

Report of the Head of Planning & Enforcement Services

Address BREAKSPEAR HOUSE BREAKSPEAR ROAD NORTH HAREFIELD

Development: Application for alterations to the previously approved scheme for the residential units 1-4 of the enabling development (previously approved within scheme ref: 7610/APP/2002/1816 dated 28/01/2008 for the conversion of the existing Breakspear House to 10 flats, the erection of 7 dwellings and erection of single storey extension to Lower Lodge, incorporating conversion of existing house to 9 flats, erection of 8 dwellings and erection of a two storey extension to Lower Lodge, single storey extension to Upper Lodge together with surface level and underground parking) involving alterations in the internal residential room layouts and the design and layout of the rear gardens.

LBH Ref Nos: 7610/APP/2010/2608

Drawing Nos: 1677-1380 Rev. D
1677-A300 Rev. A
1677-1005 Rev. C
1677-A314 Rev. A
1677- SK006 Rev. A
99225-301 Rev. C
99225-302 Rev. C
1677-1352 Rev. C
1677-1361 Rev. E
1677-1363 Rev. E
1677-1364 Rev. C
99225-303 Rev. B

Date Plans Received: 12/11/2010

Date(s) of Amendment(s): 10/12/2010

Date Application Valid: 09/12/2010

1. SUMMARY

The application involves amendments to House Units 1-4 of the enabling development, previously approved on 30 September 2009 (7610/APP/2008/1012).

The approved scheme (ref 7610/APP/2008/1012) is for the conversion of a Grade 1 listed building into 9 apartments with a two storey (one and half height) extension to Lower Lodge, a single storey extension to Upper Lodge, as well as the erection of 8 dwellings with surface level and underground parking.

The current scheme involves proposed alterations to House Units 1-4 (reflected in a more restricted red line demarcating the application site) involving (i) alterations in the internal layouts with bedrooms relocated to the lower ground floor with the main living rooms relocated to the upper ground floor (car park courtyard level), (ii) changes in the garden and introduction of decking serving the houses and individual gardens to the 4 units, and changes to the architectural feature details to the external elevations.

The proposals are not considered to change the fundamental character or merits of the scheme in respect of these particular 4 units or the relationship these houses would have to the wider Breakspear House site. Therefore the scheme is recommended for approval.

2. **RECOMMENDATION**

That authority be given to the Head of Planning, Trading Standards and Environmental Protection, to determine the application under delegated powers, subject to the completion of a Deed of Variation to planning permission Ref: 7610/APP/2008/1012, to be entered into, to insert the new planning reference number into the existing Agreement and subject to the conditions on the original planning permission, in so far that these are still relevant and are still capable of being discharged.

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 NONSC Non Standard Condition

Notwithstanding the submitted plans, prior to the implementation of the relevant works, details and/or samples of all materials, colours and finishes to be used on all external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) all external joinery,
- (ii) down pipes and flues
- (iii) samples of all materials, bricks, tiles,
- (iv) tile hanging,
- (v) decorative finials, including weather vanes, cupolas
- (vi) window cills and door thresholds for new structures
- (vii) design details of boundary walls, railings and steps

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 NONSC Non Standard Condition

Notwithstanding the submitted plans, prior to the implementation of the relevant works a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied, or in accordance with a timetable agreed in writing by the Local Planning Authority. 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 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).

5 OM5 Provision of Bin Stores

No development shall take place until details of covered and secure facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and/or in the interests of highway safety [delete if not relevant] and London Plan (February 2008) Policy 4B.1.

7 TL1 Existing Trees - Survey

Prior to any further work, other than to the Manor House 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).

8 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.

9 TL3 Protection of trees during site clearance and development

No additional site works or development shall be carried out until the fencing to protect trees and hedges to be retained 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).

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

Within 3 months of the date of this permission, (or such period as agreed in writing by the Local Planning Authority) a landscape scheme, based on historic research and landscape restoration proposals, providing full details of hard and soft landscaping works shall be submitted for approval in writing by the Local Planning Authority. 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, including kerbing, road surfaces and other finishes
 - 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.
- Schedule of landscape maintenance.

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).

11 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).

