

Report of the Corporate Director of Planning, Environment, Education and Community Services

- Address:** HAYES SWIMMING POOL, BOTWELL LANE, HAYES
- Development:** Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only).
- LBH Ref Nos:** 1942/APP/2010/31
- Drawing Nos:** AS PER APPROVED COMMITTEE REPORTS.
- Date applications approved at Committee** Central & South Planning Committee – 12th October 2010
Central & South Planning Committee – 2nd November 2010
- Summary** That the time limit for entering into a s106 agreement is varied for 12 months following the date of this committee, to enable the Council as land owner to sell the site with a new owner being required to enter into and adhere to the s106 agreement.

1.0 CONSULTATIONS

1.1 Internal Consultees

Planning Obligations Officer

The extension of time request is sought to enable the Council as landowner to market and sell the site and give the new owner time to enter into the s106 agreement and enable the planning permission to be released.

It is proposed to extend the time to 12 months following the date of this committee to enable any new owner sufficient time to agree and complete the s106 agreement.

2.0 RECOMMENDATION

- 2.1 That the Applicant being the Local Authority and being the only legal entity with an interest in the Land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the Local Planning Authority, completes a Statement of Intent to secure the following planning obligations and which shall bind**

and require any future purchaser of the Council's interest in the site to enter into a Section 106 Agreement with the Council:

- i) The submission of a 10-year Green Travel Plan and that the section 106 agreement is to include a £20,000 bond or a remedial payment measure in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.
 - ii) At least 11% of the scheme is to be delivered as affordable housing. The final tenure and mix is to be agreed with the Council's Housing department.
 - iii) A contribution of £212,005 towards local education facilities.
 - iv) A contribution of £28,717.44 towards Health and Social Care.
 - v) A contribution of £20,000 towards public realm/town centre enhancements.
 - vi) A contribution of £30,000 towards local community facilities.
 - vii) A contribution of £3,048.41 towards library books and equipment.
 - viii) A contribution of £5,000 towards air quality monitoring.
 - ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million of construction cost or a construction training scheme to be delivered on site during the construction phase of the development.
 - x) That the Applicant enters into a section 278 agreement under the High Ways Act 1980 to provide highway improvements to the Botwell Lane/ Church Road junction. Furthermore, that a detailed design and modelling be approved by the Local Planning Authority and Transport for London (if the junction is to be signalised) and that pedestrian crossing facilities on Church Road and Botwell Lane should be provided.
 - xi) A total of 5% of the total cash contributions secured towards the management and monitoring of the resulting agreement.
 - xii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.
- 2) That the Applicant meets the Council's reasonable costs in the preparation of the Statement of Intent and any abortive work as a result of the agreement not being completed.
 - 3) The purchaser of the Council's interest in the land is to meet the Council's reasonable costs in the preparation of the section 106 agreement and any other agreements and any abortive work as a result of the agreement not being completed.
 - 4) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
 - 5) That if the section 106 agreement is not finalised within a period of 12 months from the date of this committee resolution, or any other period deemed appropriate by the Head of Planning, Consumer Protection,

Sport and Green Spaces, then the application may be referred back to the Committee for determination.

- 6) That subject to the above, the application be deferred for determination by the Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers.**
- 7) That if the application is approved, it be subject to the conditions and informatives agreed by the Central and South Planning Committee on 12 October 2010 (detailed in the Committee report, addendum and minutes) and attached to this report and the following condition 50 as approved by the 2nd of November 2010 committee being:**

50) The shared access way and access through the public car park to the private ground level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

Reason:

To ensure appropriate access to the site is retained in perpetuity in the interest of highway, pedestrian safety and access for future occupiers to their residential car park in compliance with Policies AM2 and AM7 of the UDP.

3.0 KEY PLANNING ISSUES

- 3.1** The current planning application was lodged on the 11th of January 2010 and was reported to the Central and South Planning Committee on the 12th October 2010. The report is attached as Appendix A and the minute of that meeting is attached as Appendix B. A further committee resolution was sought on the 2nd of November 2012 to enable the s106 mechanism to correctly enable authorisation and entering into. This additional committee report also saw the insertion of an additional condition, condition 50 as notated above.
- 3.2** The Committee determined to approve the application, subject to the applicant, being the Council entering into a Statement of Intent. As the Council is not going to build out the site and wants to sell the site with the benefit of planning permission the resolution as currently worded will not allow for this. This was amended at the 2nd of November 2012 committee meeting where a term of 12 months was granted to enable the site to be sold and the new owner to enter into the s106 agreement.
- 3.3** Since that date the council has unsuccessfully market the site for sale. The Corporate Landlord as owner of the site now wishes to take the site back out to the market and as such a further extension of time to enable the s106 to be entered into is sought.

- 3.4 Given the above it is also considered appropriate to extend the time for completion of the s106 agreement from 6 months to 12 months to reflect the time that will be required to complete this deed following sale of the site.
- 3.5 Approval is recommended, subject to the conditions and informatives contained within the report heard by the Central and South Planning Committee on 12 October 2010 conditions imposed by the Committee and recorded in the minutes of that meeting and the addition of condition 50 following the further committee meeting regarding the s106 and this site on the 2nd of November 2010.
- 3.6 It has been noted that the Head of Terms (iv) referred to a healthcare contribution. The Head of Term referred to the Primary Health Care Trust, legal advice is that future changes to health care provision could cause difficulties in enabling expenditure of this obligation. A more feasible wording is proposed. The monetary value of the contribution is not altered.

OBSERVATIONS OF 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'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council

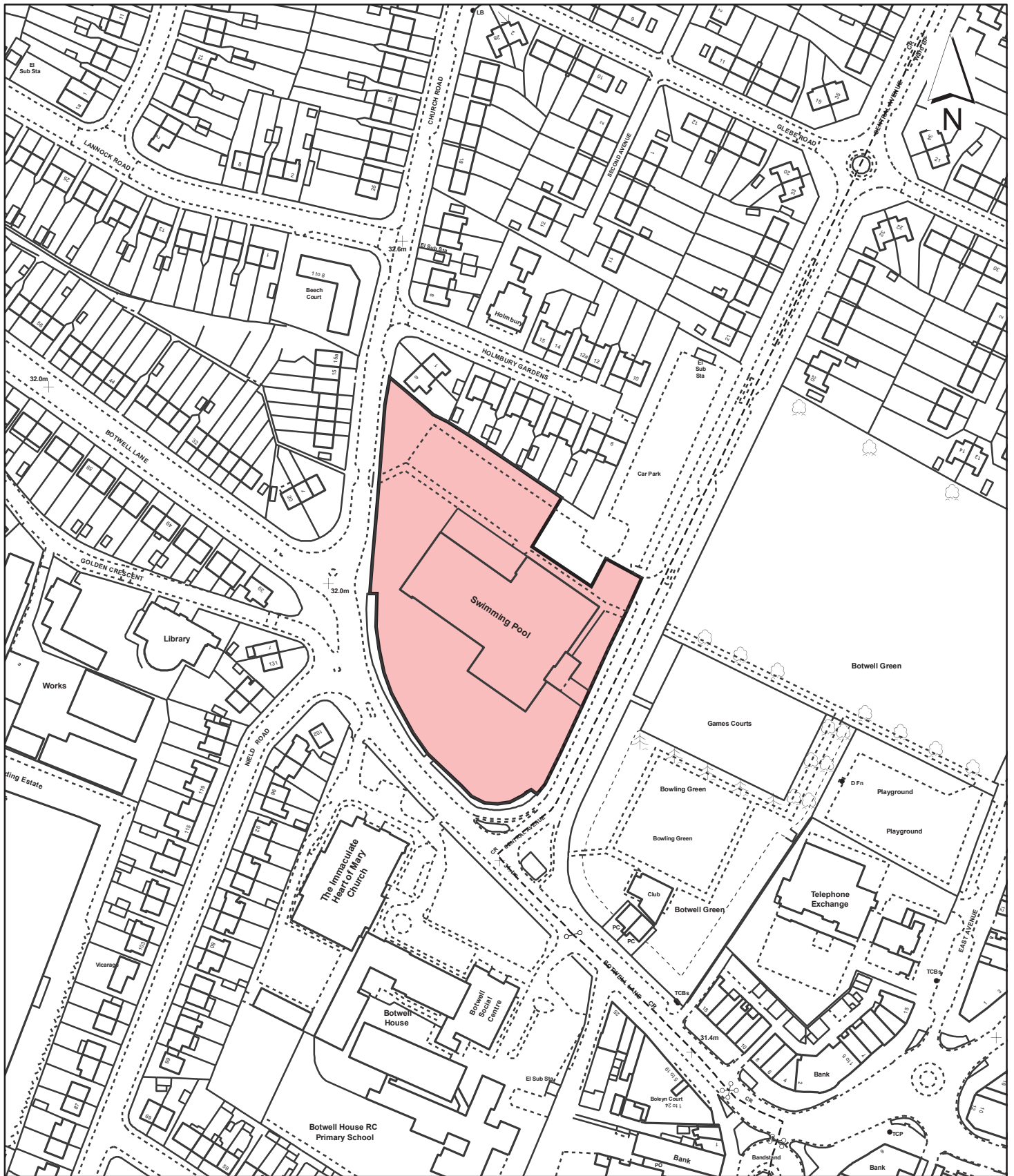
towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

Reference Documents


- (a) Central and South Planning Committee Agenda 12th October 2010. Report for application reference 1942/APP/2010/31.
- (b) Central and South Planning Committee Minutes 12th October 2010 resolution for application reference 1942/APP/2010/31.
- (c) Central and South Planning Committee Agenda 2nd November 1021. Report for application reference 1942/APP/2010/31.
- (d) Central and South Planning Committee Minutes 2nd November resolution for application reference 1942/APP/2010/31.

Contact Officer: VANESSA SCOTT

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Notes

 Site boundary

For identification purposes only.

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Site Address	
Hayes Swimming Pool Botwell Lane Hayes	
Planning Application Ref:	Scale
1942/APP/2010/31	1:2,000
Planning Committee	Date
Central and South	April 2010

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

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



APPENDIX A

Report of the Head of Planning & Enforcement Services

Address HAYES SWIMMING POOL BOTWELL LANE HAYES

Development: Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only)

LBH Ref Nos: 1942/APP/2010/31

Drawing Nos: Design and Access Statement
Arboricultural Impact Assessment
Phase I Environmental Assessment
Noise Assessment
Feasibility Study Local Air Quality
Energy Report
2009D25/P/07
Transport Assessment
Flood Risk Assessment prepared by WSP dated May 2010
Addendum to the Design and Access Statement dated 03/08/10
2009D25/P/01
2009D25/P/02
2009D25/P/03 A
2009D25/P/04 D
2009D25/P/05 C
2009D25/P/06 B
2009D25/P/07 D
2009D25/P/08
2009D25/P/09 E
2009D25/P/11
2009D25/P/12
2009D25/P/14
2009D25/P/15
2009D25/P/16
2009D25/P/17
2009D25/P/18
2009D25/P/19

Date Plans Received: 07/01/2010 **Date(s) of Amendment(s):** 07/01/2010
Date Application Valid: 11/01/2010 02/08/2010
03/08/2010

1. SUMMARY

This application seeks outline planning permission for the redevelopment of the existing Hayes Swimming Pool site to provide a part two, part three and part four-storey residential building comprising a total of 72 units, with associated access, car parking and landscaping, including the demolition of the existing pool. Details of access, layout and scale have been provided at this stage with details of appearance and landscaping reserved for future consideration.

The size, scale and height of the building is considered to be acceptable in this location and would be in keeping with the character and appearance of surrounding development.

The scheme complies with relevant guidelines within the Council's Supplementary Planning Document on Residential Layouts and would provide satisfactory living conditions for future occupiers. Furthermore, it is not considered that the scheme would give rise to issues such as loss of privacy, overlooking or overshadowing, which would be detrimental to the residential amenity of occupiers of nearby properties.

The proposed parking provision and access arrangements are considered to be satisfactory, and relevant standards relating to sustainability and renewable energy would be met. A new community leisure centre, including a 25m long swimming pool, has recently opened at Botwell Green. Accordingly, the proposal would not result in the loss of a community facility in this area and there is no in principle objection to the scheme providing site specific issues are met.

The application is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

2. RECOMMENDATION

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

1. That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

(i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the Statement of Intent in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.

(ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing Department.

(iii) A contribution of £212,005 towards local education facilities.

(iv) A contribution of £28,717.44 towards primary health care provision.

(v) A contribution of £20,000 towards public realm/town centre enhancements.

(vi) A contribution of £30,000 towards community facilities to be provided locally.

(vii) A contribution of £3,048.42 towards library books and equipment.

(viii) A contribution of £5,000 towards air quality monitoring.

(ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.

(x) That the applicant enters into a S278 agreement to provide highway improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.

(xi) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

(xii) The shared access way and access through the public car park to the private ground level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

(xiii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use my members of the public in perpetuity.

2. That the applicant meets the Council's reasonable costs in the preparation of the Statement and any abortive work as a result of the agreement not being completed.

3. That the officers be authorised to negotiate the terms of the proposed Statement.

4. That if the Statement of Intent is not finalised within a period of 6 months from the date of this resolution, or any other period deemed appropriate by the Head of Planning and Enforcement, that the application may be referred back to the Committee for determination.

5. That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

6. That if the application is approved, and subject to the Head of Planning and Enforcement under delegated powers, subject to the following conditions:

1 SP01 Council Application Standard Paragraph

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land).

2 OUT1 Time Limit- outline planning application

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

3 OUT2 Reserved matters - submission

Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission: -

- (a) Appearance
- (b) Landscaping

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

4 OUT3 Approval of Details

Approval of the details of the appearance of the building and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

5 OUT4 Reserved matters - submission and approval

Plans and particulars of the reserved matters referred to in condition 4 shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

6 OM1 Development in accordance with Approved Plans

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

REASON

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

7 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).

8 M3 Boundary treatment - details

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

REASON

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

9 TL1 Existing Trees - Survey

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

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

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).

10 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.

11 TL3 Protection of trees during site clearance and development

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

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during

construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL4 Landscaping Scheme (outline application)

The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme to be submitted to and approved in writing by the Local Planning Authority as part of the details of the proposed development required by condition No.2.

The scheme shall include:-

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

The scheme shall also include details of the following:-

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

REASON

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

13 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).

14 TL7 Maintenance of Landscaped Areas

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

REASON

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

15 TL21 Tree Protection, Building & Demolition Method Statement

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

REASON

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

16 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises 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

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

17 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.

18 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be

provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

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

19 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

20 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

21 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

22 NONSC Details of private gardens

Prior to commencement of development full details of the private garden areas to be provided for the ground floor units, including boundary treatments and landscaping, shall be submitted to and agreed in writing by the Local Planning Authority.

