

Report of the Head of Planning & Enforcement Services

Address 70 STATION ROAD WEST DRAYTON

Development: Demolition of existing buildings and erection of a residential building to accommodate 44 flats with associated landscaping and basement car park.

LBH Ref Nos: 2954/APP/2011/1901

Drawing Nos: Design and Access Statement
PO1: Site Layout & Ground Floor Plan
PO2: Proposed Floor Plans
PO3: Elevations 1/2
PO4: Elevations 2/2
PO5: Full Wheelchair Accessible Plan
14272: Underground Services
Transport Statement
Energy Statement
Noise Survey & PPG24 Assessment Report
Ecological Survey
Air Quality Assessment
Geological Survey
Daylight, Sunlight & Overshadow Study

Date Plans Received: 02/08/2011 **Date(s) of Amendment(s):**
Date Application Valid: 30/08/2011

1. SUMMARY

Full planning permission is sought for the redevelopment of the site for a residential development comprising of 44 residential units associated amenity space and basement parking.

The site has an extensive planning history, including a recent approval for 35 residential units, amenity space and under-croft parking. The proposed development is acceptable in principle and the density of development accords with the recommendations of the London Plan.

It is considered that the current proposal fails to comply with the minimum floor area standards required for residential units, would not provide amenity space of sufficient size and would not provide adequate defensible space to give privacy for future occupants of the ground floor units.

Insufficient transport information has been submitted with the application in order to assess the impact on the local highway network and on the living conditions of nearby residents, the safe operation of the parking and manoeuvring.

It has also not been demonstrated by the plans submitted that a sufficient amount of cycle parking would be provided in accordance with the Council's adopted standards.

The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The floor areas of ground floor units are below the minimum standard required. As such the proposal would fail to provide a satisfactory residential environment for future occupiers, contrary to Policy BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007), Policy 3.5 of the London Plan (2011) and design principles 4.6, 4.7 and 4.8 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposal fails to provide an appropriate amount of usable amenity space. As such the proposal would provide a substandard form of accommodation for future residents contrary to Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), and design principles 4.17 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal fails to provide adequate defensible space to provide privacy for future occupants of ground floor units. The proposal would therefore give rise to a substandard form of living accommodation for future occupiers contrary to Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and design principles 4.12 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

Insufficient transport information has been submitted concerning the proposed access and parking arrangements in particular they do not demonstrate the provision of an appropriate gradient access to the carpark and a workable basement carpark. As such the applicant has not demonstrated that the proposal provides safe and acceptable parking arrangements. The proposal is therefore considered contrary to Policies AM7, AM14 and AM15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NON2 Non Standard reason for refusal

It has not been demonstrated by the proposal that a sufficient amount of cycle parking would be provided in accordance with the Council's adopted standards, and therefore the proposal is contrary to Policies AM7 and AM9 of the Unitary Development Plan Saved Policies September 2007.

6 NON2 Non Standard reason for refusal

The applicant has failed to provide a contribution towards the improvement of services, facilities, and public transport as a consequence of demands created by the proposed development (in respect of education, health, community facilities, libraries, construction training, air quality and project management and monitoring). The scheme is therefore contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Hillingdon Planning Obligations Supplementary Document (July 2008).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM3	Proposals for new roads or widening of existing roads
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime

3. CONSIDERATIONS

3.1 Site and Locality

The application site has an area of approximately 0.267ha comprising of a disused garage building, formerly used as a car showroom and vehicle workshop. The existing building on site is a largely single storey structure, with a part two storey projection located over the middle of the site. The remainder of the site is covered by hard standing. The site has been fenced off with hoardings.

The site is bounded by Station Road to the north, to the east by Drayton Gardens and to the west and south by residential properties. The site has an overall frontage to Station Road of approximately 59 metres and extends around the corner to partially front Drayton Gardens by approximately 16 metres. The site, while located within a Town Centre location is located within an area that reflects a predominant scale of two to three storey residential and mixed use development. The application site is bounded by two storey detached residential dwellings to the south and east, and to the west is a larger scale three storey flatted development and on the north side of Station Road, there is a mix of two and three storey office and mixed use development.

Station Road is designated as a Local Distributor Road on the Proposals Map of the adopted Hillingdon Unitary Development Plan. The site is located approximately 300 metres from West Drayton Rail Station and has a Public Transport Accessibility Level (PTAL) score of 3 on a scale of 1 to 6 where 6 represents the highest level of accessibility.

The site has three existing vehicle access points, two off Station Road and one (an egress only) off Drayton Gardens.

3.2 Proposed Scheme

Full planning permission is sought for the redevelopment of the site for a residential development comprising 44 residential units associated amenity space and basement parking.