12 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

13 H1 Traffic Arrangements - submission of details

Notwithstanding the submitted plans, prior to works commencing on the enabling development and car parking areas, details of all traffic arrangements (including

where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas (where appropriate) must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

14 H11 Visibility at Junctions

Unobstructed visibility shall be provided and permanently maintained above a height of 0.6 metres from footway level at 2.5 x 90 metres.

REASON

To ensure that adequate sight lines are provided and thereafter retained in the interests of highway safety in accordance with Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan.

15 H16 Cycle Storage - details to be submitted

No part of the enabling development (units 1-8) hereby permitted shall commence until shall details of covered and secure cycle storage for 17 covered and secure cycle storage spaces have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

16 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 exercising 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.

17 OM19 Construction Management Plan

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur.
- (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 adjoining roads.
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process.

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)

18 NONSC Non Standard Condition

Prior to occupation of the development, the boundary wall with the Cottage shall be completed in accordance with the submitted drawings. The agreed works shall be carried out as approved.

REASON

To ensure that in the new wall does not harm either Harefield Village Conservation Area or the setting of Breakspear House, in compliance with Policies BE4 and BE10 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 NONSC Non Standard Condition

Prior to any development works relating to the enabling development and car park commencing on site, details of a methodology for the excavation and construction of the new underground car park shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be carried out as approved.

REASON

To ensure that in the proposed works do not harm either Harefield Village Conservation Area or the setting of Breakspear House, in compliance with Policies BE4 and BE10 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

20 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).

21 NONSC Non Standard Condition

Sample panels of all new facing brickwork showing the proposed brick types, colour, texture, face bond and pointing for the new houses, new bin store structure, boundary walls to new properties and front boundary wall to Brakespear Road, shall be provided on site and the specification approved in writing by the Local Planning Authority before the relevant parts of the works are begun. The relevant parts of the work shall be carried out in accordance with such approved sample panels. The approved sample panels shall be retained on site until the work is completed and has been approved.

REASON

To safeguard the special architectural, historic interest and setting of the building, in compliance with Policy BE10 of the Hillingdon Unitary development Plan Saved Policies (September 2007).

22 NONSC Non Standard Condition

Prior to the commencement of the enabling development, an Ecological Management Plan shall be submitted to and be agreed in writing by the Local Planning Authority. The Plan should include the recommendations set out in the Protected Species Survey (2007). The scheme shall be carried out in accordance with the approved Ecological Management Plan.

REASON

To ensure the protection of European Protected Species and that the proposed development will not have unacceptable ecological effects on the locality in accordance with Policies EC1 and E5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 AR3 Sites of Archaeological Interest - scheme of investigation

No development shall take place until the applicant, their agent or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall only take place in accordance with the approved scheme. The archaeological works shall be carried out by a suitably qualified body acceptable to the Local Planning Authority.

REASON

The site is of archaeological interest and it is considered that all evidence of the remains should be recorded in accordance with Policy BE3 of the Hillingdon Unitary Development Plan Saved Policies (September

24 NONSC Non Standard Condition

No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological recording of the standing historic buildings and structures, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON

The site is of archaeological interest and it is considered that all evidence of the remains should be recorded in accordance with Policy BE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

25 NONSC Non Standard Condition

Prior to the installation of the thermal heat pumps to the new houses and lodges, details of their positions, and screening enclosures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policies BE10 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

26 NONSC Non Standard Condition

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide a 20% reduction in the sites carbon dioxide emissions through renewable energy generation contained within the submitted report entitled Site Energy Statement Ref: MDH/AE/1975 dated 26/3/2009 shall be integrated into the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

27 NONSC Non Standard Condition

Development shall not begin until a scheme for protecting the proposed development from road traffic and air traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such of the following measures as are agreed with the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and air traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

28 NONSC Non Standard Condition

Prior to any excavation or construction works related to the new underground car park and enabling blocks hereby approved, details of the method of protection of the house, Dovecote shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the underpinning and stabilisation of the Dovecote, retaining walls and garden walls. The protection works during the excavation and construction phases shall be carried out as approved.

REASON

To ensure that no damage is caused to the listed structures , in accordance with Policy BE8 of the Hillingdon Unitary development Plan Saved policies (September 2007).

