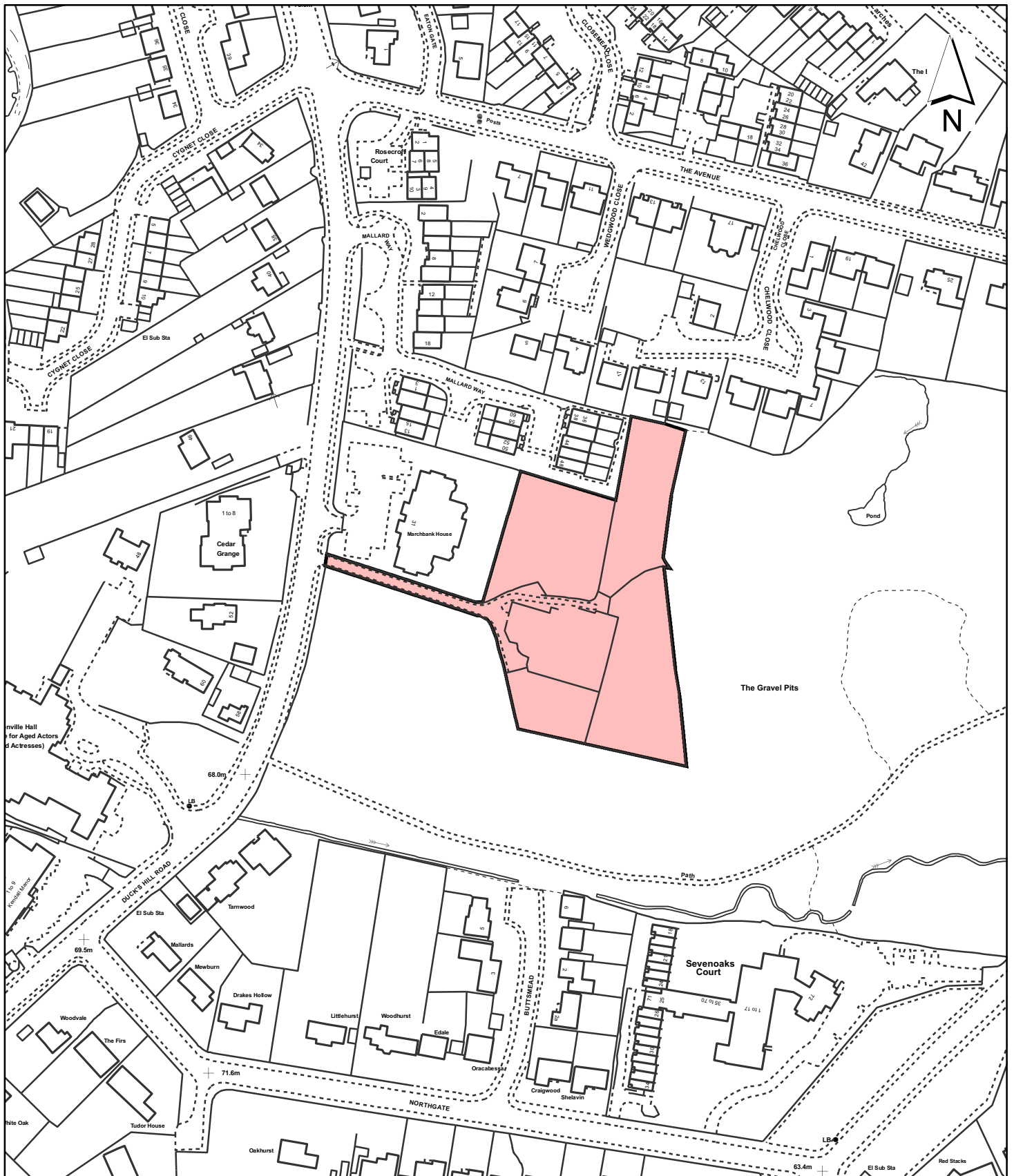
The proposed layout and design of the scheme is considered acceptable, with the siting of the houses allowing for the retention of the majority of important trees on and off the site. The houses would also not have an adverse impact upon neighbouring properties adjoining the site. Furthermore, the development would not have an adverse impact upon the amenity of the adjoining Green Belt and would provide suitable safeguards and mitigation works so as not to harm protected species and maintain and enhance the ecological interest of the surrounding area. Adequate car parking would be provided, following the receipt of amended plans, access arrangements are adequate, subject to conditions and it is unlikely that the traffic generation would prejudice the free flow of traffic or safety on the adjoining highway. The scheme would also be capable of satisfying 20% of its energy demand from renewables, which has been conditioned. A financial viability appraisal has been submitted with the application and independently assessed, and it is considered that the development would not be capable of providing affordable housing. Finally, the scheme would make an adequate contribution towards community and education facilities to offset the impact of the development upon local services, which would be controlled by a S106 Agreement. The application is recommended for approval.

## 11. **Reference Documents**

PPS3: Housing (as amended)  
London Plan (February 2008)  
Hillingdon Unitary Development Plan Saved Policies (September 2007)  
Mayor's Interim Housing Supplementary Planning Guidance, April 2010  
HDAS: Residential Layouts (July 2006) & Accessible Hillingdon (January 2010)  
Planning Obligations Supplementary Planning Document, July 2007  
Consultation responses

**Contact Officer:** Richard Phillips

**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. All rights reserved. London Borough of Hillingdon 100019283 2009

Site Address

**Land at 37 - 45 Ducks Hill Road  
Northwood**

Planning Application Ref:

**59214/APP/2010/1776**

Planning Committee

**North**

Scale

**1:2,000**

Date

**October  
2010**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning, Environment  
& Community Services**

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



**HILLINGDON**  
LONDON