The proposal provides for a residential mix comprising 15 one bedroom units, 27 two bedroom units and 2 three bedroom units. The scheme proposes 10% of the units to be designed to wheelchair accessible standards (unit 4 on the ground floor, units 4, 16 on the first floor and units 22, 29 on the second floor) all of which are on floors serviced by two lifts.

The development provides for a part two, part three storey development, supported by a basement parking area with 44 spaces (4 of which are designed to standards appropriate for disabled occupiers).

It has been indicated on plans submitted that a total of 1088sq.m amenity space would be provided for the development. The communal amenity space would comprise of three ground floor areas and a roof terrace. Private amenity areas totalling 310sq.m would be provided to five of the ground floor units. A children's play area is proposed, located in the centre of the site well away from the road frontage.

The scheme represents a resubmission of an application previously granted planning permission for 35 residential units with associated amenity space and under-croft parking for 35 vehicles. The current scheme is set within the approved envelope of the 35 flat scheme. The new scheme however is designed with basement parking only with 9 additional ground floor flats replacing the under-croft parking. The development concept and footprint being virtually identical to the approved scheme.

3.3 Relevant Planning History

2954/APP/2007/2344 70 Station Road West Drayton

ERECTION OF A PART TWO, PART THREE, PART FOUR, PART FIVE STOREY
RESIDENTIAL BUILDING TO ACCOMMODATE 66 FLATS WITH ASSOCIATED BASEMENT
PARKING AND LANDSCAPING.

Decision: 30-10-2007 Refused

Appeal: 27-02-2008 Withdrawn

2954/APP/2008/1160 70 Station Road West Drayton

ERECTION OF A RESIDENTIAL BUILDING TO ACCOMMODATE 59 FLATS WITH ASSOCIATED BASEMENT PARKING AND LANDSCAPING CONDITIONS.

Decision: 08-09-2008 Refused

2954/APP/2009/118 70 Station Road West Drayton

Mixed-use development consisting of a single retail unit (internal floorspace of 310 sq metres), and 41 residential dwellings with associated parking.

Decision: 05-05-2009 Refused

2954/APP/2009/1488 70 Station Road West Drayton

43 residential dwellings (consisting of 14 one- bedroom units, 26 two-bedroom units, 3 three-bedroom units) with associated parking and landscaping.

Decision: 30-11-2009 Refused

Appeal: 18-05-2010 Dismissed

2954/APP/2010/1810 70 Station Road West Drayton

Erection of a residential building to accommodate 35 flats (consisting of 12 one-bedroom units, 21 two-bedroom units and 2 three-bedroom units) with associated parking and landscaping.

Decision: 01-08-2011 Approved

Comment on Relevant Planning History

The application site has an extensive history of 5 previous applications for residential redevelopment, 4 of which have been refused for individual reasons.

The most relevant planning history is application 2954/APP/2010/1810 which was granted planning permission for 35 residential units with associated amenity space and 35 undercroft parking spaces granted on 1 August 2011 subject to conditions.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM3	Proposals for new roads or widening of existing roads
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th September 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

111 adjoining/surrounding properties have been consulted on the application and 3 representations have been received raising the following concerns;

- Lack of community facilities
- Lack of parking
- Detrimental to highway safety
- Loss of privacy
- Increase in noise

GARDEN CITY ESTATE RESIDENTS ASSOCIATION

Garden City Estate Residents Association represents some 2000 people. We consider that the new

planning application if approved would be an overdevelopment of the site and add to the traffic congestion problems in the area. We ask the Committee to refuse the application on the grounds of overdevelopment and parking and traffic problems resulting from the approval of such a development.

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.

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

A condition stating that no impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) should be attached to any approval.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

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

Internal Consultees

ACCESS OFFICER

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (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. Good practice recommends that communal car parks, as part of a Lifetime Home development, should provide at least one accessible parking space within each zone / lift core. The accessible bays should provide an effective clear width of 3300 mm (3600 mm preferred). Where more than 9 car parking spaces are provided, 10% should be designed as accessible bays. Furthermore, the parking layout and landscape design should be conducive to Lifetime Home principles and allow for further accessible parking bays to be created according to demand.

2. To support the Secured by Design agenda, accessible car parking bays should not be marked. Car parking spaces should be allocated to a specific unit, allowing a disabled occupant to choose whether the bay is marked.

REASON: Bays that are not allocated would not guarantee an accessible bay to a disabled resident. Similarly, a disabled person may not necessarily occupy an accessible home allocated a disabled parking space. Marking bays as disabled parking could lead to targeted hate crime against a disabled person.