INFORMATIVES

It is acknowledged that conditions 4 (floor levels), 4 (ground levels and proposed floor levels) 5 (storage of refuse bins), 7 (site levels and routes of over/underground works and lines), 13 (traffic arrangements), 15 (secure cycle storage), 17 (construction management plan), 21 (samples panels of brickwork), 23 (programme of archaeological investigation), 24 (programme of archaeological recording), 27 ((protection from road and air traffic noise have been discharged (refs: 7610/APP/2009/2499 and 7610/APP/2009/2205). You are advised that this consent does not override those approved details.

2 152 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).

3 153 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.

PR19	Development proposals for Breakspear House
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

4

The historic buildings are of intrinsic archaeological interest and any alteration or demolition of the historic structures should be recorded before they are damaged or destroyed by the development hereby permitted. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

5 113 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

6

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.

7 112 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

8 113 **Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

9 114 **Installation of Plant and Machinery**

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

10 115 **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.

11 119 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that

the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

12 I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

13 I34 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further

information you should contact Building Control on 01895 250804/5/6.

14 **I35** **Res. Dec's in Harefield - Prox. to Denham Aerodrome**

The applicants are alerted to the fact that Denham Aerodrome's hours of operation are normally between 07.00 hours and 22.00 hours with exceptional and medical flights permitted at any time.

3. CONSIDERATIONS

3.1 Site and Locality

Breakspear House is a Grade 1 listed building and is located on the south western side of Breakspear Road North approximately 1 kilometre to the south east of Harefield Village. The site of this application is contained within a small part of the grounds of Breakspear House and formed a part of the site of the approved scheme for enabling development in relation to the main house. The red line that defines the development site is located immediately to the west and south of the northwest facing flank wall elevation of the 3 storey listed Breakspear House. The site is located on land between the main house and the historic walled garden and is on the site of historic single storey outbuildings that have been demolished. The site is presently a construction site with building works taking place in respect to the previously approved scheme in respect of the part excavated car park building and Houses 1-4 of the enabling development.

A major feature of this area of the grounds of Breakspear House is the substantial changes in levels from east to west. The ground floor of the main house is approximately 4 metres below the floor level of the former outbuildings to the west of the main house. To the south of the house this change in levels is maintained by a retaining wall and to the north the slope rises towards both the tarmac area in front of the former outbuildings and the Dovecote. The floor level of the Dovecote is approximately 6 metres above the ground level of the main house.

3.2 Proposed Scheme

The proposed scheme is an amendment to the approved scheme (7610/APP/2008/1012) that embraces the whole of the Breakspear House site and involves alterations solely to House Units 1-4. The proposals involve alterations to the internal layouts with bedrooms relocated to the lower ground floor with the main living rooms relocated to the upper ground floor (car park courtyard level). The proposed scheme would involve the loss of the 5th bedroom for each unit, as the 3 non-master bedrooms in comparison to the approved scheme are made larger. Externally the changes involve the introduction of decking in rear gardens serving the houses and changes to the feature details to the external elevations of the houses involving less decorative brickwork and feature detailing surrounding the windows.

The proposed scheme also proposes a minor revision to the detailing of the stairs linking the upper deck of the car park to flat Unit 8 within Breakspear House itself and the retention of an original wall (serving approved bin stores) that was to be originally demolished under the approved scheme. The current scheme will involve no alteration to the height, bulk, design of roof or footprint of the houses or to the car park and does not involve any change to the number of residential units.

3.3 Relevant Planning History

7610/APP/2008/1012 Breakspear House Breakspear Road North Harefield

Amendments to planning permission ref.7610/APP/ 2002/1816 dated 28/1/2008 (Conversion of existing house to 10 flats, erection of 7 dwellings and erection of single storey extension to Lower Lodge), incorporating conversion of existing house to 9 flats, erection of 8 dwellings and erection of a two storey extension to Lower Lodge, single storey extension to Upper Lodge together with surface level and underground parking.

Decision: 20-08-2009 Approved

Comment on Relevant Planning History

Breakspear House and the Dovecote are included within English Heritage's Building at Risk Register 2001. This register is a working tool, helping to define the scale of the problem, and to prioritise action by English Heritage, local authorities, building preservation trusts, funding bodies and everyone who can play a part in securing the future of these outstanding and irreplaceable parts of our heritage.