REASON

In the interests of visual amenity in compliance with Policies BE13 and BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 NONSC Cycle parking facilities

Prior to commencement of the development, details of covered and secure cycle storage provision for at least 80 bicycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed prior to the first occupation of the building hereby permitted and thereafter permanently retained and maintained in perpetuity.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in the Council's cycle parking standards in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

24 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime, including CCTV, 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.

25 OM13 Demolition Protocols

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

REASON

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (February 2008) Policies 4A.30 and 4A.31.

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

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

REASON

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

27 N1 Noise-sensitive Buildings - use of specified measures

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of sound insulation, acoustic ventilation, internal layout and other measures as may be approved by 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 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 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

29 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 and London Plan (February 2008) Policy 4B.1.

30 SUS1 Energy Efficiency Major Applications

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy generation contained within the submitted report entitled [insert name/reference] 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).

31 SUS4 Code for Sustainable Homes details

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

32 SUS5 Sustainable Urban Drainage

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

REASON

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

33 SUS8 Electric Charging Points

Before development commences, plans and details of 5 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

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

34 NONSC Air Quality 1

Any biomass/biofuel proposals at the development must be accompanied by an air quality assessment identifying impacts and potential mitigation. No biomass boiler shall be used on the premises until a scheme, which specifies the provisions to be made for the control of air pollutants from the site, has been submitted to and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the Local Planning Authority. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON

To safeguard the amenities of the surrounding area in compliance with policies BE13, BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

35 NONSC Air Quality 2

Any traffic management proposals for mitigation of the impact of the development must be accompanied by an air quality assessment of their environmental benefits. The said traffic schemes must also be monitored, for a specified time to be agreed by the Local Planning Authority, both pre- and post-operation, to ensure the proposed scheme is effective.

REASON

To safeguard the amenities of the area and to ensure the development does not have any detrimental impacts on local air quality in compliance with policies BE13, BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

36 NONSC Demolition and Construction Emission Management Plan

A method statement shall be submitted to, and approved by, the Local Planning Authority, before the development is commenced for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition and/or construction phases of the development. The scheme shall set out the secure measures which, can and will, be put in place.

REASON

In compliance with Policies BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and because dust and other air pollution from demolition and construction can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. Advice as in 'The

control of dust and emissions from construction and demolition' Best Practice Guidance published by London Councils and GLA should be used as a basis for the method statement.

37 NONSC Air Quality 3

The development shall not commence until details of a scheme designed to minimise the ingress of polluted air has been submitted and approved by the Local Planning Authority. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON

To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

38 NONSC Contamination

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

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

REASON

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

39 NONSC Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent
- sustainable urban drainage schemes (SUDS) - such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS)' (available at www.aoa.org.uk/publications/safeguarding.asp).
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and 'loafing' birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/publications/safeguarding.asp).

The Bird Hazard Management Plan shall be implemented as approved, on commencement of construction and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and

approved in writing by the Local Planning Authority.

REASON

It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

40 NONSC Rainwater Harvesting

Prior to commencement of development full details showing how rainwater harvesting facilities will be built into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved rainwater harvesting facilities shall be maintained and retained in perpetuity.

REASON

In order to provide a sustainable form of development and promote water conservation in accordance with Policies 4A.9, 4A.11 and 4A.14 of the London Plan (Consolidated with Alterations since 2004).

41 NONSC Vehicular and Pedestrian Access Gates

Prior to commencement of development full details of all vehicular and pedestrian access gates into the site, incorporating facilities for operation by disabled persons, and capable of being manually operated in the event of power failure, shall be submitted to and approved in writing by the Local Planning Authority. These shall be full height and be fully accessible and usable to disabled users.

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.

42 NONSC External communications equipment

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 aerials, satellite dishes or other communication equipment shall be installed on any external part of the building, including the roof, without the prior written consent of the Local Planning Authority.

REASON

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

43 NONSC Environment Agency 1

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2010 reference 2009/43 by WSP UK Limited and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year critical storm (with an allowance for climate change) so that it will not exceed 5 l/s/Ha as detailed in Section 6.2.10 of the FRA.
2. Provision of surface water storage on-site to accommodate the critical duration 1 in 100yr storm event (with an allowance for climate change) as detailed within section 6.2.33 of the FRA.
3. Surface water storage to be achieved using sustainable drainage techniques as set out in sections 6.2.6, and 6.2.14-16 of the FRA.

REASON

In compliance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007); to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that sufficient storage of surface flood water is provided; and to ensure surface water flood storage is achieved with appropriate sustainable drainage techniques.

44 NONSC Environment Agency 2

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON

To protect the quality of groundwater and surface waters in compliance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). The previous site use includes potentially contaminative activity.

45 NONSC Environment Agency 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained

written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

In compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and because the nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken on site, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.

46 NONSC Environment Agency 4

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

47 NONSC Environment Agency 5

Infiltration of surface water drainage into the ground is only permitted with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON

To protect the water environment in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). The infiltration of surface water drainage through land affected by contamination can lead to serious pollution of groundwater and the major aquifer that lies under the site. We encourage the use of Sustainable Urban Drainage Systems, however they must be carefully considered and controlled.

48 DIS3 Parking for Wheelchair Disabled People

Notwithstanding the approved plans, 8 disability standard parking spaces shall be provided. Details of these spaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure that sufficient parking is available for non-disabled users and to ensure that people in wheelchairs are provided with appropriate car parking and convenient access to building entrances in accordance with Policies AM14 and AM15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled'

parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

49 RPD14 Glazing to balconies

Glazing to balconies shall be glazed with permanently obscured glass for so long as the development remains in existence.

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
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
OE6	Proposals likely to result in pollution

OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S11	Service uses in Primary Shopping Areas
S12	Service uses in Secondary Shopping Areas
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3 I1 Building to Approved Drawing

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

4 I2 Encroachment

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

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the

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

6 I5 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 I6 Property Rights/Rights of Light

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

8 I11 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

9 I12 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.

10 I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

11 I19 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 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.

13 I46 Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

14 I47 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

15 I60 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

16

You are advised that the Bird Hazard Management Plan, referred to in condition 40, must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird

dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

17

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of bird. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' available at www.aoa.org.uk/publications/safeguarding.asp.

18

You are advised that Thames Water have provided the following advice:

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

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

With regard to water supply, this comes within the area covered by the Veolia Water Company.

19

In order to check that the stormwater system meets the Environment Agency's requirements, you are advised to submit the following:

a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and other SuDS features. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

b) Confirmation of the critical storm duration.

c) Where infiltration forms part of the proposed stormwater system (ie infiltration trenches and soakaways) soakage test results and test locations are to be submitted in accordance with BRE digest 365.

d) Where on site attenuation is achieved through attenuation ponds or similar, calculations showing the volume of these are also required.

e) Where an outfall discharge control device is to be used (ie a hydrobrake), this should be shown on the plan with the rate of discharge stated.

f) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with an appropriate allowance for climate change in line with PPS25. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

Infiltration drainage should not pose a risk of pollution to groundwater provided the following are satisfied:

- The use of surface soakage areas (as opposed to soakaways, and as described in the Agency's "Guide to Sustainable Urban Drainage") is preferred.
- No soakaways shall be constructed in contaminated land.
- Before discharging into any soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained.
- Before discharged into any soakaway system, all surface water from parking areas shall be passed through an oil interceptor. Roof water shall not pass through the oil interceptor. Maintenance of the interceptor must be provided in accordance with the manufacturers instructions.
- All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used as they can allow contaminants to enter the system.
- The maximum discharge level of any soakaway should be kept as shallow as possible. There must be at least 1 metre between the base of the soakaway and the seasonally high groundwater level.

Where an outfall discharge control device is to be used (ie a hydrobrake), this should be shown on the plan with the rate of discharge stated.

Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with an appropriate allowance for climate change in line with PPS25. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

Infiltration drainage should not pose a risk of pollution to groundwater provided the following are satisfied:

The use of surface soakage areas (as opposed to soakaways, and as described in the Agency's "Guide to Sustainable Urban Drainage") is preferred.

No soakaways shall be constructed in contaminated land

Before discharging into any soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained.

Before discharged into any soakaway system, all surface water from parking areas shall be passed through an oil interceptor. Roof water shall not pass through the oil

interceptor. Maintenance of the interceptor must be provided in accordance with the manufacturers instructions.

All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used as they can allow contaminants to enter the system.

The maximum discharge level of any soakaway should be kept as shallow as possible. There must be at least 1 metre between the base of the soakaway and the seasonally high groundwater level.

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The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer, whether on site CCTV cameras can be linked to the Council's central CCTV system.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 1 hectare irregularly shaped plot, located on the north corner of Central Avenue and Botwell Lane in Hayes. It currently accommodates the relatively large scale, 1960s style, Hayes Swimming Pool building, located centrally within the site, associated car parking to the north, and open space, which wraps around the south, east and west sides of the building. Several mature trees are located on the site and the site boundaries, in particular, are characterised by mature tree planting.

The site is bounded to the west by Botwell Lane and Church Road, beyond which are residential properties; to the south by Botwell Lane, beyond which is the Immaculate Heart of Mary Church, Botwell House and associated car parking and landscaping; to the east by Central Avenue, beyond which is Botwell Green, which has recently been redeveloped to provide a new community leisure centre incorporating a new swimming pool, sports hall, sports pitches, etc; and to the north by residential properties in Holmbury Gardens, and a pay and display car park, which is associated with the new leisure centre complex. Notably 20 car parking spaces at the north east of the site would be retained for public use.

The site falls with Hayes Town Centre as shown on the Hillingdon Unitary Development Plan Proposals Map. It also falls within the Hayes/West Drayton Corridor. Botwell House to the south is a Grade II Listed Building, and the Hayes Village Conservation Area lies just over 100m to the north east.

3.2 Proposed Scheme

This application seeks outline planning permission for the complete redevelopment of the site to provide a 72-unit residential block with associated access, car parking, and landscaping. Details of access, layout and scale have been provided at this stage with details of appearance and landscaping reserved for future consideration.

The horseshoe shaped building would be located towards the southern side of the site, and would reflect the curved nature of the southern boundary of the plot, its wings running

broadly parallel with Central Avenue and the curve of Botwell Lane. The majority of the building would be four-storeys in height, however, this would drop to three-storeys and then two-storeys at the northern most part of the western wing to reflect the lower-level residential character of that part of Botwell Lane/Church Road.

The building would comprise a mix of one, two and three-bedroom units. In total 22 one-bedroom units, 38 two-bedroom units, 8 three-bedroom units and 4 four-bedroom units would be provided. The ground floor units would be provided with private garden areas, and most upper floor units would be provided with balconies.

Communal amenity space would be provided to the south of the site, and around the sides of the building, in the northern most corner of the site and within a central area between the building wings. In addition, a communal roof garden would be provided both on the main roof, and on the third-storey roof.

Photovoltaic panels and plant rooms for the lifts would also be provided on the roof, although the photovoltaic panels would be largely hidden from view behind the roof parapet.

Car parking for 75 cars, including 11 disability standard spaces, would be provided. 23 spaces would be provided at grade level towards the north of the building, and 52 spaces would be provided in a basement. Vehicular access to the site would be via the existing access off Central Avenue. This would be a shared access with the adjoining public car parks. Various pedestrian access points would be provided around the site off Botwell Lane and Central Avenue.

Bicycle parking facilities for 72 cycles would be provided in the basement. Communal refuse stores would be provided close to the site entrance.

3.3 Relevant Planning History

Comment on Relevant Planning History

Previous applications at the site relate to its use as a pool and have no relevance to the current proposal. However, the development of a leisure centre complex at Botwell Green, on the opposite side of Central Avenue, is directly relevant and applications relating to that scheme can be summarised as follows:

20817/APP/2006/3393 - Redevelopment of site to create a community leisure centre incorporating a new 25m swimming pool, sports hall, fitness and exercise areas, creche, cafe/bar, and associated ancillary areas, library and one stop facility, with associated parking and landscaping - Approved 09/03/07

20817/APP/2007/2019 - Amendments to planning permission ref: 20817/APP/2006/3393 (erection of a community leisure centre) to relocate multi-use games area pitches and alter car parking layout - Approved 25/09/07

20817/APP/2007/3080 - Construction of an all-weather surface training pitch including details of floodlighting, fencing enclosure and additional acoustic fencing - Approved 23/01/08

20817/APP/2008/2693 - Amendments to planning permission ref: 20817/APP/2006/3393 (erection of a community leisure centre) to provide a new gymnastics hall, retail units and glazed atrium as well as alterations to car parking layout - Approved 12/12/08.

Various details have been submitted in accordance with the above approvals, and notably the leisure centre has recently opened to the public.

4. Planning Policies and Standards

London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 4 (Planning for Sustainable Economic Growth)
Planning Policy Guidance 13 (Transport)
Planning Policy Statement 22 (Renewable Energy)
Planning Policy Guidance 24 (Planning & Noise)
Planning Policy Statement 25: Development and Flood Risk
Council's Parking Standards
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Planning Obligations
Council's Supplementary Planning Document - Residential Layouts
Council's Supplementary Planning Document - Accessible Hillingdon

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.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE26	Town centres - design, layout and landscaping of new buildings
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
OE6	Proposals likely to result in pollution
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S11	Service uses in Primary Shopping Areas
S12	Service uses in Secondary Shopping Areas
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th August 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 290 local owner/occupiers, the Hayes Chamber of Commerce, the Hayes Town Partnership, the Hayes Town Centre Residents' Association and the Townfield Residents' Association. The application was also advertised by way of press and site notices. Ten letters of objection and a 36-signature petition have been received from local residents, which raise the following concerns:

- i) Hayes Town does not need more residential buildings.
- ii) Hayes is already overcrowded.
- iii) Traffic is horrendous. This will make it worse.
- iv) Increase pressure on local schools and services.
- v) Parking problems in Hayes are never ending and more residential parking is needed desperately.
- vi) Loss of car park.
- vii) The site should be used to provide a children's recreational area.
- viii) Increase in noise.
- ix) Increase in litter.
- x) Noise from construction.
- xi) Loss of sunlight and daylight to surrounding properties.
- xii) The application will put too much pressure on local infrastructure, in particular parking, for purely monetary reasons.
- xiii) Parking and public transport needs to be seriously improved to support local businesses and encourage more custom to the town centre.
- xiv) Adding additional families without the necessary infrastructure will bring in income for the present incumbents, but create more problems for the future.
- xv) Loss of memories associated with use of the existing pool.
- xvi) Insufficient parking provision.
- xvii) If this development goes ahead a golden opportunity will have been missed to provide Hayes with a proper car park.
- xviii) Although Hayes Town Centre is designated as being pedestrianised this is far from reality and a proper crossing point for pedestrians should be provided.
- xix) The site should be used to create a garden and playground.
- xx) There is too much development taking place in Hayes with the Hayes Stadium, Hayes Station, Hayes Football Club, developments and more.