3. Level access via the communal entrance is assumed and should be confirmed by way of a separate plan or topographical survey. Details in this regard should be requested prior to any grant of planning permission.

4. The communal area corridors should be no less than 1500 mm wide.

5. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.

6. The plan for the proposed one & two bedroom flats is noted, however, the actual units appeared not to have been incorporated on the main floor plans as submitted. Revised plans should be requested in this regard.

7. All bathrooms/ensuite facilities 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.

8. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage.

9. Details should be provided in respect of the provision of adequate means of escape or areas of refuge for disabled people, or others unable to escape by stairs, in the event of a fire outbreak.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home and Wheelchair Housing standards.

Conclusion:

Further details in respect of the above should be requested and submitted as a prerequisite to any planning approval.

TREES & LANDSCAPE

There are several trees close to the site, but none on it. The application includes an arboricultural (tree) survey and report (from 2009). The report confirms that there are no trees on the site, but there is a group of trees (off-site) close to the southern boundary of the site, which includes one significant tree, a Sycamore (tree 5), in the group. Tree 5 affords some screening of the site and is, in terms of Saved Policy BE38, a landscape feature of merit which should be retained as part of the development of the site.

The report refers to proposed layout and confirms that, subject to a detailed methodology of works about 5-6m from the Sycamore (tree 5), the scheme makes provision for the long-term retention of the existing trees near to the site. Tree-related matters can be dealt with by conditions TL1 (levels and services), TL2, TL3 and TL21 (tree protection and construction method statement).

There is very limited space for landscaping on the road frontage of the site and for trees close to the front wall of the building. However, this matter was considered by the Inspector, who dismissed the appeal against the Council's refusal to grant permission previously. The Inspector found that, whilst such trees might either be unsuccessful or may have to be pruned, the lack of planting would not in itself harm the character or appearance of the street scene.

In the light of the Inspector's decision, and subject to conditions TL1 (services and levels only), TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38 of the UDP.

MAJOR PROJECTS AND IMPLEMENTATION

Proposal:

Market flats Affordable housing flats

11 x 1 bed (@ 3hrms, 1.51pop) 4 x 1 bed(@ 3hrms, 1.34 pop)

23 x 2 bed (@ 4hrms, 1.93pop) 4 x 2 bed (@ 4hrms, 2.24 pop)

2 x 3 bed (@ 5hrms, 2.31pop)

total number of flats 44

total population: 79.94

Proposed Heads of Terms:

1. Transport: in line with the SPD a s278 and or s38 agreement may be required to be entered into address any and all highways matters arising from this proposal.
2. Affordable Housing: in line with the SPD a Financial Viability Appraisal (FVA) has been submitted to demonstrate the level of affordable housing that can be provided on site currently proposed 16% of the total number of habitable rooms.
3. Education: in line with the SPD a contribution towards education places is sought in the sum of £149,756, which could be discounted to £126,741 if the council receives full nomination rights for the social housing units.
4. Health: in line with the SPD a contribution in the sum of £17,320.60 is likely to be sought as a result of this proposal equal to £216.67 per person.
5. Community Facilities: in line with the SPD a contribution towards local community facilities may be sought as a result of this proposal. If so, a contribution in the sum of £10,000 should be secured.
6. Libraries: in line with the SPD a contribution towards library facilities is sought as a result of this proposal in the sum of £1,838.62 (£23 per person)
7. Recreational Open Space: in line with the SPD if Green Spaces consider that there is a deficiency of open space in the locality then it is likely that a contribution towards recreational open space will be required. I note that the applicant has proposed an on site play area which needs to be duly assessed.
8. Construction Training: in line with the SPD a contribution equal to £2,500 for every £1m build cost + $44/160 \times £712,675$ or an in-kind training scheme is likely to be sought as a result of this proposal.
9. Project Mgmt and Monitoring Fee: in line with the SPD a contribution equal to 5% of the total cash contributions is sought to enable the mgmt and monitoring of the resulting agreement. I trust

this assists in the first instance once we are in receipt of comments from the specialist areas notated above I shall finalise the s106 heads of terms and seek agreement from the applicant.

10. Air quality: A contribution towards air quality is sought as a result of this proposal in the sum of £25,000.

ENVIRONMENTAL PROTECTION UNIT

Noise Impact

With reference to the environmental noise survey submitted as part of the proposed scheme, together with PPG24 assessment undertaken. The front façade of the building falls partially within category C of PPG24 Noise Exposure Categories for residential dwellings. The corresponding advice according to PPG24 NEC Category C for residential development in this category is as follows:

"Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise"

A condition requesting a scheme for noise mitigation measures is therefore required to ensure that the future occupiers of the development are adequately protected from noise.