Breakspear House was identified as being structurally sound, but in need of minor repair as a result of a lack of general maintenance. The Dovecote was identified as a structure with deteriorating masonry and general deterioration of most elements of the building fabric, including external joinery. In the register, in terms of priority action, they are classed as 'C' which means they are slowly deteriorating. In exercising the approved scheme (7610/APP/2008/1012) and the related listed building consent (7610/APP/2008/1478) the fabric of the main house has been brought up to an excellent external standard of repair with work on going in respect of repairs and adaptation of the interior to serve as separate residential units.

Since the Buildings at Risk Register was compiled in 2001, both Breakspear House and the Dovecote had experienced rapid deterioration in the fabric of both buildings. Substantial cracks appeared and there were substantial problems regarding water penetration to both structures. This increase in deterioration was the result of the long-term neglect of these buildings. Given these problems, it became imperative that the long-term survival of these buildings be secured. Breakspear House will remain on the register of Buildings at Risk Register until the completion of the building works, the discharge of related planning and listed building conditions and the written agreement by the local planning authority of a satisfactory implementation of the measures required under the section 106 including a satisfactory on-going site management plan.

Planning permission was granted in August 2009 (ref: 7610/APP/2008/1012) for the conversion of the existing house to 9 flats, erection of 8 dwellings and the erection of extensions to the lodge buildings, with new parking (involving demolition of existing outbuildings). Listed building consent was also granted for the works set out above.

The conversion of the main house involves significant changes to the internal arrangement of the house, with new partitions, new openings in existing walls and existing openings closed.

The proposed new dwellings ('enabling development') are split into three blocks. Units 1-4 are a terrace of 4 x 5 bedroom houses over 2½ levels (located to the west of the main house), backing onto the proposed underground parking. This terrace is 28.8 metres long by 8.4 metres deep, resulting in a footprint of 253 sq. metres. The front of the block at ground floor would be at the same level as the first floor level of the main house with

sunken rear gardens at the ground level of the main house. The terrace is therefore, single storey at the front and 2½ storey at the rear.

Units 5-8 comprise two pairs of 2½ storey semi-detached 5 bedroom houses with a total footprint of 390 square metres and floor area of 872 square metres. Each pair of semis is 13 metres wide by 7.5 metres deep and would be located 60 metres to the west of the main house. The terrace and semi detached dwellings will form a courtyard development enclosing surface and underground parking. Access to the underground parking is via a new tower to replicate the dovecote, which provides access at the lower level.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.

Part 2 Policies:

- PR19 Development proposals for Breakspear House
- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 2nd February 2011

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised in the local press and a site notice was displayed. Consultation letters were sent to the owner/occupiers of 11 adjoining properties, Harefield Tenants and Resident Association, Ickenham Residents Association, Harefield History Society and Harefield Area Conservation Panel. No responses were received.

English Heritage: Do not wish to offer comments on this occasion, other than the application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

Internal Consultees

CONSERVATION OFFICER:

PROPOSAL: Alterations to units 1-4, including a deck to rear of the units, new staircase between house and courtyard and changes to bin store adjacent to the house.

COMMENTS: The revised drawings are acceptable in principle and accord with the pre-application discussions. It is considered that the changes to the rear of the units would improve their overall appearance and reduce their impact on the setting of the garden front of Breakspear House. Overall, the changes create a terrace of buildings that appear less like town houses and more like the original outbuildings that stood in the courtyard adjacent to the house. The detailed design and materials of the bridge link and staircase between the courtyard and the main house need to be agreed by condition.

The changes to the bin store area and enclosure allow an existing brick wall adjacent to the main house, uncovered during the works, to be retained. This is to be welcomed in listed building terms.

Conditions: The same conditions as attached to the originally approved scheme (re these units) need to be attached to this application if approved and these should also cover:

- Details repairs to the brickwork of the bin enclosure
- Samples of the new coping to this area to be agreed
- Details of the design of the gate to the bin store and handrails
- Materials for the surfaces of the decked areas to be agreed

CONCLUSION: No objection subject to the comments above.