HAYES TOWN BUSINESS FORUM

- i) Insufficient regard has been given to the parking requirements within the town centre. The need for greater parking will only increase once the leisure centre is complete, Crossrail introduced, and development around the town completed.
- ii) Hayes is growing but there has been inadequate consultation on the facilities available for parking for the town's residents and business users.
- iii) Insufficient parking would be provided for the scheme, and thus the needs of the greater community have been completely ignored.

HAYES TOWN PARTNERSHIP

- i) The number of units is considered to be excessive in view of the size of the site and impact on the local area.
- ii) The emphasis on smaller units is questioned in view of the pressing need for family accommodation.
- iii) Questions are raised over the viability of the scheme with such a preponderance of one-bedroom flats in the light of the changing nature of the housing market as a result of the economic recession.
- iv) The increasing amount of development in and Around Hayes Town Centre is putting increased pressure on infrastructure.
- v) Should approval be granted S106 contributions towards school places and health services

should be sought.

- vi) A specific S106 contribution should be sought towards the cost of a proposed polyclinic in Hayes, rather than a generalised sum which goes to the Primary Care Trust.
- vii) S106 contributions should be sought towards meeting the shortage of youth facilities in Hayes.
- viii) Increase in traffic along Central Avenue and in the surrounding area.
- vix) The provision of 21 public parking spaces is welcomed as the loss of the swimming pool will add to the pressure on the adjacent public car park. However, this is not considered to be adequate, especially when the new leisure centre opens. The Council should review parking demands in the area before disposing of the whole site for housing.
- x) This is a prime site on the edge of the Town centre and existing landscaping of the frontage makes a positive contribution to the environment. The retention of the majority of trees is welcomed.
- xi) The U-shaped block of 4-storey flats will have an adverse impact on the street scene by reason of its bulk.
- xii) The construction of a 1.8m high metal railing fence around the site boundary will have a negative visual impact.
- xiii) No explanation is given for the proposed gating of the development and this is not deemed appropriate in the context of the rest of the housing in the local area.

JOHN MCDONNELL MP

- i) Scale and density.
- ii) The site would lend itself to a smaller scale and less dense development, providing a greater number of family sized homes with gardens that are desperately needed in the area.
- iii) Increased traffic and parking - there are already problems with traffic congestion and parking in the neighbouring streets, which will be exacerbated when the new leisure centre opens.
- iv) Any additional traffic movements will pose a threat to the safety of pupils attending nearby Botwell School.
- v) Increases pressure on local services.
- vi) S106 contributions should be of a sufficient amount and spent in the immediate locality.

Following the submission of amended plans, which sought to address concerns raised by the Environment Agency, made changes to the design, and slightly altered the unit mix, residents and local groups were reconsulted. Updated site notices were also erected. Three letters of objection were received which raised the following concerns:

- i) Residents do not want 72 residential units built on the site.
- ii) Hayes has plenty of building work taking place at Hayes and Harlington Station, Judge Heath Lane and Hayes Football Club.
- iii) No objection is raised to the demolition of the old pool but the site should be used to provide parking, green space and children's play equipment (old swings have been removed from the area so should be replaced).
- iv) There is no need for additional residential units here.
- v) Provision of a car park here would alleviate the dangerous parking arrangement in the 'pedestrianised' shopping area.
- vi) Consideration should be given to the impact of the development on nearby roads.
- vii) Hayes is already a densely populated area.
- viii) Assurance should be provided that the proposed parking will be sufficient and that Church Road and other nearby roads will not have to accommodate overspill parking.
- ix) Double yellow lines along Church Road would be welcomed.

THAMES WATER

- Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a

developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

- Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company.

NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection.

BAA SAFEGUARDING

No objection subject to a condition regarding submission of a Bird Hazard Management Plan, and informatives regarding cranes and landscaping.

PRIMARY CARE TRUST (PCT)

A S106 contribution of £28,717.44 should be sought towards local primary health care facilities.

ENVIRONMENT AGENCY

No objection subject to conditions to prevent flooding, protect the quality of groundwater and surface waters and contamination.

Internal Consultees

POLICY & ENVIRONMENTAL PLANNING

The application site is located on the edge of a Secondary Shopping Area within Hayes Town Centre. Saved Policy S12 seeks to maintain retail uses and protect the vitality and viability of these areas. The proposals will not result in the loss of retail uses and are not considered contrary to this policy.

Saved Policy R5 states that permission will not be granted for proposals involving the loss of land or buildings used for a sports stadium, outdoor or indoor sports and leisure facilities. However, it is noted that a new leisure centre facility, including a 25m swimming pool, is currently under construction at an adjacent site. The proposal would help fund the provision of these new and improved leisure facilities. As such, no objections are raised.

URBAN DESIGN OFFICER

The application considers the redevelopment of the existing Hayes Swimming Pool for residential purposes. The site is prominently located in the Hayes town centre, opposite Botwell Green, and

benefits from an attractive setting including tree avenues along Central Avenue, valuable shrubs and mature trees along Botwell Lane in addition to the existing parkland with extensive lawns and groups of attractive trees surrounding the existing building. The site is visually important given the central and strategic location opposite the new Sports Centre, situated within a few minutes walk from the town centre.

From an urban design point of view the residential regeneration of the site is supported and is considered an interesting opportunity to create a state of the art fully sustainable development of high end design quality. The existing landscape screening of the site is a very important asset which needs to be retained long-term. Following officers advice, the scheme is characterised by an integrated approach to built elements and landscaping. The sustainable design incorporates a combination of photovoltaic panels and green roofs, as well as a water feature, which would be provided further to sustainable urban drainage recommendations, in the parkland setting.

The built context includes valuable and sensitive buildings such as the landmark of The Immaculate Heart of Mary Church, as well as the Grade II listed Botwell House and its setting, situated directly opposite the application site. The retention of the existing vegetation within the site and along the boundaries in order to sustain a green buffer zone between the new development and the existing built context is therefore vital. In order to retain the green parkland character of the site, any perimeter fence should be of high quality design, appropriate colour and material, be sensitively positioned and should be controlled by condition. Similarly, in order to retain the character of a green natural character within the site, private amenity spaces will be screened off by hedge planting. Fencing in this position and scale would give a harsh and artificial impression, creates maintenance issues and imposes a risk for visual clutter and is therefore considered unacceptable.

The proposed U-shaped building is mainly 4-storeys high, which steps down to three and two storeys. The scale, height and built form of the proposed scheme is considered to acknowledge the character and appearance of the built context, which predominantly consists of 2 to 2.5 storey terraced and semi-detached residential buildings, mainly of red facing bricks to the north and west of the site. Directly opposite the site, to the east, is the contemporary, large scale Botwell Green Leisure Centre. The contemporary, art deco inspired design approach for this application is considered to complement the character of the area, whilst respecting the scale and character of the existing built context.

In terms of the proposed layout, the scheme creates a strong building line along Central Avenue, and makes a clear presence of the new development at the access point in accordance with pre-application advice. The screening of the car parking area is considered to enhance the character of the street scene, whilst the new layout incorporating a walled amenity area to the north improves safety and creates a useful recreation space of a more urban, courtyard character.

The proposed tower element at the corner of Central Avenue has been redesigned, and now creates a distinct yet balanced corner feature which is considered to contribute to the character and appearance of the development and the street scene.

Regard should be given to the choice of high quality external materials, proper detailing of built elements, including balcony railings, porches, fenestration, doors and external lighting, in the forthcoming design process to ensure a sustainable, high quality design. Samples of all external materials and hard landscaping should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works.

HIGHWAY ENGINEER
- PTAL

The site has a PTAL value of 3. This is likely to improve in the future with Crossrail coming on board and additional bus services to Southall, via Pump Lane, resulting from the development of Southall Gas Works.

The proposed site is located within a 12 minute walk from Hayes and Harlington Station. There are 7 bus services serving the station with a total am frequency of 49 buses per hour.

- Traffic Surveys

A Transport Assessment has been submitted with the application. Traffic surveys were carried out at the following junctions:

Site Access / Central Avenue
Central Avenue / Botwell Lane
Central Avenue / Glebe Road roundabout
Botwell Lane / East Avenue / Coldharbour Lane / Pump Lane roundabout
Church road / Glebe Road
Church Road / Botwell Lane mini roundabout
Church Road / Nield Road

- Committed Developments Traffic

The TA has taken into consideration the following committed developments:-

Botwell Leisure Centre
London Gate
Hayes and Harlington Station Goods Yard
Hayes Stadium
Hayes Football Club

- Development Traffic Impact on the Highways Network

The results of the junction assessment demonstrate that all arms at all of the junctions assessed will operate within capacity with the exception of Botwell Lane / Church Road roundabout.

The Botwell Lane (north west) arm will have an RFC (ratio of flow to capacity) of 0.882 post development and the Botwell Lane (south east) arm will have an RFC of 0.982.

A Section 106 commitment is required to fully fund improvements to this junction or signalise this junction. The developer is to provide detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and works delivered under a Section 278 agreement. The improved junction is to incorporate pedestrian crossing facilities on Church Road and Botwell Lane.

- Parking

75 parking spaces are provided at a ratio of 1:1 which complies with London Plan policies. Additionally a car club has been requested (if viable) under a 10 year travel plan which would be delivered under a Section 106 agreement.

Subject to the above no objections are raised on highway grounds.

TREES/LANDSCAPE OFFICER

The application is considered to comply with Policy BE38 of the UDP. No objections are raised

subject to conditions OUT2 (landscaping), OUT4 [OUT2], TL1, TL2, TL3, TL4 (also including a landscape strategy and details of tree works), TL6, TL7, TL21, and a condition (based on model condition 31 in Circular 11/95) requiring the submission and approval, and implementation, of a landscape and tree management plan for the site.

ACCESS OFFICER

Recommendations provided at pre-application stage have been incorporated. Accordingly no further comments are raised.

ENVIRONMENTAL PROTECTION UNIT

- Noise

A noise report, prepared by NW Scientific Services, has been submitted. This contains an assessment of the suitability of the site for the proposed residential development having regard to road traffic noise. No assessment is made of other noise sources in the area such as the adjacent Council car park and the new sports facilities on the opposite side of Central Avenue. However, it is agreed that the main noise affecting the site is from road traffic and, as such, the noise assessment in the report is adequate.

The report provides predicted road traffic noise levels at receiver locations representing the proposed flats. These predicted noise levels take account of increased road traffic associated with future planned development in the area. The noise levels can be classified using the Noise Exposure Categories of PPG24 Planning and Noise. The noise levels quoted show that the most exposed facades of the majority of the proposed flats would be in Noise Exposure Category B, although a smaller number of flats on the upper two floors facing Botwell Lane would be in the bottom end of Noise Exposure Category C. It is therefore suggested that the advice for Noise Exposure Category B would be the most appropriate overall. This states:

'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.'

In view of the above, refusal of the application on noise grounds could not be justified, subject to the imposition of a condition aimed at providing satisfactory indoor and outdoor noise levels. The noise report suggests that ordinary thermal double-glazing would provide satisfactory internal noise levels. Detailed sound insulation calculations should be provided at the detailed design stage, and should use the internal and external noise criteria in the Council's Supplementary Planning Document on noise. It is recommended a condition requiring the submission of a scheme for protecting the proposed residential development from road traffic and other noise should be attached should approval be granted.

The standard informative should be attached regarding the control of nuisance from demolition and construction work.

- Air quality

The proposed development is located within an Air Quality Management Area. A draft feasibility study has been provided which looks at projected traffic data for the development for 2011. This concludes that the nitrogen dioxide levels in the area are likely to remain static (or slightly reduce) with the development at three receptor locations identified at the proposed development.

The energy statement favours the use of photovoltaics (PVs) as a renewable energy source. Should the renewable energy source change to biomass or any other type of biofuel then a full air quality assessment must be undertaken and any impacts from its use mitigated.

The draft feasibility air quality study has used the traffic data on the surrounding road network, and that associated with the development, as the only source of emissions. Given the suggested use of PVs as an energy source this approach appears to be adequate. The study does not consider the impact of the final development on nearby existing receptors. The latter is not considered to be a significant issue as the report concludes that the annual nitrogen dioxide levels will not be exceeded at the three receptor locations identified at the new development. However, relevant conditions should be attached to any consent in order to ensure the appropriate and most up to date transport assessment information is used to determine the impact of the development of the site on the surrounding area and to ensure adequate steps are taken to reduce emissions.

The air quality feasibility study does not consider the impact on the surrounding area of the development works (demolition/construction) at the site. This needs to be considered within a construction management plan, submitted to the LPA for approval prior to any works commencing. The plan should follow the risk assessment approach as outlined in the GLA Best Practice guide and ensure all appropriate mitigation measures are employed to protect existing sensitive receptors, including where relevant a dust monitoring strategy.

The report does not consider if the hourly mean for nitrogen dioxide is likely to be exceeded as a consequence of the development. Given the predicted concentration level of annual mean nitrogen dioxide, it is thought unlikely that this will be an issue, however the final design including the siting of any flues and the siting of residential receptors fronting onto busy main roads, can increase emissions at specific receptor locations. An appropriate condition should be attached to any consent to prevent the ingress of any potentially polluted air.

The site is located within an AQMA and in close proximity to area of known exceedences of European Union limit values. Accordingly a Section 106 contribution of £5,000 should be sought towards the air quality monitoring network in the area.

- Contamination

A desk top study based on available information has been carried out at the above site. The risk to the development and the environment has been identified as low/medium and recommends further investigation to determine the exact nature of the risk. The report lists the standard limitations of such a study. The sources of contamination identified to date are former decommissioned fuel tanks at the site, areas used for the storage of chemicals used at the site, an existing electricity sub-station and possible areas of made ground at the site. The report indicates the assessment should include a ground gas assessment. This is accepted as some made ground and low levels of carbon dioxide were noted at an adjacent development site to the east. Appropriate conditions regarding land contamination and gas monitoring for the proposed development, should be attached should approval be granted.

S106 OFFICER

Proposed Heads of Terms:

- The preparation and adoption of a Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the S106 agreement in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.
- 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix size is to be agreed with the Council's Housing Department.
- A contribution of £212,005 towards local education facilities, split as follows:
 - £22,433 for nursery provision;
 - £84,596 for primary provision;
 - £62,581 for secondary provision;
 - £42,395 for post 16 provision.

- A contribution of £28,717.44 towards primary health care provision.
- A contribution of £20,000 towards public realm/town centre enhancements.
- A contribution of £30,000 towards community facilities to be provided locally.
- A contribution of £3,048.42 towards library books and equipment.
- A contribution of £5,000 towards air quality monitoring.
- A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.
- 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

WASTE STRATEGY

All internal roadways should be of sufficient strength to support the weight of a standard refuse collection vehicle.

Access must be able to be made for the manoeuvring of the refuse vehicle.