Sound insulation

Conditions requesting a sound insulation and ventilation scheme for protecting the proposed development from road traffic and other noise and requesting a Construction Environmental Management Plan (CEMP) should be attached to any approval.

Method Statement

A condition requesting a method statement should be attached to any approval.

Installation of External Lightings

A condition requesting details of external lighting within the site should be attached to any approval.

A 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 should be attached to any approval.

Contaminated land comments

The letter report is a review of previous site investigation reports submitted with the original planning application. It updates the original assessment work which was carried out in 2007 given that there have been some changes in contaminated land assessment and guideline contaminant levels for soil. The report does not provide any new investigatory information ie: new boreholes.

It would appear that the assessment of contaminant levels shows that lead and hydrocarbons (PAH and TPH) are present in the soil. There is some contamination in the made ground and in one isolated area of clean soils (thought to be from an old fuel tank excavation). There is some contamination in the gravels indicating that the groundwater could be affected as this is in the gravel strata. The hydrocarbon contamination apart from one benzene level appears to be from heavier end diesel type fuels. Groundwater monitoring is advised as there is no data.

The remediation proposed appears to be the basement excavations which will remove the majority of the made ground containing the contamination. If there is any residual contamination this is thought likely to be rendered innocuous below the basement car park. Some trial pits are advised to check out the soil after the basement excavation is completed.

I would say that the details seem satisfactory to support a new application. If not they should be submitted in compliance with the contaminated land condition 18 of the current permission if it is implemented.

There is much further information to be submitted on contamination such as details of the further investigation works mentioned above and the validation of the remedial works.

HIGHWAY OFFICER

The proposals include a basement car park with a ramp to access/egress the car park. The ramp is proposed to have a 1:20 gradient for a length of approximately 6m from the access point in to the site. The gradient of the ramp then changes to 1:7, which is considered to be too steep and is therefore unacceptable.

The Council normally accepts the ramp gradient of 1:10 (maximum). The applicant has not provided an assessment of the suitability of the proposed ramp, and drawings to show surface, ramp and car park levels, and a cross-section to show the height of the car park, all of which are required to ascertain the acceptability of the proposed ramp and the car park.

Swept path and visibility analyses are required at the bottom of the ramp to show that vehicles can enter and leave the car park and the ramp independently and safely. The applicant has not submitted these analyses.

A number of columns are proposed within the basement car park to support the structure of the proposed building above the car park. The size of the columns shown on the submitted basement plan do not appear to be the actual size, which needs to be shown on a drawing to evaluate the effect of the columns on the proposed parking spaces.

Accesses for the proposed services within the basement level have not been shown on the submitted drawings. In the absence of information, it is considered that access for the services area shown between car parking spaces 27 and 28 could be blocked by vehicles parking in these bays.

The Council's cycle parking standards stipulate a minimum provision of 1 space per flat. The proposed cycle parking area does not provide the level of parking required by the Council's minimum standards.

In the absence of above, I am unable to fully review the highways aspect of the application and form a conclusive view on the acceptability of the proposed car park and access arrangements. The applicant should be advised to withdraw the application to provide the above information. In absence of information, the application should be refused, as if permitted it could be contrary to the Council's policies AM7, AM9 and AM14 of the UDP.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy LE4 considers proposals that involve the loss of existing industrial floorspace or land outside designated industrial and business areas.

Whilst the garage is a Sui Generis use, the workshop type functions would bring it within industrial floorspace consideration. The site has been vacant for two years, however it is noted that recently limited use has been reintroduced on site. The site is immediately adjacent to a residential area. There are other vacant sites in nearby designated employment locations which are considered more appropriate for industrial and

warehousing activities. The site has the potential to contribute to the regeneration of Yiewsley and West Drayton town centre. As a result Policy LE4's requirements are met in terms of the re-use.

Policy H4 states that a mix of housing units of different sizes should be provided in residential developments and in particular one and two bedroom units within Town Centre locations will be preferable. The supporting text states: 'The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly one or two-bedroom units.

The scheme provides for a percentage mix of 34% 1-bed and 61% 2-bed 5% 3 bed units. This mix is considered to be acceptable with respect to Policy H4. Policy H5 states that the Council will encourage the provision of dwellings suitable for large families. However, the proposal will promote an appropriate mix of 1, 2 and 3 bed units within this Town Centre location and provides for an increase in the number of units which would meet other forms of housing need in the Borough.