WASTE DEVELOPMENT: The plan does show that space has been allocated for a total of 6 x 1,100 litre eurobins. This should provide sufficient waste storage capacity for the development.

TREE & LANDSCAPE OFFICER: There are no trees on the part of the site/scheme (units 1-4) that it is proposed to alter and the landscaping can be dealt with as part of the comprehensive scheme for the whole site, which is subject to a live details application (currently being revised).

So long as the tree and landscape conditions imposed on the main planning permission (Ref: 7610/APP/2002/1816 dated 28/1/2008) and the relevant terms/schedules of the associated legal agreement (and the documents plans submitted/approved in accordance with it) will still apply to this part of the site, which is part built, the (part retrospective) application is acceptable in terms of the relevant tree/landscape policies.

PLANNING OBLIGATIONS OFFICER: Further to the submission of the above application I can advise that a Deed of Variation will be required to hook this additional planning reference into the main S106 agreement.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development has already been established by virtue of planning permission ref: 7610/APP/2008/1012 dated 21st August 2009. No changes are proposed in the number of residential units or the number of bed spaces, only their location within the units. The current application seeks approval of revisions to the appearance of the building, to the gardens and to the internal layouts.

7.02 Density of the proposed development

No changes are proposed to the density of development approved under planning permission 7610/APP/2008/1012.

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

IMPACT ON ARCHAEOLOGY AND THE SETTING OF THE LISTED BUILDING:

It is considered that the changes to the rear of the units would improve their overall appearance and reduce their impact on the setting of the garden front of Breakspear House. Overall, the changes create a terrace of buildings that appear less like town houses and more like the original outbuildings that stood in the courtyard adjacent to the house.

The current application will involve no alteration in the degree or location of excavation required and this amendment scheme would not involve changes to the approved scheme in close proximity to the Dovecote that remains in a poor state of repair but is subject to future repair by existing conditions and the S106 agreement for the site.

7.04 Airport safeguarding

Not applicable to the issues currently under consideration.

7.05 Impact on the green belt

See Section .

7.06 Environmental Impact

Not applicable to the issues currently under consideration.

7.07 Impact on the character & appearance of the area

The impact of the proposal on the Green Belt and Harefield Village Conservation Area were dealt with in the original approved scheme to which this is an amendment. The proposed alterations from the approved scheme (7610/APP/2008/1012) are not of a nature to be considered to have a wide material impact upon the character or appearance of the wider area. As reflected in the comments of the Conservation Officer, the proposed amendments with this application are not considered to have a negative impact in relation to the existing approved scheme for these 4 enabling residential units or the setting of the listed Breakspear House.

Details that will vary from the approved scheme in respect of repairs to the brickwork to the bin enclosure, samples of the new coping to the bin stores, details of the design of the gate to the bin store and handrails, the material for the surface of the top deck car parking areas can be dealt with appropriately through the existing conditions attached to the approved scheme that are also attached to this scheme, should it be approved.

7.08 Impact on neighbours

The proposed alterations within this application from the approved scheme (7610/APP/2008/1012) will not have any adverse impact in terms of potential loss of privacy, overlooking, daylight/sunlight issues to future occupants of the adjoining enabling residential units (Houses No 5-8) or to the future occupants of the flats within the main house. The scheme is in accordance with the provisions of Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

7.09 Living conditions for future occupiers

It is considered that the changes in the internal layouts of the house 1-4 of the enabling development with the relocation of bedrooms to the lower ground floor and the main living rooms relocated to the upper ground floor of the units will provide benefits in terms of the natural light and outlook provided to these main living rooms. The proposed decking at the upper floor level to the rear of the units will reduce to a degree the sunlight and outlook to

the bedrooms at lower ground level. However it is not considered with the excavated element to the rear garden, served by a retaining wall that the alterations will result in an unacceptable standard of amenity to these bedrooms for future occupants of the 4 houses. Indeed the loss of a bedroom to each house compared to the approved scheme should result in a more spacious quality to the remaining bedrooms.

7.10 Traffic impact, car/cycle parking, pedestrian safety

No changes are proposed to the parking arrangements previously approved and considered acceptable.

7.11 Urban design, access and security

The changes proposed would not impact upon the security of the Units 1-4.