All units should be provided with a food waste grinder included as standard as part of the kitchen sink unit to allow residents to indirectly recycle their food wastes by grinding it and washing it down into the waste water system for composting by the relevant water company.

SUSTAINABILITY OFFICER

No objections are raised relating to energy. As submitted the energy report identifies a suitable method by which the development can reach the 20% renewables target (policy 4A.7) outlined in the London Plan.

HOUSING

The 72 unit scheme offers 214 habitable rooms in total. This application offers only predominantly 1 & 2 bedroom units with only 8 x 3 bedroom units and 4 x 4 bedroom units providing larger family accommodation.

All units should comply with lifetime homes standards and gain SBD accreditation to enable an RSL to gain Homes & Communities Agency Funding. The units should also be built to level 4 of the Code for Sustainable Homes.

The units are all well sized and exceed both HDAS and HQI minimum standards.

It is understood that an FVA has been submitted which supports only 11% affordable housing. If the FVA is validated the mix and tenure of affordable units should be agreed during the S106 negotiations.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R5 of the Hillingdon Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will not grant planning permission for proposals which involve the loss of indoor sports and leisure facilities unless adequate, alternative facilities are available.

Planning permission was granted in 2007 for the erection of a community leisure centre incorporating a new 25m swimming pool, sports hall, fitness and exercise areas, creche, cafe/bar, library and associated facilities (ref: 20817/APP/2006/3393) on Botwell Green,

on the opposite side of Central Avenue, immediately to the east of the application site. Planning permission was also granted in 2008 for the construction of an all-weather surface training pitch at that site. The new leisure centre has recently opened to the public. It is considered that the provision of a new modern leisure centre, which includes a 25m pool, in such close proximity to the application site, is sufficient to off-set the loss of the existing facility and to justify an exception to Policy R5 of the UDP.

No retail facilities would be lost as part of the scheme and, accordingly, the proposal does not conflict with the objectives of Policy S12, which seeks to maintain the vitality and viability of Secondary Shopping Areas.

Accordingly, providing other site specific policies can be addressed, no objection is raised to the principle of the development in this location.

7.02 Density of the proposed development

The southern half of the site has a Public Transport Accessibility Level (PTAL) of 4, and the northern half of the site has a PTAL of 3. Given the location of the site within Hayes Town Centre it falls within an urban area as defined in the London Plan (2008). Taking the worse case, the London Plan (2008) range for sites with a PTAL of 2-3 in an urban area is 55-145 units per hectare and 200-450 habitable rooms per hectare. In accordance with guidance in the Council's Supplementary Planning Document on Residential Layouts rooms over 20m² would count as two habitable rooms. As such, based on a site area of 1 hectare, the site would have a density of 72 units per hectare and 266 habitable rooms per hectare. This complies with London Plan guidelines.

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

The site does not fall within an Archaeological Priority Area and there are no Areas of Special Local Character within the vicinity of the site. The Hayes Village Conservation Area is located approximately 100m to the north east of the application site. However, due to mature tree planting along Central Avenue, views of the proposed building would be limited from here. Given the distance, combined with the screening, and that the scheme would be seen in context with other large town centre buildings, including the adjacent leisure centre development, it is considered that the proposal would have a negligible impact on the character and appearance of the Conservation Area.

Botwell House, which is located approximately 65m to the south of the nearest part of the application site boundary is a Grade II Listed Building. However, given the separation provided between that building and the application site by busy Botwell Lane, and extensive mature tree planting around the application site boundaries, it is not considered that the proposed development would have such a detrimental impact on its setting so as to justify refusal. Whilst the proposed building would project further forward into the site than the existing swimming pool building, it could be argued that the proposed design would be more in keeping with the character and appearance of the area than the existing pool.

Notably, the Council's Conservation Officer does not consider it necessary to provide comments on the scheme due to its limited impact on the Listed Building and Hayes Village Conservation Area. The Council's Urban Design Officer has also confirmed that the development will not have an unacceptable visual impact on the surrounding area including the nearby conservation area and listed building.

7.04 Airport safeguarding

BAA Safeguarding and National Air Traffic Services (NATS) have both confirmed that they

have no objections to the proposal, subject to relevant conditions and informatives.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of this site.

7.07 Impact on the character & appearance of the area

The application site lies on the edge of Hayes Town Centre. Accordingly, the nature of development in the surrounding area varies widely in terms of scale, height, density, layout and appearance. To the north east and north west the area is largely characterised by two-storey semi-detached and terraced residential properties. However, to the south west, and beyond Botwell Green to the south east, the area is much less uniform in character, with a mix of two, three and four storey buildings, many of which are commercial buildings associated with Hayes Town Centre. Amongst the largest buildings in the locality are the Immaculate Heart of Mary Church to the south, which is equivalent to approximately three-storeys in height, with a taller tower, the four-storey telephone exchange building just over 100m to the south east, and various three to four storey high commercial buildings closer to the heart of the town centre.

Notably planning permission has been granted for the redevelopment of part of the adjacent Botwell Green to provide a new leisure centre complex (ref: 20817/APP/2006/3393) and ancillary facilities. Construction is currently underway. The new leisure centre would be a large building, which would accommodate various facilities including a 25m swimming pool, sports hall, gymnasium, etc. The tallest part of that building would be approximately 13.5m high. Accordingly, with a maximum height of four-storeys (approximately 12m), the height of the proposed development would be similar to that of nearby buildings within the town centre.

The building's horseshoe layout helps to break up, and limit views of, the relatively long facades, particularly with regard to the western wing, which would be curved in shape. Whilst details of appearance have been reserved for future consideration, the submitted plans indicate that the facades would be well articulated, which would add visual interest to the building and help to further break up their mass. Notably, whilst very different to the existing swimming pool building in terms of layout and design, the overall scale, bulk and mass of the proposal would not be significantly larger.

7.08 Impact on neighbours

The nearest residential properties to the proposed development are located in Holmbury Gardens and back on to the site's northern boundary. However, the rear elevation of these properties is located just over 40m away from the nearest elevation of the proposed development. This significantly exceeds guidance in the Council's Supplementary Planning Document on Residential Layouts which requires a minimum distance of 21m between facing habitable room windows. Notably the northern part of the western wing steps down in height to two-storeys at this point which further reduces its impact on properties to the north and opposite. In addition to this distance, a row of approximately 12m high Hornbeam and Cypress trees align the site's northern boundary and provide a significant amount of screening between those properties and the proposed building, even during winter months.

Residential properties are also located in Church Road, Botwell Lane, Golden Crescent and Nield Road to the east of the site, the nearest, on the corner of Botwell Green and Church Road, being approximately 40m away. However, the orientation of these properties means that they do not directly face the application site, and Botwell Lane and Church Road provides some separation. In addition, the existing mature tree planting around the site boundaries would be retained and provides some screening between these properties and the proposed residential block.

Given the distances between the proposed building and the nearest residential properties, in addition to screening provided around the site boundaries by mature tree planting, it is not considered that the development would result in an unacceptable level of overlooking which would be detrimental to the residential amenity of the occupiers of nearby properties. Accordingly the proposal complies with UDP Policy BE24 and guidance within the Council's Supplementary Planning Document on Residential Layouts.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 50m² internal floorspace should be provided for a one-bedroom flat, 63m² for a two-bedroom flat, 77m² for a three-bedroom flat and 87m² for a four-bedroom flat. The application proposes the provision of 22 one-bedroom flats which would each have internal floor areas of 54m²; 38 two-bedroom flats, 16 of which would have floor areas of 74m² and 22 which would have floor areas of 88m²; 8 three-bedroom flats, 4 of which would have floor areas of 81m² and 4 of which would have floor areas of 132m²; and 4 four-bedroom flats which would have floor areas of 132m². Accordingly, all flats provided would exceed the Council's minimum standards. All windows would receive adequate daylight and the amenities of future occupiers would not be prejudiced by the position of adjoining houses. As such, it is considered that the proposed property would adequately serve the needs of future occupiers in terms of internal space.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 20m² external amenity space should be provided for one-bedroom flats, 25m² for two-bedroom flats, 30m² for three and four-bedroom flats. Accordingly, a total of 1,750m² amenity space should be provided. Shared amenity space would be provided to the south of the site, in the northern most corner, and within the centre of the site, above the basement car park. In addition, ground floor units would each be provided with a small private garden, and the majority of the remaining units would be provided with balconies. Communal roof gardens would also be provided on the fourth and third floor roofs. In total, approximately 5,400m² of usable external amenity space would be provided which significantly exceeds the Council's minimum guidelines.

Notably the provision of small garden areas for the ground floor units creates a defensible space between the units and the communal areas, providing both an added measure of security and also a level of privacy for occupiers of these units.

Policy 3D.13 of the London Plan sets out that "the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Saved Policy R1 of the Hillingdon UDP also seeks the suitable provision of playspace in developments.

Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young Peoples Play and Informal Recreation' it is anticipated that there will be approximately 33 children within the development. The guidance sets a benchmark of 10 sqm of useable child playspace to be provided per child. As such the development should make provision throughout the scheme for 330 sqm of space where play may occur.

While landscaping (and provision of children's play space) is a reserved matter, this development would provide a range of private, semi-private and public amenity space, total amenity space provision on site amounts to 5,400 sqm. It is considered that sufficient space exists on the site to meet play space requirements for very young

children.

For older children, Botwell Green is situated adjacent to the site. The level of provision fulfils the requirements of a neighbourhood area of play' (NEAP) under the Six Acre Standards nationally adopted by local planning authorities.

It is evident that there would be sufficient provision of play space for children of all ages both on and off site, and that the development would be compliant with London Plan policy 3D.13 and the Mayor's SPG on Children and Young Peoples Play and Informal Recreation.

The scheme significantly exceeds the Council's minimum guidelines relating to both internal floor space and external amenity space. It is considered that the proposal would adequately serve the needs of future occupiers and that it fully complies with policies BE20, BE21, BE23 and BE24 of the UDP which relate to residential amenity.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

A total of 75 car parking spaces, including 11 disability standard spaces, would be provided. The plans indicate that 17 spaces (including six disability standard spaces) would be provided at surface level, and 52 spaces (including 5 disability standard spaces) would be provided at basement level.

The Council's Parking standards require a maximum provision of 1.5 spaces to be provided per unit. The London Plan makes it clear that all developments in areas of good public transport accessibility and/or town centres should aim for less than 1 space per unit.

Whilst officers would have concerns over a lesser parking provision in this location, as recommended by the London Plan, given the site's good accessibility to public transport (PTAL of 3), its Town Centre location and its proximity to Hayes Station (approximately 700m to the south), it is considered that the proposed parking ratio is acceptable in this location. It is not considered that the proposal would substantially contribute to an increase in on-street parking and the Council's Highway Engineer has raised no objections on these grounds.

Notably 11 disability standard spaces would be provided, which exceeds the Council's requirement of 10%. Accordingly, in order to ensure enough parking is provided for non-disabled users, it is recommended that a condition is attached, should approval be granted, to ensure only 8 disability standard spaces are provided.

Secure stores for up to 80 bicycles would be provided at basement level (a ratio of more than 1 space per unit).

The public car park to the north of the site would be retained. In addition, 20 public car parking spaces would be provided/retained adjacent to the site access in the north east corner of the existing site. Accordingly, access to the site would be via a shared access with the adjacent public car parks, off Central Avenue. The continued use of this access, for the lifetime of the development, would be secured via the S106 agreement. A ramp would provide access to the basement level car parking, and level access would be provided to the surface level parking.

The provision of a 10-year Green Travel Plan, which includes provision of a car club, would be secured via the S106 agreement.

The proposed level of parking provision and access arrangements are considered to be acceptable, particularly given the sites town centre location and good accessibility. It is not considered that the proposed development would lead to a significant increase in on-street parking or congestion in the area, and the proposed is considered to comply with Policies AM2, AM7, AM9, AM14 and AM15 of the UDP. Notably, the Council's Highway Engineer has raised no objections subject to appropriate conditions.

Several residents and local community groups have raised significant concerns over the lack of parking in Hayes Town Centre and it has been suggested that a more appropriate use of the site would be to provide a public car park. Some concerns have also been raised over the loss of existing parking at the site.

Notably, the existing parking at the site is directly linked to the swimming pool and is intended for use by users of that facility only. Nevertheless, part of the existing site would be retained to provide 20 public car parking spaces. The proposed scheme has been assessed against relevant UDP and London Plan policies and the principle of residential use of the site is considered to be acceptable. Notably, the development would comply with policies which encourage the provision of additional housing in the area and would help to meet a recognised housing need. Accordingly, refusal cannot be justified on the basis that a public car park would be a more suitable use of the site.

7.11 Urban design, access and security

- Urban Design

This issue has been partly discussed in part 7.07 of the report. The layout of the proposed building would form a rough 'U' shape, with two wings located on either side of a southern focal point. The longer, western wing would be slightly curved in shape and step down to three and then two-storeys towards its northern end. The building would have a maximum height of approximately 12.3m.

Whilst appearance is reserved for future consideration, the Design and Access Statement suggests the development would have an 'Art Deco' design, and illustrative elevations have been provided.

As discussed above, whilst it is recognised that the application site is located on the edge of a town centre, close to a predominantly two-storey residential area, given the mix of development types surrounding the site, including the large scale leisure centre at Botwell Green opposite, the nearby Immaculate Heart of Mary Church to the south, and other large developments within the town centre, it is not considered that the scale, mass or height of the building would be unacceptable in this location. Notably, the development is approximately 40m away from the nearest residential property. Combined with significant tree screening around the site boundaries, and the separation provided by Botwell Lane and Church Road which border part of the site, this is considered sufficient distance to ensure the proposal will not have any significant detrimental impact on the residential amenity of occupiers of those properties, and to ensure the development is viewed more in context with the larger scale town centre developments to the east, and does not appear as overly prominent in relation to the smaller scale dwellings.

Following suggestion from the Council's Urban Design Officer the applicant has accommodated a number of alterations to the facades of the proposed building to ensure a distinct well designed development is provided. These include modification of the focal point of the building at the south of the site, to soften its appearance whilst retaining an art deco style, alterations to the balconies to provide a softer curvature and to ensure they

contrast with the background, emphasising the horizontal lines of the building, and use of a softer palette of materials/colours. However, it should be noted that the submitted elevations are indicative only and subject to change. Full details of the building's appearance would be submitted at a later stage as part of a reserved matters application.

In addition to the above, and in response to comments received from the Environment Agency, green roofs would be provided by way of roof gardens, and an attenuating pond would be provided towards to north of the site.

The proposed garden space for the ground floor units has also been enlarged to provide a sufficient defensible space between the communal areas. The boundaries to these areas would be provided through the use of low railings, concealed by shrubs, hedging and other planting to soften their appearance.