On the basis that there is an established need, the fact that the re-use of brownfield land is encouraged and given the planning history, provided site specific issues are addressed, the principle for the re-use of the site for residential can be established.

The extant planning permission (Ref: 2954/APP/2010/1810) granted for a similar residential development on this site represents a material consideration and the principle of a residential development has therefore been set.

7.02 Density of the proposed development

London Plan Policy 3.4 seeks to maximise the potential of sites. The site is in a District centre with an urban character with a PTAL of 3. The London Plan (July 2011) provides for a density range between 70-170u/ha or 200-450hr/ha for sites with a PTAL 3 in an urban location and with an indicative average unit size of 2.7hr-3.0hr/unit.

The scheme would result in a density of 165 units per hectare or 445 habitable rooms per hectare.

The proposed scheme therefore falls within the London Plan table 3.2 Density matrix indicative guidelines in terms of number of units and habitable room guidelines. Subject to the scheme achieving an appropriate design in relation to other planning policies and other material considerations the proposed density is considered acceptable.

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

The site is located within an Archaeological Priority Area, being an area where archaeological remains may be anticipated. English Heritage has previously requested that an archaeological condition be carried through in the event that the scheme is approved.

7.04 Airport safeguarding

Defence Estates Safeguarding, BAA and NATS (En Route) Limited have no safeguarding objections to the proposal.

7.05 Impact on the green belt

The proposal is not located within the Green Belt and therefore no Green Belt policies are

relevant to the consideration of this scheme.

7.07 Impact on the character & appearance of the area

The design and scale of the scheme remain consistent with that previously considered under application 2954/APP/2010/1810. However the density of the development has been increased by 9 units and a basement car park is proposed.

The additional ground level dwellings replace the previous under-croft parking arrangement and would be consistent with the design of the remainder of the building. A low level wall with high railings would be provided on the front boundary defining the public and private spaces.

Having regard to the previous application, which found no harm with the design, scale and materials the proposed scheme would retain an appropriate appearance within the street scene in accordance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

The footprint of the proposed building is identical to that previously considered and all fenestration above ground floor level remains identical to that contained within the previous application. Similarly the location and size of the proposed roof terrace remains identical. Having regard to the previously approved scheme, which represents a material consideration, and subject to conditions to ensure the provision of privacy screen to the roof terrace and the implementation of the proposed obscure glazing, it is not considered that the proposal would result in any significant harm to the amenity of neighbouring occupiers.

The application is therefore considered to comply with Policies BE19, BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

Floor areas

The London Plan (July 2011) sets out minimum size standards for residential units, these being; 50sq.m for one bedroom units, 61/70sq.m for two bedroom units and 74/86/95sq.m for three bedroom units. A number of the proposed units at ground floor level do not comply with the minimum floorspace standards set out within the London Plan.

As such the proposal fails to provide a satisfactory residential environment for future occupiers, contrary to Policy BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and Policy 3.5 of the London Plan (2011).

Amenity Space

Policy BE23 requires the provision of external amenity space which is sufficient to protect the amenity of the development and surrounding buildings and which is usable in terms of its shape and siting. The council's HDAS Residential Layout provides further guidance on this issue indicated that in flatted development communal amenity space should be provided in a quantum equating to 20sq.m per 1 bedroom unit, 25sq.m per 2 bedroom unit and 30sq.m per three bedroom unit.

In accordance with the Council's guidance a total of 1035sq.m of communal amenity space would be required. It has been indicated on plans submitted that a total of 1088sq.m amenity space would be provided for the development.

The communal amenity space would comprise of three ground floor areas and a roof

terrace. Although it has not been indicated on the plans submitted that the area fronting ground floor units 9 and 10 are to be private amenity space, it is considered that this area would not be adequate as communal space given its limited access, enclosed nature and proximity to the habitable room windows of these two units.

Private amenity areas totalling 310sq.m would be provided to five of the ground floor units. The two ground floor units adjacent to no.2 Drayton Gardens (nos.31 and 32) are also served by private terraces totalling approximately 35sq.m. The three ground floor units to the south west of the site (nos. 11, 12 and 13) benefit from private external spaces totalling approximately 275sq.m, and a number of units (nos. 2, 4, 6 and 7) are served by small terraces.

By deducting the units with private garden space a total of 825sq.m communal amenity space is required in accordance with the Council's guidance. Taking into account the private garden space and inappropriate communal amenity space the proposed development would provide 647sq.m of communal amenity space.

A children's play area is proposed located in the centre of the site. The layout of the play area has not been addressed to take into account the proximity of the additional ground floor units and seems to result in a cramped layout.