7.12 Disabled access

The proposed changes would not impact upon level access between the upper deck car park and entrances to Units 1-4. The development would provide an adequate living environment for future occupiers in terms of accessibility.

7.13 Provision of affordable & special needs housing

Not applicable to the issues currently under consideration.

7.14 Trees, Landscaping and Ecology

Subject to the tree and landscape conditions imposed on the original permission (7610/APP/2008/1012) and the relevant associated legal agreement no new issues in this respect are raised by the proposed changes.

7.15 Sustainable waste management

Subject to the conditions imposed on the original permission (7610/APP/2008/1012) and the relevant associated legal agreement no new issues in this respect are raised by the proposed changes.

7.16 Renewable energy / Sustainability

Not applicable to the issues currently under consideration.

7.17 Flooding or Drainage Issues

Not applicable to the issues currently under consideration.

7.18 Noise or Air Quality Issues

Not applicable to the issues currently under consideration.

7.19 Comments on Public Consultations

No written comments received to the application from local residents or amenity societies.

7.20 Planning Obligations

The current application is identical to the approved scheme in terms of number of dwellings within this location of the enabling development approved under application 7610/APP/2008/1012 and will not alter the total number of units on site.

The original S106 agreement over the site was dated 12 December 2007, A variation to the S106 was agreed to reflect the amendment to the main scheme (7610/APP/2008/1012) and was signed and concluded on 9 August 2009.

The heads of terms, are as follows:

- A management plan to secure the long term maintenance of both Breakspear House and the Dovecote;
- Structural impact details to ensure the Dovecote is not damaged;
- Legal provisions to secure an appropriate phasing and completion to requisite standards;
- A landscape, restoration and management plan, including detailed proposals, long terms management responsibilities and maintenance schedules for all landscape areas;

- A management plan for blocks A and B including restrictions on the erection of new walls, fences or other structures; and any associated traffic orders or associated works;
- A public access plan to enable public access to approved areas of the site for up to 2 days a year;
- Highway works as to improve the site access;
- Wall works, prior to any demolition and rebuilding of a listed wall that a scheme is submitted and approved detailing how this work will be undertaken;
- A project management and monitoring fee of £1,000 for the management and monitoring of the education contribution paid in May 2008 and which is outstanding.

While an increase in contributions previously agreed is not considered necessary, a proportion of the obligations previously agreed do relate, in part, to the units proposed to be amended by this application. Accordingly the existing S106 agreement must be varied in order to ensure that these requirements are linked to the current application.

Accordingly, it is recommended that the Council approve the application only once the varied legal agreement is in place.

7.21 Expediency of enforcement action

Not applicable to the issues currently under consideration.

7.22 Other Issues

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

The revision to the approved scheme are considered to provide a better arrangement of accommodation for future occupants of the Houses 1-4 of the enabling development. The proposed changes to the rear with the introduction of decking is considered to improve the units overall appearance and reduce their impact on the setting of the garden of the listed building. The changes involving a simpler form of architectural detailing to the front elevation of the terraced units overlooking the top decking of the car parking is considered more in keeping with the original outbuildings in this location, which is welcome.

In other respects the scheme is considered essentially identical to the previous scheme other than a welcome retention of an existing wall to serve a bin storage and a proposed minor change in the stairs linking the car parking deck to the main house, the exact details of which are controlled by an existing planning and listed building consent condition relating to the whole scheme (Refs: 7610/APP/2010 and 7610/APP/2010/1478 respectively).