The Council's Urban Design Officer has confirmed that the proposed changes add positively to the scheme and that the proposal is considered to contribute positively to the character of the surrounding area and the surrounding streetscenes.

As stated above, it should be noted that details of appearance and landscaping (including soft and hard landscaping) are reserved for future consideration and further details will be submitted in due course. Details relating to landscaping and boundary treatment would be required by way of condition should approval be granted.

Overall it is not considered that the proposed development would have a detrimental impact on the character or appearance of the surrounding area. Significant enhancements would be made to the existing site, which currently houses an unattractive and dated large scale building and significant amount of hardstanding, both in terms of building design and landscape improvements. Notably the Council's Urban Design Officer has raised no objections subject to the imposition of appropriate conditions regarding materials and hard landscaping.

- Security

The applicant's Design and Access Statement confirms that following pre-application discussions, a number of security measures have been incorporated into the scheme, including securing the perimeter with 1.8m high fencing, secure vehicular access, controlled access doors, formation of semi-private areas outside ground floor units, lighting of common areas, secure cycle storage, etc. Should approval be granted a condition would be required to ensure further details of security measures are provided and that the development meets the Metropolitan Police's 'Secured by Design' criteria.

7.12 Disabled access

The applicant's Design and Access Statement confirms that the development would meet all relevant Lifetime Homes Standards and would fully comply with the requirements of BS8300:2009 and Part M of the Building Regulations.

Pre-application discussions have taken place with the Council's Access Officer and relevant recommendations, such as the provision of walk-in showers within en-suite bathrooms, careful consideration of the location of bathroom fixtures, accessible access pads for swipe cards, accessible signage, etc, have been taken into consideration.

11 disability standard parking bays would be provided, six above ground and 5 within the basement car park. This exceeds Council standards which require 10% of spaces to be disability standard. All spaces would be located as close as possible to building

entrances and lifts.

As stated above, it is recommended that only 8 spaces (10%) are provided to disability standard, in compliance with current Council guidelines, to ensure a sufficient number of spaces are provided for non-disabled users.

It is considered that the proposal would fully comply with relevant London Plan and UDP policies relating to inclusive design and notably the Council's Access Officer has raised no objections to the proposal. Further details regarding accessibility would be required by way of condition should approval be granted.

7.13 Provision of affordable & special needs housing

The London Plan and guidance within the Council's Supplementary Planning Document for Planning Obligations requires that 50% of all residential units provided should be affordable.

The application proposes that 11% of the units would be affordable. Although this is significantly below London Plan policy requirements, the application is accompanied by a financial viability appraisal that concludes that this is the maximum level of affordable housing which the scheme could provide whilst contributing towards other planning obligations. This has been validated by an independent consultant.

As such, the applicant's proposed provision is considered acceptable and will be secured by the proposed Section 106 agreement.

7.14 Trees, landscaping and Ecology

This flat and prominent corner site is located on the edge of the town centre. It is divided from the new sports centre by the mature London plane trees that line Central Avenue. The central part of the site is dominated by the existing swimming pool building. There are open grounds on the south, west and east sides of the building, and a car park to the north. Trees line the other road frontages of the site, and a belt (high hedge) of cypresses and upright hornbeam trees forms a screen/buffer between the site and the residential properties in Holmbury Gardens.

The double line of mature London plane trees (the southernmost part of the avenue) dominates and, in the morning, shades (Spring-Autumn) the eastern part of the site. The mature roadside horse chestnut trees, and groups of lime and sycamore trees line and, in the afternoon and evening, shade (Spring-Autumn) the southern and western parts of the site. These trees form a major landscape feature and a green buffer surrounding the site, which is supplemented by the row of cypresses and hornbeams which form a long high hedge and screen close to the northern boundary of the site.

The trees on and close to the site, which are shown on the topographical/tree survey drawing, have been surveyed, in accordance with the recommendations of BS 5837:2005, by Landmark Trees Consultants Ltd. The results and interpretation of the results of the survey are presented in the Arboricultural Impact Assessment Report (December 2009). The report includes a tree survey/constraints plan.

A total of 66 individual trees and groups were assessed and categorised according to the guidance. Nine trees are categorised as 'A' grade (good quality and landscape value, where protection and retention is most desirable as part of any redevelopment). 27 trees are categorised as 'B' grade (fair quality and value, worthy of protection and retention as part of any redevelopment). 21 trees are 'C' rated (poor), which could be retained but, subject to replacement planting, are not a constraint on the development of the site. 9

trees are 'R' rated and identified for removal together with works to other trees, in any event, in the interests of safety and/or sound arboricultural management.

The tree survey/constraints drawing shows the root protection areas (RPAs) for the trees (other than 'R' grade), which define construction exclusion zones necessary to safeguard trees from built development, or interference within the root zone, and hence limits the size of the building envelope.

The trees on and close to the site are not protected by Tree Preservation Order or Conservation Area designation. However, the Council maintains the mature (roadside) trees. The mature trees form large and conspicuous linear features in the local landscape, and contribute to the visual amenity and character of the area and provide some screening of the site. The majority of the trees, in particular those close to the boundaries of the site, have high amenity values and should be protected and retained as part of any redevelopment of the site. In this case, the valuable trees on the fringes of the site merit the protection of a tree preservation order.

The proposal is an outline application with details of access layout and scale. Based on the recommendations of BS 5837, the design of the scheme for residential development should be informed by the tree survey/report, and an arboricultural impact assessment and constraints report/plan, which considers construction-related issues as well as information about the shade effect of the buildings and trees.

With the exception of the northern ends, the proposed building will be sited at least 10m from the tree canopy. The revised scheme will have a low impact in terms of the removal of eight trees (One 'B' category, four 'C' category and 3 'R' category) in the middle of the site, and low/very low impacts in terms of minor encroachments (removal of hard surface and/or resurfacing) in the root protection zones of six trees. Given that the layout (revised) makes provision for the long-term retention of all of the more valuable trees/features on the site, including the belt of trees, which form a 12m-high screen, along the northern boundary, and that the other impacts can be mitigated, there is no objection to the loss of eight trees in the middle of the site.

Details of services (including drains and lighting) and levels, and tree protection measures, including a tree protection plan and an arboricultural (demolition, construction and tree protection) method statement should be required by conditions.

The layout (with the basement car park) reserves space around the building for amenity space, and large-scale landscaping in scale with the proposed building. There is space in the north-western corner of the site (between the car park, the end of the building and Church Road for the planting of large (feature) trees to supplement the existing tree belt/screen and trees on the road frontage.

It is not considered that the proposed development would have an adverse impact on existing important landscape features at the site, and the landscape proposals would enhance the character and appearance of the area in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). Notably no objections have been raised by the Council's Trees/Landscape Officer, subject to conditions.

7.15 Sustainable waste management

The plans indicate that refuse storage facilities would be provided towards the rear of the site, in close proximity to the site access. Whilst limited details have been provided at this

stage there is ample space on site for provision of additional or larger facilities if necessary and, as such, it is considered that further details could be dealt with by way of condition should approval be granted. Notably no objections have been received from the Council's Waste Strategy Manager.

7.16 Renewable energy / Sustainability

Policy 4A.7 of the London Plan 2008 advises that boroughs should require major developments to show how they would reduce carbon dioxide emissions by 20% through addressing the site's electricity or heat needs from renewable sources, wherever feasible.

The applicant has submitted an Energy Report with the application which confirms that a number of efficiency measures would be incorporated into the scheme. Although limited details of these have been provided at this stage, should approval be granted it is recommended a condition requiring the applicant to meet a Code for Sustainable Homes minimum level of 3 is attached.

The report also confirms that a 20% reduction in carbon emissions would be achieved through the use of rooftop photovoltaic panels, in compliance with London Plan guidelines. Further details of these would be required by way of condition should approval be granted.

7.17 Flooding or Drainage Issues

The site does not fall within a flood zone or close proximity to a watercourse. However, given the size of the site a Flood Risk Assessment has been submitted in support of the application. Following initial concerns received from the Environment Agency, an attenuation pond, and green roofs have been incorporated into the scheme. The Environment Agency have now removed their objection, subject to appropriate conditions, should approval be granted. Accordingly, it is not considered that the proposal would lead to any increased risk of flooding, or drainage issues, within the surrounding area.

7.18 Noise or Air Quality Issues

- Noise

The application has submitted a Noise Assessment in support of the application. This concludes that the most exposed facades of the flats would fall within Noise Exposure Categories B and C (mostly B) and that, accordingly, noise mitigation measures should be incorporated into the scheme. The Council's Noise Officer has confirmed that the noise levels at the site are acceptable providing appropriate mitigation measures are put in place, such as the installation of double glazing, and has therefore raised no objections subject to relevant conditions.

- Air Quality

The applicant has submitted an Air Quality Feasibility Study which has been carried out in order to determine the suitability of the site for residential development, and any impacts the development could have on local air quality. The report concludes that the development is likely to have a negligible impact on air quality. Officers in the Council's Environmental Protection Unit have confirmed that the submitted Air Quality Feasibility Study is acceptable and have raised no objections subject to relevant conditions requiring the submission of further details.

Notably, due to the site's location close to areas of known exceedences of pollution levels, a S106 contribution has been sought towards air quality management and monitoring within the area.

7.19 Comments on Public Consultations

In terms of the concerns raised by residents, points (i), (iii), (v), (vi), (viii), (xi), (xii), (xiii), (xvi), (xvii) and (xx) have been addressed in the report.

Point (ii) suggests Hayes is already overcrowded. As discussed in part 7.02 the proposed density falls below London Plan guidelines and is considered to be acceptable in this location.

Point (vii) suggests the site should be used to provide a children's recreational area. Point (xix) suggests a garden and playground should be provided here. As discussed above, no objections are raised to the principle of the development. Notably, playing fields and a children's park exist at Botwell Green, opposite the application site.

Point (ix) raises concerns over a potential increase in litter. Appropriate refuse and recycling facilities for the proposed units would be provided on site. It is not considered that the proposed development would lead to an increase in litter over and above the existing use.

Point (x) raises concerns over noise from construction work. Appropriate conditions would be attached to minimise construction impacts on the surrounding area. Notably, construction works would only be temporary.

Point (xiv) suggests that whilst the proposal would generate short-term income it would lead to long-term problems. This is not considered to be a material planning consideration.

Point (xv) suggests memories will be lost with the demolition of the existing pool. This is not considered to be a material planning consideration. Notably the existing pool would be replaced by a new facility at Botwell Green.

Point (xviii) suggests that the pedestrianised part of Hayes Town Centre is abused and that accordingly, a pedestrian crossing should be put in place. This is not related to the proposed development. Notably the Council's Highway Engineer has raised no objections to the proposed scheme.

The concerns raised by the Hayes Town Business Forum have been addressed in part 7.10 of the report.

Points (i), (v), (viii), (vix), (xi) and (xii) of the concerns raised by the Hayes Town Partnership have been addressed in the report.

Point (ii) questions the proposed unit mix. The provision of smaller units is considered to comply with Policy H4 of the UDP.

Point (iii) questions the viability of the scheme given the current economic climate. Planning permission would last for three years. The viability of implementing the scheme during this time is for the applicant to assess.

Point (iv) suggests that increasing the number of residential units in the area puts increased pressure on existing infrastructure. Relevant S106 contributions would be sought to off-set the impacts of the development on local infrastructure.

Point (vi) suggests that a specific S106 contribution should be sought towards the

provision of a polyclinic in Hayes rather than a generalised sum put towards the Primary Care Trust. It should be noted that such clinics are run by the PCT. The contribution is in accordance with adopted guidance on planning obligations.

Point (vii) suggests that S106 contributions should be sought towards providing youth facilities in the area. A £30,000 contribution is being sought towards community facilities.

Comments made in point (x) which support the retention of existing trees on site are noted.

Point (xiii) raises concerns over the proposed gating of the development. Appropriate fencing and gates would be provided in accordance with recommendations from the Council's Crime Prevention Design Advisor and relevant Secured by Design guidelines.

Point (i), (ii), (iii), (v) and (vi) of the concerns raised by John McDonnell MP have been addressed in the report.

Point (iv) suggests the proposal would lead to additional traffic movements which would pose a threat to school pupils. It is not considered that the proposal would lead to a significant increase in traffic movements which would be detrimental to pedestrian safety. The Council's Highway Engineer has raised no objections on these grounds. However, notably, should approval be granted the applicant would be required to carry out highway improvements and provide a pedestrian crossing in accordance with the agreed S106 agreement.

The comments received in response to the second round of consultation have been addressed above and in the report. No new issues have been raised.

7.20 Planning obligations

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

The application is accompanied by a financial viability appraisal which has been validated by an independent consultant. This concludes that 11% affordable housing is the maximum which the scheme could provide whilst also contributing towards other obligations as follows: Education (£212,005), Health (£28,717.44), Public realm/town centre enhancements (£20,000), Community facilities (£30,000), Libraries (£3,048.42), Air quality (£5,000), Construction training (£2,500 for every £1million construction cost or a training scheme to be delivered on site). In addition, the applicant has agreed to provide a Green Travel Plan for the site and 5% of total cash contributions towards the management and monitoring of the subsequent Statement. The proposed planning obligations are considered reasonable in order to offset the impacts of the scheme on local services whilst still allowing development to take place.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

- Contamination

The application has submitted an Environmental Assessment as part of the application. Officers in the Council's Environmental Protection Unit have confirmed that whilst there

may be some contamination present at the site the risk is not high. However, further investigation and appropriate remediation measures should be carried out if necessary prior to the commencement of development. This would be dealt with by way of condition should approval be granted.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The size, scale and height of the building is considered to be acceptable in this location and would be in keeping with the character and appearance of surrounding development. The scheme complies with relevant guidelines within the Council's Supplementary Planning Document on Residential Layouts and would provide satisfactory living conditions for future occupiers. Furthermore, it is not considered that the scheme would give rise to issues such as loss of privacy, overlooking or overshadowing, which would be detrimental to the residential amenity of occupiers of nearby properties.

The proposed parking provision and access arrangements are considered to be satisfactory, and relevant standards relating to sustainability and renewable energy would be met.