It is considered that the proposal would not provide an adequate quantity of external amenity space to secure the amenity of future occupiers in accordance with Policy BE23 of the Saved Policies UDP and design principles 4.17 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

Privacy

Ground floor unit nos. 3, 5, 8 and 14 are all single aspect units with no adequate defensible space to provide privacy for future occupants of these ground floor units.

The proposal would therefore give rise to a substandard form of living accommodation for future occupiers contrary to Policy BE24 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and design principles 4.12 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM9, AM14 and AM15 are concerned with on-site parking. A total of 44 residential parking spaces are provided within a basement car park to serve the 44 residential units, a ratio of 1:1. This ratio of car parking provision for residential units on the site is the same as that approved under the previous application. Four of the proposed parking spaces are designed to wheelchair standards. This level of provision represents 10% of the total parking spaces in accordance with the requirements of the Council's Parking Standards.

Access and egress to the car park would be via a ramp indicated on the drawings submitted with a 1:20 gradient for a length of approximately 6m from the access point in to the site but then changes to a 1:7 gradient. The Council normally accepts a ramp gradient of 1:10 as a maximum and the proposal is considered to be too steep and is therefore unacceptable. The applicant has not provided an assessment of the suitability of the proposed ramp, and drawings to show surface, ramp and car park levels, and a cross-section to show the height of the car park, all of which are required to ascertain the acceptability of the proposed ramp and car park.

Swept path and visibility analyses are required at the bottom of the ramp to show that vehicles can enter and leave the car park and the ramp independently and safely. The applicant has not submitted these analyses.

A number of columns are proposed within the basement car park to support the structure of the proposed building above the car park. The size of the columns shown on the submitted basement plan do not appear to be the actual size, which needs to be shown on a drawing to evaluate the effect of the columns on the proposed parking spaces.

Accesses for the proposed services within the basement level have not been shown on the submitted drawings. In the absence of information, it is considered that access for the services area shown between car parking spaces 27 and 28 could be blocked by vehicles parking in these bays.

The council's Highway Officer was consulted on the application and stated that in the absence of the above information it is not possible to fully review the highways aspect of the application and form a conclusive view on the acceptability of the proposed car park and access arrangements. It is considered that in the absence of information the proposal could be contrary to the policies AM7, AM14 and AM15 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

A sufficient cycle storage facility must be provided to encourage cycling as a sustainable transport alternative. Covered, secure cycle parking should be provided at 1 space per unit, as required by the Saved Policies UDP. Each bicycle requires a minimum area of 2m x 0.5m plus 0.8m manoeuvring space. Sheffield Style stands are recommended. The proposed cycle store as indicated on the plans submitted measures 5.6m x 8m. The applicant has not demonstrated that the cycle store would accommodate the required number of cycles contrary to Policy AM9 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

Issues of design and access are addressed elsewhere in this report. In relation to security issues, the proposal is for a gated development with basement parking and complies with the design principles in the adopted HDAS which aims to design out crime.

7.12 Disabled access

The scheme indicates that all units are proposed to be built to Lifetime Homes standards, 5 units (10%) would be fully wheelchair accessible, 4 disabled car parking spaces would be provided and two lifts would be provided to allow access to all floors of the development.

7.13 Provision of affordable & special needs housing

Policy 3.11 of the London Plan advises that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to their affordable housing targets adopted in line with Policy 3.11, the need to encourage rather than restrain residential development and the individual circumstances of the site.

The applicant has submitted a robust Financial Viability Assessment which has been validated as accurate by an independent expert employed by the Council.

On the basis of the submitted Financial Viability Assessment, and in accordance with the London Plan and the Council's Planning Obligations SPD, the scheme would provide the maximum possible level of affordable housing. It should be noted that the lack of affordable housing provision does enable the development to meet all other planning

obligation requirements set out within the 'Planning Obligations' section of this report. Subject to a S106 agreement being formalised to secure the provision of the above mentioned level of affordable housing the development would comply with the provisions of the London Plan and the Council's Planning Obligations SPD. The applicant has agreed the level of provision and the principle of entering such an agreement.

7.14 Trees, landscaping and Ecology

The application is supported by an arboricultural assessment addressing the proposed development and a tree protection plan. The report confirms that there are no trees on the site, but there is a group of trees (off-site) close to the southern boundary of the site, which includes one significant tree, a Sycamore (tree 5), in the group. Tree 5 affords some screening of the site and is a constraint on its development. The arboricultural assessment is tailored to the development proposals and details methods which could be utilised in order to ensure the retention off-site trees, in particular the sycamore, and is supported by a tree protection plan.