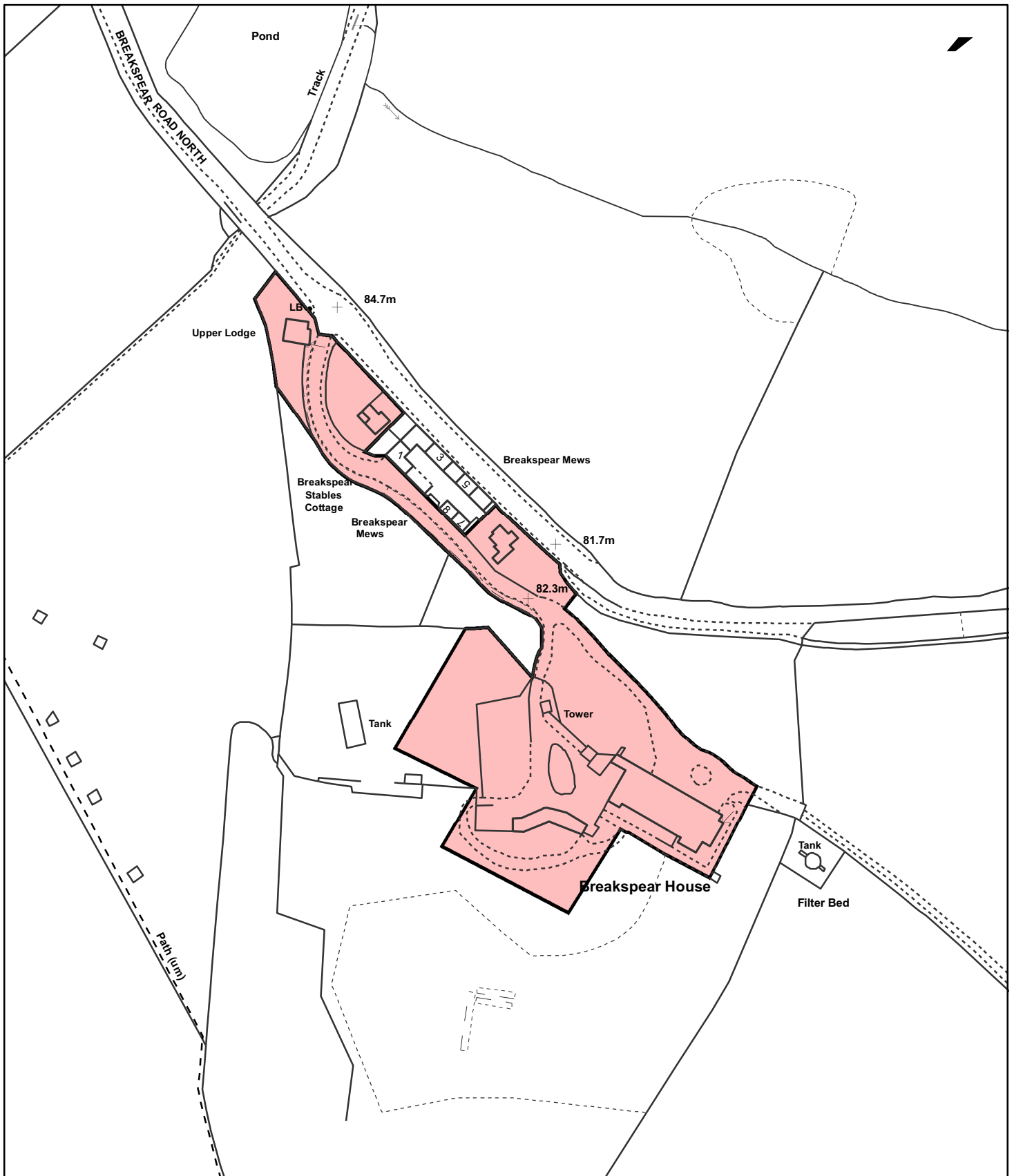
Subject to a variation of the existing legal agreement for the site and subject to the original conditions imposed on the main approved scheme (7610/APP/2008/1012), the development would accord with PR19, BE4, BE10, BE13 and BE38 of the Saved policies of the Unitary Development Plan, September 2007 and is recommended for approval.

11. Reference Documents


London Plan Consolidation (February 2008)
Planning Policy Statement 5: Planning for the Historic Environment
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Hillingdon Design and Accessibility Statement (HDAS): Accessible Hillingdon
Hillingdon Design and Accessibility Statement (HDAS): New Residential Layouts
Council's Supplementary Planning Guidance Planning Obligations Strategy

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Notes

 Site boundary

For identification purposes only.

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Site Address	
Breakspears House, Breakspears Road North, Harefield	
Planning Application Ref:	Scale
7610/APP/2010/2608	1:2,000
Planning Committee	Date
North	February 2011

LONDON BOROUGH OF HILLINGDON

Planning, Environment & Community Services

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