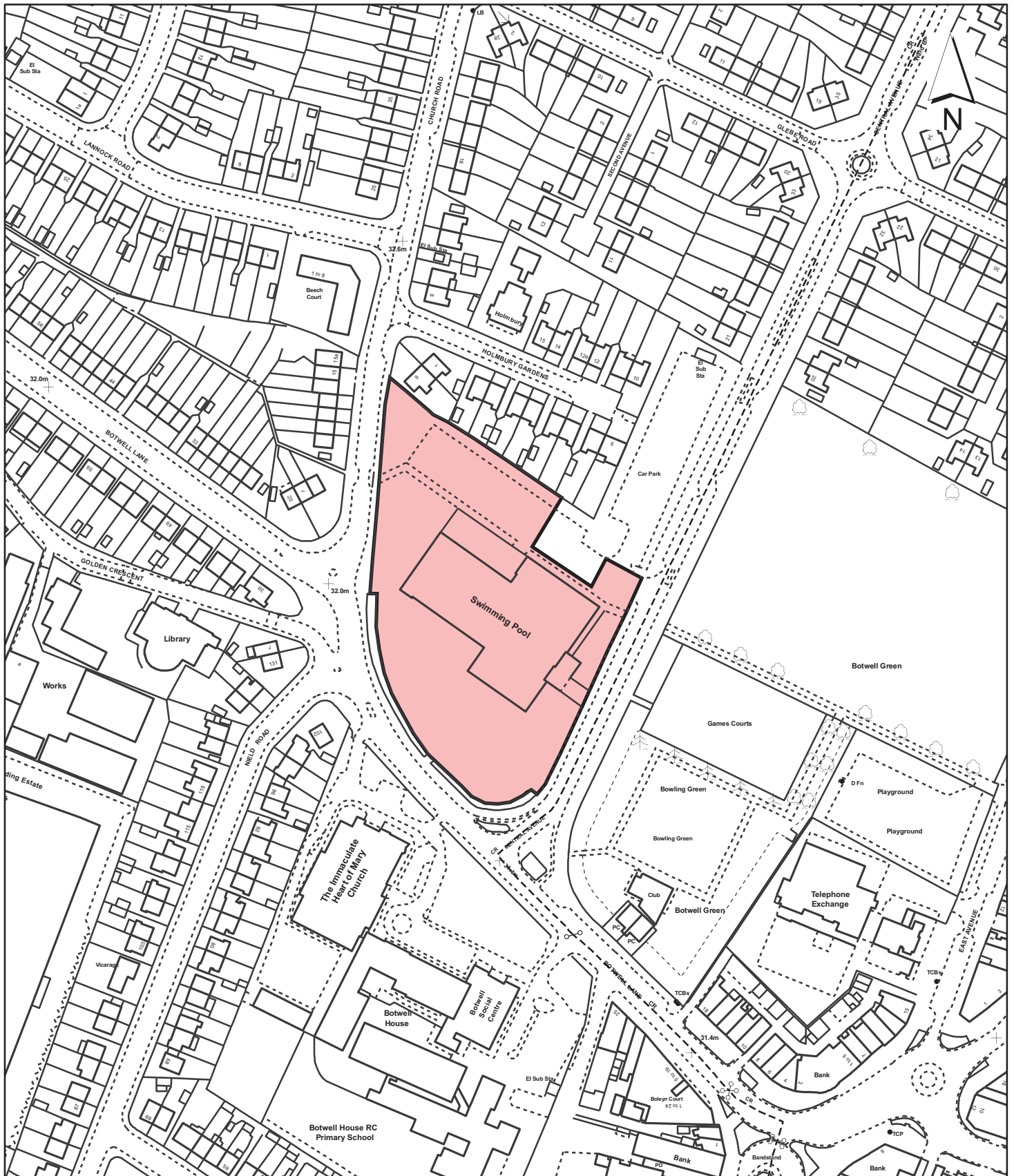
The application is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

11. Reference Documents


London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 4 (Planning for Sustainable Economic Growth)
Planning Policy Guidance 13 (Transport)
Planning Policy Statement 22 (Renewable Energy)
Planning Policy Guidance 24 (Planning & Noise)
Planning Policy Statement 25: Development and Flood Risk
Council's Parking Standards
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Planning Obligations
Council's Supplementary Planning Document - Residential Layouts
Council's Supplementary Planning Document - Accessible Hillingdon

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
Hayes Swimming Pool Botwell Lane Hayes	
Planning Application Ref:	Scale
1942/APP/2010/31	1:2,000
Planning Committee	Date
Central and South	April 2010

**LONDON BOROUGH
OF HILLINGDON**

**Planning &
Community Services**

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



HILLINGDON

LONDON

APPENDIX B

	<p>Item 22 – A temporary stop notice had failed to stop building works on green belt and agricultural land. The temporary stop notice ceases to have effect on the 18 October 2010. Authorisation is required by this committee to issue enforcement s and stop notices prior to the temporary stop notice ceasing to have any effect.</p> <p>Item 23 - This report is urgently needed in order for the committee to authorise the issue of a Breach of Condition Notice for non compliance of two planning conditions.</p>	
36.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items marked in Part 1 would be considered in Public and all items marked Part 2 would be considered in Private.</p>	
37.	<p>HAYES SWIMMING POOL, BOTWELL LANE, HAYES - 1942/APP/2010/31 (<i>Agenda Item 6</i>)</p> <p>Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only)</p> <p>1942/APP/2010/31</p> <p>In accordance with the Council's constitution a representative of the petitioners objecting to the proposal addressed the meeting. The agent was not present at the meeting.</p> <p>The petitioner made the following points:-</p> <ul style="list-style-type: none"> • Referred the committee to pages 43 & 44 of the report setting out the representation made. <p>A member asked whether there was a condition seeking food waste grinders for each unit.</p> <p>Officers advised that this condition was not provided and suggested that it be added. The committee agreed to the additional condition being added.</p> <p>In an answer to an issue raised in regards to trees the committee was advised that revised plans had been received that ensured that the building did not impact on the important trees on the site.</p> <p>Concerns were raised in relation to the type C flats that had no natural light to kitchens and bathrooms and suggested that the sustainable Code 3 was not sufficient and that this should be Code 4. It was also asked that an informative be added to require a light survey at the</p>	<p>Action by</p> <p>James Rodger Matt Duigan</p>

reserved matters stage.

Officers advised that the proposal had more than the minimum floorspace in the main three principle rooms. The starting point for any application was the amenity for future occupiers. If members are minded to seek sustainability Code 4 there are a number of options that applicants had to achieve this.

The committee agreed that condition 31 be amended to Code 4 and not Code 3 and also an informative on the light survey requirement. This was moved seconded and on being put to the vote was agreed.

In answer to a question raised in relation to the amenity space on the roof. Officers advised that the required amenity space had been provided without the inclusion of the amenity space on the roof. The amenity space on the roof would be carefully planned at the reserved matters stage.

A member stated that this application was a wasted opportunity to provide affordable housing and would be unable to support the application as it does not address the needs of the community.

It was suggested that the proposed flat roof would not assist in the building blending in with the surrounding area and consideration should be given to a crown roof.

Officers advised that this was a reserved matter, the flat roof had been designed to give an Art Deco look and to enable solar panels and roof garden to be provided.

It was moved, seconded and agreed that an informative be added for consideration to be given to the use of a crown roof.

In answer to an issue raised in relation to the parking officers advised that the right of access was covered by the S106 agreement. In regard to the issue raised in relation to the boundary treatment of the basement level car park to stop people falling from ground level, Condition 8 could be amended to ensure this is addressed.

It was moved and seconded that condition 8 be amended as suggested by officers.

The recommendation with the amendments agreed by the committee was moved, seconded and on being put to the vote was agreed.

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

1. That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section

106 planning obligation:

(i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the Statement of Intent in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.

(ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing Department.

(iii) A contribution of £212,005 towards local education facilities.

(iv) A contribution of £28,717.44 towards primary health care provision.

(v) A contribution of £20,000 towards public realm/town centre enhancements.

(vi) A contribution of £30,000 towards community facilities to be provided locally.

(vii) A contribution of £3,048.42 towards library books and equipment.

(viii) A contribution of £5,000 towards air quality monitoring.

(ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.

(x) That the applicant enters into a S278 agreement to provide highway improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.

(xi) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

(xii) The shared access way and access through the public car park to the private ground level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

(xiii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.

(xiv) That future residents will not be granted parking permits.

2. That the applicant meets the Council's reasonable costs in the preparation of the Statement and any abortive work as a result of the agreement not being completed.

3. That the officers be authorised to negotiate the terms of the proposed Statement.

4. That if the Statement of Intent is not finalised within a period of 6 months from the date of this resolution, or any other period deemed appropriate by the Head of Planning and Enforcement, that the application may be referred back to the Committee for

determination.

5. That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

6. That if the application is approved, by the Head of Planning and Enforcement under delegated powers, the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting be attached and conditions on satellite dishes from addendum sheet amended to read as follows:-

Add the following condition:

Notwithstanding details shown on approved plans, sink food waste grinders shall be installed in the kitchens of all of the residential units.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

Amend Condition 31 by replacing the words 'achieve level 3 of the Code' with 'achieve level 4 of the Code'.

Amend the Satellite Dish condition in the addendum (page 2) by inserting the words '/antenna' between the words 'dishes' and 'shall'.

Amend Condition 8 by inserting the words '(which shall include boundary treatment to prevent persons falling from ground level down into the ramp leading to the basement level car park)' after the words 'to be erected'.

Add the following informatives

You are advised that the Council will require that details of fume extraction from kitchens be provided as part of any reserved matters application.

You are requested to consider amending the design of the roof form to provide a crown/pitched roof form.

You are advised that the Council will require a light survey to be submitted as part of any reserved matters application.

APPENDIX C

Report of the Head of Planning and Enforcement Services

- Address:** HAYES SWIMMING POOL, BOTWELL LANE, HAYES
- Development:** Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only).
- LBH Ref Nos:** 1942/APP/2010/31
- Drawing Nos:** Design and Access Statement, Arboricultural Impact Statement, Phase 1 Environmental Assessment, Noise Assessment, feasibility Study Local Air Quality, Energy Report, 2009D25/P/07, Transport Assessment, Flood Risk Assessment prepared by WSP dated May 2010, Addendum to the Design and Access Statement dated 03/08/10, 2009D25/P/01, 2009D25/P/02, 2009D25/P/03A, 2009D25/P/04D, 2009D25/P/05C, 2009D25/P/06B, 2009D25/P/07D, 2009D25/P/08, 2009D25/P/09E, 2009D25/P/011, 2009D25/P/012, 2009D25/P/014, 2009D25/P/015, 2009D25/P/016, 2009D25/P/017, 2009D25/P/018, 2009D25/P/019.
- Date applications approved at Committee** Central & South Planning Committee - 12th October 2010
- S106 Agreement** That the recommendation to enter into a s106 agreement is amended, as proposed below, to enable the Council as land owner to sell the site with a new owner being required to enter into and adhere to the s106 agreement.

1.0 CONSULTATIONS

1.1 Internal Consultees

Planning Obligations
Officer

The amendment to the recommendation is sought to enable the site to be sold with the new owner required to enter into the s106 agreement (rather than the Council).

It is proposed to extend the time from 6 months to 12 months to enable any new owner sufficient time to enter into negotiations, agree and complete the s106 agreement.

It is also proposed to remove Head of Term 12 relating to the shared access way and replace it as a condition. This is considered appropriate in this instance as this would be dealt with by way of legal covenant when the land is sold.

It proposed amendment to the recommendation and extension of time to allow the S106 to be completed are considered appropriate in this instance.

2.0 RECOMMENDATION

This authority is given by the issuing of this notice under regulation 3 of the Town and Country Planning General Regulations 1992 and shall ensure only for the benefit of the land.

- a) That in advance of or at the same time as or in any event within a period of 12 months from the resolution to grant planning permission that any proposed or existing purchaser of the Council's interest in the site enters into a section 106 agreement of the Town and Country Planning Act 1990, section 16 of the Greater London Council (General Powers) Act 1974 and section 111 of the Local Government Act 1972 and/or a section 278 agreement under the Highways Act 1980 (as amended) or other appropriate legislation to secure the following:**
- i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written into the s106 in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.**
 - ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing department.**

- iii) **A Contribution of £212,005 towards local education facilities.**
 - iv) **A contribution of 328,717.44 towards primary health care provision.**
 - iv) **A contribution of £20,000 towards public realm/town centre enhancements.**
 - vi) **A contribution of £30,000 towards community facilities to be provided locally.**
 - vii) **A contribution of £3,048.412 towards library books and equipment.**
 - viii) **A contribution of £5,000 towards air quality monitoring.**
 - ix) **A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.**
 - x) **That the applicant enters into a s278 agreement to provide highway improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.**
 - xi) **5% of total cash contributions secured towards the management and monitoring of the resulting agreement.**
 - xii) **The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.**
- b) **That in respect of the application for planning permission, the purchaser of the Council's interest in the land meets the Council's reasonable costs in the preparation of the section 106 and any other agreements and any abortive work as a result of the agreements not being completed.**
 - c) **If the section 106 agreement has not been completed within 12 months of the resolution to grant the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.**

- d) That officers be authorised to negotiate and agree the detailed terms of the proposed agreements.
- e) That, subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.
- f) That if the application is approved, it be subject to the conditions and informatives agreed by the Central and South Planning Committee on 12 October 2010 (detailed in the Committee report, addendum and minutes) and attached to this report and the following condition 50:

50. The shared access way and access through the public car park to the private surface level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

REASON:

To ensure appropriate access to the site is retained for future occupiers in perpetuity and in the interests of highway and pedestrian safety in compliance with Policies AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.0 KEY PLANNING ISSUES

- 3.1 The current planning application was lodged on the 11th January 2010 and was reported to the Central and South Planning Committee on the 12th October 2010. The Committee report is attached as Appendix A and the minutes of that meeting are attached as Appendix B.
- 3.2 The Committee determined to approve the application, subject to the applicant, being the Council, entering into a Statement of Intent. As the Council is not going to build out the site and wants to sell the site with the benefit of planning permission the resolution as currently worded will not allow for this.
- 3.3 Given the above it is also considered appropriate to extend the time for completion of the s106 agreement from 6 months to 12 months to reflect the time that will be required to complete this deed following sale of the site.
- 3.4 The removal of Head of Term 12 relating to the shared access through the public car park and replacing it as a condition is seen as the most appropriate way to deal with this obligation. Following the sale of the site the Council will enter into a covenant with the new owner to allow for this shared access in perpetuity. Once this covenant has been put in place the condition will be able to be discharged. The Council's Legal Team have advised that this is an acceptable process to take with regards to this matter.

- 3.5 The resolution wording to enter into the s106 agreement is erroneous and therefore the s106 cannot be completed. It is considered that committee approval is required to amend the resolution wording as detailed above.
- 3.6 Approval is recommended, subject to the conditions and informatives contained within the report heard by the Central and South Planning Committee on 12 October 2010, conditions imposed by the Committee and recorded in the minutes of that meeting.

4.0 OBSERVATIONS OF BOROUGH SOLICITOR

- 4.1 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.
- 4.2 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).
- 4.3 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.
- 4.4 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'.

5.0 OBSERVATIONS OF THE DIRECTOR OF FINANCE

- 5.1 The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106

agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

Reference Documents

- (a) Central and South Planning Committee Agenda 12th October 2010. Report for application reference 1942/APP/2010/31.
- (b) Central and South Planning Committee 12th October 2010 Addendum for application reference 1942/APP/2010/31.
- (c) Central and South Planning Committee Minutes 12th October 2010 resolution for application reference 1942/APP/2010/31.