Having regard to this information the Council's Trees and Landscaping Officer considers that the retention of the off-site trees, particularly the sycamore, would be feasible alongside the development proposal and could be ensured by condition.

The previous approved scheme represents a material consideration and the Council's Trees and Landscape Officer considers that in light of the appeal decision no objection can be raised to the amount of space available for planting on the site frontage and that other aspects of the site's external layout would be capable of providing an appropriate environment in terms of landscaping. Subject to conditions to ensure that opportunities for feasible landscaping are maximised no objection is raised to the scheme in relation to Policy BE38 of the Saved Policies UDP.

7.15 Sustainable waste management

The scheme is to be supported by a communal bin storage facility which identifies 9 x 1,100 litre bins to service the 44 residential units. This level of provision is considered to be adequate to serve a development of this size and could be appropriately allocated to provide for waste and recycling needs.

The bin storage area would be within the building and would be easily accessible via an internal route for all of the proposed residential units and is located so that it could be easily serviced by refuse vehicles.

Accordingly, the proposal is considered to make adequate provision for the storage and management of waste and recycling within the development.

7.16 Renewable energy / Sustainability

The London Plan (July 2011) advises that boroughs should ensure that developments will achieve at least a 25% reduction in regulated carbon dioxide emissions compared to the Target Emission Rate. The application is supported by an Energy Statement which indicates that the development can meet the Mayor's renewable targets. Subject to conditions to secure the installation of measures in accordance with the London Plan requirements the scheme complies with London Plan Policies 5.3, 5.4 and 5.7.

7.17 Flooding or Drainage Issues

The site is not within a flood zone, and no other drainage issues have arisen.

7.18 Noise or Air Quality Issues

NOISE

An acoustic report has been submitted as a part of the application. The study was prompted due to the proximity of busy roads adjoining the site. The assessment states

that the facades of the residential buildings will be within NEC B to the rear and NEC C to the front close to the road.

Residential development within NEC C is acceptable so long as conditions can be imposed which would ensure a commensurate level of protection against noise.

The Council's Environmental Protection Unit have reviewed the proposal and subject to the imposition of conditions to protect the development from Road Noise and have raised no objection.

AIR QUALITY

The application has been supported by an air quality assessment which indicates the proposed would not result in an increase in nitrogen dioxide levels. The Council's Environmental Protection Unit have reviewed the report and raise no objections on the grounds of air quality.

Given that the proposal would bring new residents into an area of poor existing air quality a condition requiring details of mitigation measures to protect the internal environment for future occupiers would be recommended should the scheme be approved.

7.19 Comments on Public Consultations

It is considered that the following objections to the scheme have been addressed throughout the report and by way of condition, where appropriate:

- (i) Adequacy of infrastructure (schools, healthcare etc.).
- (ii) Lack of parking
- (iii) Detrimental to highway safety
- (vi) Loss of privacy
- (v) Increase in noise
- (vi) Overdevelopment
- (vii) Traffic and congestion implications

7.20 Planning obligations

Policy R17 of the 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, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Affordable Housing is address separately under the relevant section. The Council's S106 Officer has advised that the proposed development of 43 residential units would necessitate the following contributions in line with the Council's Supplementary Planning document for Planning Obligations:

Education: a contribution in the sum of £149,756;
Health: a contribution in the sum of £17,320.60;
Community facilities: a contribution in the sum of £10,000;
Libraries: a contribution in the sum of £1,838.62;
Air quality: a contribution in the sum of £25,000;
Construction Training: either a contribution in accordance with the adopted formula or in kind; and Project Management and Monitoring fee: 5% of total cash contributions.

The applicant has agreed to the principle of these planning obligations, all of which can be achieved alongside the proposed level of affordable housing. Subject to an appropriate

legal agreement being secured the scheme would accord with Policy R17 of the UDP.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

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

Full planning permission is sought for the redevelopment of the site for a residential development comprising of 44 residential units with associated amenity space and parking.

The proposed development is acceptable in principle and the density of development accords with the recommendations of the London Plan.

The site has an extensive planning history, including a recent approval for 35 residential units, amenity space and undercroft parking.

It is considered that the current proposal fails to comply with the minimum floor area standards required for residential units, would not provide amenity space of sufficient size

and would not provide adequate defensible space to give privacy for future occupants of the ground floor units. It has also not been demonstrated by the plans submitted that a sufficient amount of cycle parking would be provided in accordance with the Council's adopted standards.

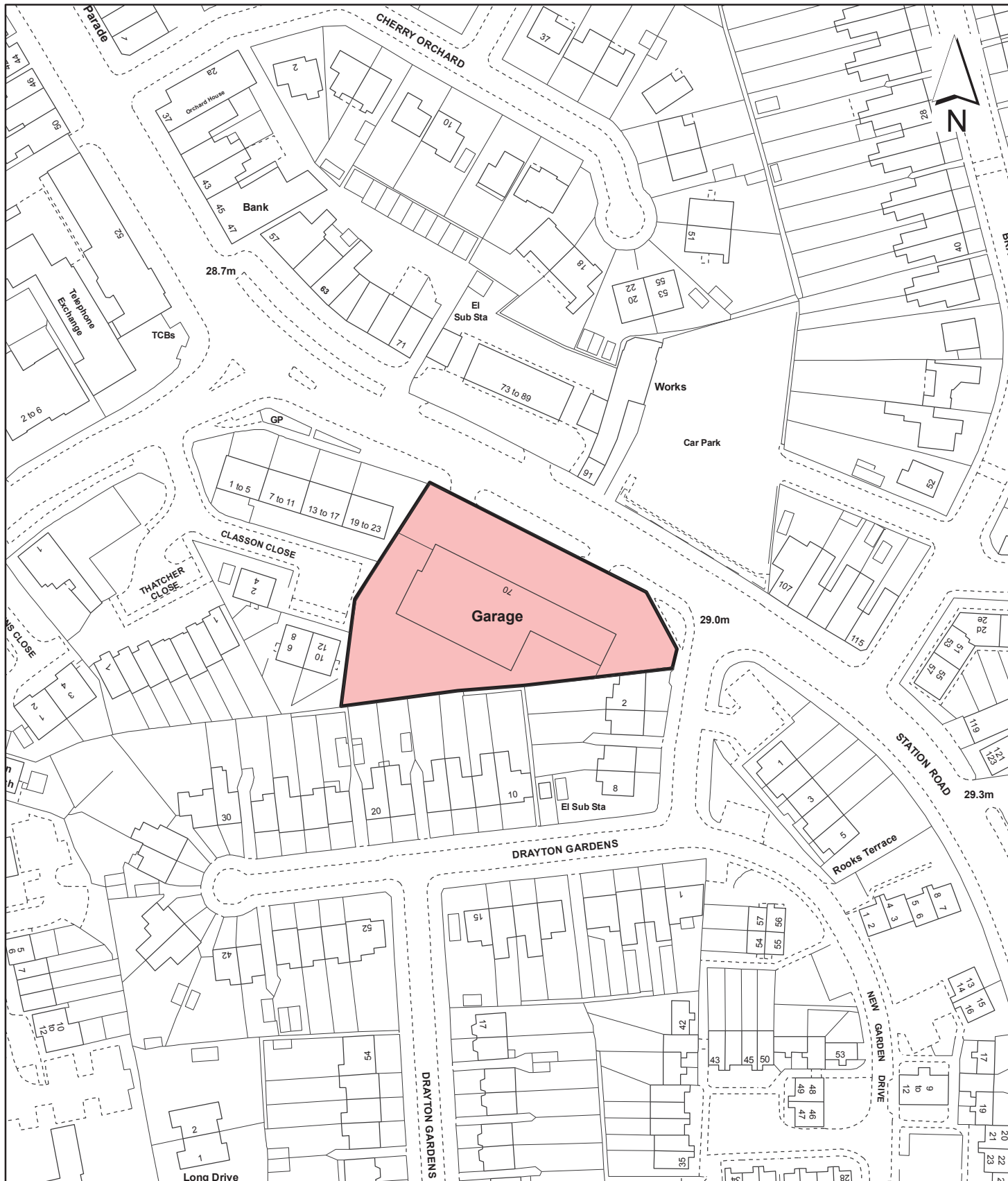
The application is recommended for refusal.

11. Reference Documents

- (i) Planning Policy Statement 1 (Delivering Sustainable Development)
- (ii) Planning Policy Statement Planning and Climate Change
- (iii) Planning Policy Statement 3 (Housing)
- (iv) Planning Policy Guidance Note 13 (Transport)
- (v) The London Plan (July 2011)
- (vi) Hillingdon Unitary Development Plan Saved Policies September 2007.
- (vii) Hillingdon Design and Accessibility Statement - New Residential Layouts
- (viii) Accessible Hillingdon Supplementary Planning Document
- (ix) Hillingdon Supplementary Planning Document, Planning Obligations
- (x) Manual for Streets.

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Notes



Site boundary

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Site Address

**70 Station Road
West Drayton**

Planning Application Ref:

2954/APP/2011/1901

Planning Committee

Central and South

Scale

1:1,250

Date

**September
2011**

**LONDON BOROUGH
OF HILLINGDON**
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