Contact Officer: VANESSA SCOTT

Telephone No: 01895 250230

Report of the Head of Planning & Enforcement Services

Address	HAYES SWIMMING POOL BOTWELL LANE HAYES		
Development:	Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only)		
LBH Ref Nos:	1942/APP/2010/31		
Drawing Nos:	Design and Access Statement Arboricultural Impact Assessment Phase I Environmental Assessment Noise Assessment Feasibility Study Local Air Quality Energy Report 2009D25/P/07 Transport Assessment Flood Risk Assessment prepared by WSP dated May 2010 Addendum to the Design and Access Statement dated 03/08/10 2009D25/P/01 2009D25/P/02 2009D25/P/03 A 2009D25/P/04 D 2009D25/P/05 C 2009D25/P/06 B 2009D25/P/07 D 2009D25/P/08 2009D25/P/09 E 2009D25/P/11 2009D25/P/12 2009D25/P/14 2009D25/P/15 2009D25/P/16 2009D25/P/17 2009D25/P/18 2009D25/P/19		
Date Plans Received:	07/01/2010	Date(s) of Amendment(s):	07/01/2010
Date Application Valid:	11/01/2010		02/08/2010 03/08/2010

1. SUMMARY

This application seeks outline planning permission for the redevelopment of the existing Hayes Swimming Pool site to provide a part two, part three and part four-storey residential building comprising a total of 72 units, with associated access, car parking and landscaping, including the demolition of the existing pool. Details of access, layout and scale have been provided at this stage with details of appearance and landscaping reserved for future consideration.

The size, scale and height of the building is considered to be acceptable in this location and would be in keeping with the character and appearance of surrounding development.

The scheme complies with relevant guidelines within the Council's Supplementary Planning Document on Residential Layouts and would provide satisfactory living conditions for future occupiers. Furthermore, it is not considered that the scheme would give rise to issues such as loss of privacy, overlooking or overshadowing, which would be detrimental to the residential amenity of occupiers of nearby properties.

The proposed parking provision and access arrangements are considered to be satisfactory, and relevant standards relating to sustainability and renewable energy would be met. A new community leisure centre, including a 25m long swimming pool, has recently opened at Botwell Green. Accordingly, the proposal would not result in the loss of a community facility in this area and there is no in principle objection to the scheme providing site specific issues are met.

The application is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

2. RECOMMENDATION

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

1. That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

(i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the Statement of Intent in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.

(ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing Department.

(iii) A contribution of £212,005 towards local education facilities.

(iv) A contribution of £28,717.44 towards primary health care provision.

(v) A contribution of £20,000 towards public realm/town centre enhancements.

(vi) A contribution of £30,000 towards community facilities to be provided locally.

(vii) A contribution of £3,048.42 towards library books and equipment.

(viii) A contribution of £5,000 towards air quality monitoring.

(ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.

(x) That the applicant enters into a S278 agreement to provide highway improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.

(xi) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

(xii) The shared access way and access through the public car park to the private ground level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

(xiii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.

2. That the applicant meets the Council's reasonable costs in the preparation of the Statement and any abortive work as a result of the agreement not being completed.

3. That the officers be authorised to negotiate the terms of the proposed Statement.

4. That if the Statement of Intent is not finalised within a period of 6 months from the date of this resolution, or any other period deemed appropriate by the Head of Planning and Enforcement, that the application may be referred back to the Committee for determination.

5. That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

6. That if the application is approved, and subject to the Head of Planning and Enforcement under delegated powers, subject to the following conditions:

1 SP01 Council Application Standard Paragraph

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land).

2 OUT1 Time Limit- outline planning application

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

3 OUT2 Reserved matters - submission

Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission: -

- (a) Appearance
- (b) Landscaping

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

4 OUT3 Approval of Details

Approval of the details of the appearance of the building and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

5 OUT4 Reserved matters - submission and approval

Plans and particulars of the reserved matters referred to in condition 4 shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

6 OM1 Development in accordance with Approved Plans

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

REASON

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

7 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).

8 M3 Boundary treatment - details

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

REASON

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

9 TL1 Existing Trees - Survey

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

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

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).

10 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.

11 TL3 Protection of trees during site clearance and development

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

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during

construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL4 Landscaping Scheme (outline application)

The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme to be submitted to and approved in writing by the Local Planning Authority as part of the details of the proposed development required by condition No.2.

The scheme shall include:-

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

The scheme shall also include details of the following:-

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

REASON

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

13 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).

14 TL7 Maintenance of Landscaped Areas

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

REASON

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

15 TL21 Tree Protection, Building & Demolition Method Statement

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

REASON

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

16 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises 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

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

17 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.

18 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be

provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

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

19 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

20 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

21 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

22 NONSC Details of private gardens

Prior to commencement of development full details of the private garden areas to be provided for the ground floor units, including boundary treatments and landscaping, shall be submitted to and agreed in writing by the Local Planning Authority.

REASON

In the interests of visual amenity in compliance with Policies BE13 and BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 NONSC Cycle parking facilities

Prior to commencement of the development, details of covered and secure cycle storage provision for at least 80 bicycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed prior to the first occupation of the building hereby permitted and thereafter permanently retained and maintained in perpetuity.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in the Council's cycle parking standards in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

24 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime, including CCTV, 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.

25 OM13 Demolition Protocols

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

REASON

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (February 2008) Policies 4A.30 and 4A.31.

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

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

REASON

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

27 N1 Noise-sensitive Buildings - use of specified measures

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of sound insulation, acoustic ventilation, internal layout and other measures as may be approved by 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 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 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

29 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 and London Plan (February 2008) Policy 4B.1.

30 SUS1 Energy Efficiency Major Applications

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy generation contained within the submitted report entitled [insert name/reference] 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).

31 SUS4 Code for Sustainable Homes details

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

32 SUS5 Sustainable Urban Drainage

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

REASON

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

33 SUS8 Electric Charging Points

Before development commences, plans and details of 5 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

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

34 NONSC Air Quality 1

Any biomass/biofuel proposals at the development must be accompanied by an air quality assessment identifying impacts and potential mitigation. No biomass boiler shall be used on the premises until a scheme, which specifies the provisions to be made for the control of air pollutants from the site, has been submitted to and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the Local Planning Authority. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON

To safeguard the amenities of the surrounding area in compliance with policies BE13, BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

35 NONSC Air Quality 2

Any traffic management proposals for mitigation of the impact of the development must be accompanied by an air quality assessment of their environmental benefits. The said traffic schemes must also be monitored, for a specified time to be agreed by the Local Planning Authority, both pre- and post-operation, to ensure the proposed scheme is effective.

REASON

To safeguard the amenities of the area and to ensure the development does not have any detrimental impacts on local air quality in compliance with policies BE13, BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

36 NONSC Demolition and Construction Emission Management Plan

A method statement shall be submitted to, and approved by, the Local Planning Authority, before the development is commenced for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition and/or construction phases of the development. The scheme shall set out the secure measures which, can and will, be put in place.

REASON

In compliance with Policies BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and because dust and other air pollution from demolition and construction can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed. Advice as in 'The

control of dust and emissions from construction and demolition' Best Practice Guidance published by London Councils and GLA should be used as a basis for the method statement.

37 NONSC Air Quality 3

The development shall not commence until details of a scheme designed to minimise the ingress of polluted air has been submitted and approved by the Local Planning Authority. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON

To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

38 NONSC Contamination

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

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

REASON

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

39 NONSC Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent
- sustainable urban drainage schemes (SUDS) - such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS)' (available at www.aoa.org.uk/publications/safeguarding.asp).
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and 'loafing' birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/publications/safeguarding.asp).

The Bird Hazard Management Plan shall be implemented as approved, on commencement of construction and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and

approved in writing by the Local Planning Authority.

REASON

It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

40 NONSC Rainwater Harvesting

Prior to commencement of development full details showing how rainwater harvesting facilities will be built into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved rainwater harvesting facilities shall be maintained and retained in perpetuity.

REASON

In order to provide a sustainable form of development and promote water conservation in accordance with Policies 4A.9, 4A.11 and 4A.14 of the London Plan (Consolidated with Alterations since 2004).

41 NONSC Vehicular and Pedestrian Access Gates

Prior to commencement of development full details of all vehicular and pedestrian access gates into the site, incorporating facilities for operation by disabled persons, and capable of being manually operated in the event of power failure, shall be submitted to and approved in writing by the Local Planning Authority. These shall be full height and be fully accessible and usable to disabled users.

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.

42 NONSC External communications equipment

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 aerials, satellite dishes or other communication equipment shall be installed on any external part of the building, including the roof, without the prior written consent of the Local Planning Authority.

REASON

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

43 NONSC Environment Agency 1

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2010 reference 2009/43 by WSP UK Limited and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year critical storm (with an allowance for climate change) so that it will not exceed 5 l/s/Ha as detailed in Section 6.2.10 of the FRA.
2. Provision of surface water storage on-site to accommodate the critical duration 1 in 100yr storm event (with an allowance for climate change) as detailed within section 6.2.33 of the FRA.
3. Surface water storage to be achieved using sustainable drainage techniques as set out in sections 6.2.6, and 6.2.14-16 of the FRA.

REASON

In compliance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007); to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that sufficient storage of surface flood water is provided; and to ensure surface water flood storage is achieved with appropriate sustainable drainage techniques.

44 NONSC Environment Agency 2

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON

To protect the quality of groundwater and surface waters in compliance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). The previous site use includes potentially contaminative activity.

45 NONSC Environment Agency 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained

written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

In compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and because the nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken on site, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.

46 NONSC Environment Agency 4

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

47 NONSC Environment Agency 5

Infiltration of surface water drainage into the ground is only permitted with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON

To protect the water environment in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). The infiltration of surface water drainage through land affected by contamination can lead to serious pollution of groundwater and the major aquifer that lies under the site. We encourage the use of Sustainable Urban Drainage Systems, however they must be carefully considered and controlled.

48 DIS3 Parking for Wheelchair Disabled People

Notwithstanding the approved plans, 8 disability standard parking spaces shall be provided. Details of these spaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure that sufficient parking is available for non-disabled users and to ensure that people in wheelchairs are provided with appropriate car parking and convenient access to building entrances in accordance with Policies AM14 and AM15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled'

parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

49 RPD14 Glazing to balconies

Glazing to balconies shall be glazed with permanently obscured glass for so long as the development remains in existence.

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
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
OE6	Proposals likely to result in pollution

OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S11	Service uses in Primary Shopping Areas
S12	Service uses in Secondary Shopping Areas
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3 I1 Building to Approved Drawing

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

4 I2 Encroachment

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

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the

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

6 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 16 Property Rights/Rights of Light

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

8 111 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

9 112 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.

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 I19 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 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.

13 I46 Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

14 I47 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

15 I60 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

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You are advised that the Bird Hazard Management Plan, referred to in condition 40, must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird

dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

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The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of bird. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' available at www.aoa.org.uk/publications/safeguarding.asp.

18

You are advised that Thames Water have provided the following advice:

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

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

With regard to water supply, this comes within the area covered by the Veolia Water Company.

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In order to check that the stormwater system meets the Environment Agency's requirements, you are advised to submit the following:

a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and other SuDS features. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

b) Confirmation of the critical storm duration.

c) Where infiltration forms part of the proposed stormwater system (ie infiltration trenches and soakaways) soakage test results and test locations are to be submitted in accordance with BRE digest 365.

d) Where on site attenuation is achieved through attenuation ponds or similar, calculations showing the volume of these are also required.

e) Where an outfall discharge control device is to be used (ie a hydrobrake), this should be shown on the plan with the rate of discharge stated.

f) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with an appropriate allowance for climate change in line with PPS25. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

Infiltration drainage should not pose a risk of pollution to groundwater provided the following are satisfied:

- The use of surface soakage areas (as opposed to soakaways, and as described in the Agency's "Guide to Sustainable Urban Drainage") is preferred.
- No soakaways shall be constructed in contaminated land.
- Before discharging into any soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained.
- Before discharged into any soakaway system, all surface water from parking areas shall be passed through an oil interceptor. Roof water shall not pass through the oil interceptor. Maintenance of the interceptor must be provided in accordance with the manufacturers instructions.
- All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used as they can allow contaminants to enter the system.
- The maximum discharge level of any soakaway should be kept as shallow as possible. There must be at least 1 metre between the base of the soakaway and the seasonally high groundwater level.

Where an outfall discharge control device is to be used (ie a hydrobrake), this should be shown on the plan with the rate of discharge stated.

Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event, with an appropriate allowance for climate change in line with PPS25. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

Infiltration drainage should not pose a risk of pollution to groundwater provided the following are satisfied:

The use of surface soakage areas (as opposed to soakaways, and as described in the Agency's "Guide to Sustainable Urban Drainage") is preferred.

No soakaways shall be constructed in contaminated land

Before discharging into any soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained.

Before discharged into any soakaway system, all surface water from parking areas shall be passed through an oil interceptor. Roof water shall not pass through the oil

interceptor. Maintenance of the interceptor must be provided in accordance with the manufacturers instructions.

All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used as they can allow contaminants to enter the system.

The maximum discharge level of any soakaway should be kept as shallow as possible. There must be at least 1 metre between the base of the soakaway and the seasonally high groundwater level.

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The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer, whether on site CCTV cameras can be linked to the Council's central CCTV system.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 1 hectare irregularly shaped plot, located on the north corner of Central Avenue and Botwell Lane in Hayes. It currently accommodates the relatively large scale, 1960s style, Hayes Swimming Pool building, located centrally within the site, associated car parking to the north, and open space, which wraps around the south, east and west sides of the building. Several mature trees are located on the site and the site boundaries, in particular, are characterised by mature tree planting.

The site is bounded to the west by Botwell Lane and Church Road, beyond which are residential properties; to the south by Botwell Lane, beyond which is the Immaculate Heart of Mary Church, Botwell House and associated car parking and landscaping; to the east by Central Avenue, beyond which is Botwell Green, which has recently been redeveloped to provide a new community leisure centre incorporating a new swimming pool, sports hall, sports pitches, etc; and to the north by residential properties in Holmbury Gardens, and a pay and display car park, which is associated with the new leisure centre complex. Notably 20 car parking spaces at the north east of the site would be retained for public use.

The site falls with Hayes Town Centre as shown on the Hillingdon Unitary Development Plan Proposals Map. It also falls within the Hayes/West Drayton Corridor. Botwell House to the south is a Grade II Listed Building, and the Hayes Village Conservation Area lies just over 100m to the north east.

3.2 Proposed Scheme

This application seeks outline planning permission for the complete redevelopment of the site to provide a 72-unit residential block with associated access, car parking, and landscaping. Details of access, layout and scale have been provided at this stage with details of appearance and landscaping reserved for future consideration.

The horseshoe shaped building would be located towards the southern side of the site, and would reflect the curved nature of the southern boundary of the plot, its wings running

broadly parallel with Central Avenue and the curve of Botwell Lane. The majority of the building would be four-storeys in height, however, this would drop to three-storeys and then two-storeys at the northern most part of the western wing to reflect the lower-level residential character of that part of Botwell Lane/Church Road.

The building would comprise a mix of one, two and three-bedroom units. In total 22 one-bedroom units, 38 two-bedroom units, 8 three-bedroom units and 4 four-bedroom units would be provided. The ground floor units would be provided with private garden areas, and most upper floor units would be provided with balconies.

Communal amenity space would be provided to the south of the site, and around the sides of the building, in the northern most corner of the site and within a central area between the building wings. In addition, a communal roof garden would be provided both on the main roof, and on the third-storey roof.

Photovoltaic panels and plant rooms for the lifts would also be provided on the roof, although the photovoltaic panels would be largely hidden from view behind the roof parapet.

Car parking for 75 cars, including 11 disability standard spaces, would be provided. 23 spaces would be provided at grade level towards the north of the building, and 52 spaces would be provided in a basement. Vehicular access to the site would be via the existing access off Central Avenue. This would be a shared access with the adjoining public car parks. Various pedestrian access points would be provided around the site off Botwell Lane and Central Avenue.

Bicycle parking facilities for 72 cycles would be provided in the basement. Communal refuse stores would be provided close to the site entrance.

3.3 Relevant Planning History

Comment on Relevant Planning History

Previous applications at the site relate to its use as a pool and have no relevance to the current proposal. However, the development of a leisure centre complex at Botwell Green, on the opposite side of Central Avenue, is directly relevant and applications relating to that scheme can be summarised as follows:

20817/APP/2006/3393 - Redevelopment of site to create a community leisure centre incorporating a new 25m swimming pool, sports hall, fitness and exercise areas, creche, cafe/bar, and associated ancillary areas, library and one stop facility, with associated parking and landscaping - Approved 09/03/07

20817/APP/2007/2019 - Amendments to planning permission ref: 20817/APP/2006/3393 (erection of a community leisure centre) to relocate multi-use games area pitches and alter car parking layout - Approved 25/09/07

20817/APP/2007/3080 - Construction of an all-weather surface training pitch including details of floodlighting, fencing enclosure and additional acoustic fencing - Approved 23/01/08

20817/APP/2008/2693 - Amendments to planning permission ref: 20817/APP/2006/3393 (erection of a community leisure centre) to provide a new gymnastics hall, retail units and glazed atrium as well as alterations to car parking layout - Approved 12/12/08.

Various details have been submitted in accordance with the above approvals, and notably the leisure centre has recently opened to the public.

4. Planning Policies and Standards

London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 4 (Planning for Sustainable Economic Growth)
Planning Policy Guidance 13 (Transport)
Planning Policy Statement 22 (Renewable Energy)
Planning Policy Guidance 24 (Planning & Noise)
Planning Policy Statement 25: Development and Flood Risk
Council's Parking Standards
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Planning Obligations
Council's Supplementary Planning Document - Residential Layouts
Council's Supplementary Planning Document - Accessible Hillingdon

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.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE26	Town centres - design, layout and landscaping of new buildings
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
OE6	Proposals likely to result in pollution
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S11	Service uses in Primary Shopping Areas
S12	Service uses in Secondary Shopping Areas
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th August 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 290 local owner/occupiers, the Hayes Chamber of Commerce, the Hayes Town Partnership, the Hayes Town Centre Residents' Association and the Townfield Residents' Association. The application was also advertised by way of press and site notices. Ten letters of objection and a 36-signature petition have been received from local residents, which raise the following concerns:

- i) Hayes Town does not need more residential buildings.
- ii) Hayes is already overcrowded.
- iii) Traffic is horrendous. This will make it worse.
- iv) Increase pressure on local schools and services.
- v) Parking problems in Hayes are never ending and more residential parking is needed desperately.
- vi) Loss of car park.
- vii) The site should be used to provide a children's recreational area.
- viii) Increase in noise.
- ix) Increase in litter.
- x) Noise from construction.
- xi) Loss of sunlight and daylight to surrounding properties.
- xii) The application will put too much pressure on local infrastructure, in particular parking, for purely monetary reasons.
- xiii) Parking and public transport needs to be seriously improved to support local businesses and encourage more custom to the town centre.
- xiv) Adding additional families without the necessary infrastructure will bring in income for the present incumbents, but create more problems for the future.
- xv) Loss of memories associated with use of the existing pool.
- xvi) Insufficient parking provision.
- xvii) If this development goes ahead a golden opportunity will have been missed to provide Hayes with a proper car park.
- xviii) Although Hayes Town Centre is designated as being pedestrianised this is far from reality and a proper crossing point for pedestrians should be provided.
- xix) The site should be used to create a garden and playground.
- xx) There is too much development taking place in Hayes with the Hayes Stadium, Hayes Station, Hayes Football Club, developments and more.

HAYES TOWN BUSINESS FORUM

- i) Insufficient regard has been given to the parking requirements within the town centre. The need for greater parking will only increase once the leisure centre is complete, Crossrail introduced, and development around the town completed.
- ii) Hayes is growing but there has been inadequate consultation on the facilities available for parking for the town's residents and business users.
- iii) Insufficient parking would be provided for the scheme, and thus the needs of the greater community have been completely ignored.

HAYES TOWN PARTNERSHIP

- i) The number of units is considered to be excessive in view of the size of the site and impact on the local area.
- ii) The emphasis on smaller units is questioned in view of the pressing need for family accommodation.
- iii) Questions are raised over the viability of the scheme with such a preponderance of one-bedroom flats in the light of the changing nature of the housing market as a result of the economic recession.
- iv) The increasing amount of development in and Around Hayes Town Centre is putting increased pressure on infrastructure.
- v) Should approval be granted S106 contributions towards school places and health services

should be sought.

- vi) A specific S106 contribution should be sought towards the cost of a proposed polyclinic in Hayes, rather than a generalised sum which goes to the Primary Care Trust.
- vii) S106 contributions should be sought towards meeting the shortage of youth facilities in Hayes.
- viii) Increase in traffic along Central Avenue and in the surrounding area.
- ix) The provision of 21 public parking spaces is welcomed as the loss of the swimming pool will add to the pressure on the adjacent public car park. However, this is not considered to be adequate, especially when the new leisure centre opens. The Council should review parking demands in the area before disposing of the whole site for housing.
- x) This is a prime site on the edge of the Town centre and existing landscaping of the frontage makes a positive contribution to the environment. The retention of the majority of trees is welcomed.
- xi) The U-shaped block of 4-storey flats will have an adverse impact on the street scene by reason of its bulk.
- xii) The construction of a 1.8m high metal railing fence around the site boundary will have a negative visual impact.
- xiii) No explanation is given for the proposed gating of the development and this is not deemed appropriate in the context of the rest of the housing in the local area.

JOHN MCDONNELL MP

- i) Scale and density.
- ii) The site would lend itself to a smaller scale and less dense development, providing a greater number of family sized homes with gardens that are desperately needed in the area.
- iii) Increased traffic and parking - there are already problems with traffic congestion and parking in the neighbouring streets, which will be exacerbated when the new leisure centre opens.
- iv) Any additional traffic movements will pose a threat to the safety of pupils attending nearby Botwell School.
- v) Increases pressure on local services.
- vi) S106 contributions should be of a sufficient amount and spent in the immediate locality.

Following the submission of amended plans, which sought to address concerns raised by the Environment Agency, made changes to the design, and slightly altered the unit mix, residents and local groups were reconsulted. Updated site notices were also erected. Three letters of objection were received which raised the following concerns:

- i) Residents do not want 72 residential units built on the site.
- ii) Hayes has plenty of building work taking place at Hayes and Harlington Station, Judge Heath Lane and Hayes Football Club.
- iii) No objection is raised to the demolition of the old pool but the site should be used to provide parking, green space and children's play equipment (old swings have been removed from the area so should be replaced).
- iv) There is no need for additional residential units here.
- v) Provision of a car park here would alleviate the dangerous parking arrangement in the 'pedestrianised' shopping area.
- vi) Consideration should be given to the impact of the development on nearby roads.
- vii) Hayes is already a densely populated area.
- viii) Assurance should be provided that the proposed parking will be sufficient and that Church Road and other nearby roads will not have to accommodate overspill parking.
- ix) Double yellow lines along Church Road would be welcomed.

THAMES WATER

- Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a

developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings.

- Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company.

NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection.

BAA SAFEGUARDING

No objection subject to a condition regarding submission of a Bird Hazard Management Plan, and informatives regarding cranes and landscaping.

PRIMARY CARE TRUST (PCT)

A S106 contribution of £28,717.44 should be sought towards local primary health care facilities.

ENVIRONMENT AGENCY

No objection subject to conditions to prevent flooding, protect the quality of groundwater and surface waters and contamination.

Internal Consultees

POLICY & ENVIRONMENTAL PLANNING

The application site is located on the edge of a Secondary Shopping Area within Hayes Town Centre. Saved Policy S12 seeks to maintain retail uses and protect the vitality and viability of these areas. The proposals will not result in the loss of retail uses and are not considered contrary to this policy.

Saved Policy R5 states that permission will not be granted for proposals involving the loss of land or buildings used for a sports stadium, outdoor or indoor sports and leisure facilities. However, it is noted that a new leisure centre facility, including a 25m swimming pool, is currently under construction at an adjacent site. The proposal would help fund the provision of these new and improved leisure facilities. As such, no objections are raised.

URBAN DESIGN OFFICER

The application considers the redevelopment of the existing Hayes Swimming Pool for residential purposes. The site is prominently located in the Hayes town centre, opposite Botwell Green, and

benefits from an attractive setting including tree avenues along Central Avenue, valuable shrubs and mature trees along Botwell Lane in addition to the existing parkland with extensive lawns and groups of attractive trees surrounding the existing building. The site is visually important given the central and strategic location opposite the new Sports Centre, situated within a few minutes walk from the town centre.

From an urban design point of view the residential regeneration of the site is supported and is considered an interesting opportunity to create a state of the art fully sustainable development of high end design quality. The existing landscape screening of the site is a very important asset which needs to be retained long-term. Following officers advice, the scheme is characterised by an integrated approach to built elements and landscaping. The sustainable design incorporates a combination of photovoltaic panels and green roofs, as well as a water feature, which would be provided further to sustainable urban drainage recommendations, in the parkland setting.

The built context includes valuable and sensitive buildings such as the landmark of The Immaculate Heart of Mary Church, as well as the Grade II listed Botwell House and its setting, situated directly opposite the application site. The retention of the existing vegetation within the site and along the boundaries in order to sustain a green buffer zone between the new development and the existing built context is therefore vital. In order to retain the green parkland character of the site, any perimeter fence should be of high quality design, appropriate colour and material, be sensitively positioned and should be controlled by condition. Similarly, in order to retain the character of a green natural character within the site, private amenity spaces will be screened off by hedge planting. Fencing in this position and scale would give a harsh and artificial impression, creates maintenance issues and imposes a risk for visual clutter and is therefore considered unacceptable.

The proposed U-shaped building is mainly 4-storeys high, which steps down to three and two storeys. The scale, height and built form of the proposed scheme is considered to acknowledge the character and appearance of the built context, which predominantly consists of 2 to 2.5 storey terraced and semi-detached residential buildings, mainly of red facing bricks to the north and west of the site. Directly opposite the site, to the east, is the contemporary, large scale Botwell Green Leisure Centre. The contemporary, art deco inspired design approach for this application is considered to complement the character of the area, whilst respecting the scale and character of the existing built context.

In terms of the proposed layout, the scheme creates a strong building line along Central Avenue, and makes a clear presence of the new development at the access point in accordance with pre-application advice. The screening of the car parking area is considered to enhance the character of the street scene, whilst the new layout incorporating a walled amenity area to the north improves safety and creates a useful recreation space of a more urban, courtyard character.

The proposed tower element at the corner of Central Avenue has been redesigned, and now creates a distinct yet balanced corner feature which is considered to contribute to the character and appearance of the development and the street scene.

Regard should be given to the choice of high quality external materials, proper detailing of built elements, including balcony railings, porches, fenestration, doors and external lighting, in the forthcoming design process to ensure a sustainable, high quality design. Samples of all external materials and hard landscaping should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works.

HIGHWAY ENGINEER
- PTAL

The site has a PTAL value of 3. This is likely to improve in the future with Crossrail coming on board and additional bus services to Southall, via Pump Lane, resulting from the development of Southall Gas Works.

The proposed site is located within a 12 minute walk from Hayes and Harlington Station. There are 7 bus services serving the station with a total am frequency of 49 buses per hour.

- Traffic Surveys

A Transport Assessment has been submitted with the application. Traffic surveys were carried out at the following junctions:

Site Access / Central Avenue
Central Avenue / Botwell Lane
Central Avenue / Glebe Road roundabout
Botwell Lane / East Avenue / Coldharbour Lane / Pump Lane roundabout
Church road / Glebe Road
Church Road / Botwell Lane mini roundabout
Church Road / Nield Road

- Committed Developments Traffic

The TA has taken into consideration the following committed developments:-

Botwell Leisure Centre
London Gate
Hayes and Harlington Station Goods Yard
Hayes Stadium
Hayes Football Club

- Development Traffic Impact on the Highways Network

The results of the junction assessment demonstrate that all arms at all of the junctions assessed will operate within capacity with the exception of Botwell Lane / Church Road roundabout.

The Botwell Lane (north west) arm will have an RFC (ratio of flow to capacity) of 0.882 post development and the Botwell Lane (south east) arm will have an RFC of 0.982.

A Section 106 commitment is required to fully fund improvements to this junction or signalise this junction. The developer is to provide detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and works delivered under a Section 278 agreement. The improved junction is to incorporate pedestrian crossing facilities on Church Road and Botwell Lane.

- Parking

75 parking spaces are provided at a ratio of 1:1 which complies with London Plan policies. Additionally a car club has been requested (if viable) under a 10 year travel plan which would be delivered under a Section 106 agreement.

Subject to the above no objections are raised on highway grounds.

TREES/LANDSCAPE OFFICER

The application is considered to comply with Policy BE38 of the UDP. No objections are raised

subject to conditions OUT2 (landscaping), OUT4 [OUT2], TL1, TL2, TL3, TL4 (also including a landscape strategy and details of tree works), TL6, TL7, TL21, and a condition (based on model condition 31 in Circular 11/95) requiring the submission and approval, and implementation, of a landscape and tree management plan for the site.

ACCESS OFFICER

Recommendations provided at pre-application stage have been incorporated. Accordingly no further comments are raised.

ENVIRONMENTAL PROTECTION UNIT

- Noise

A noise report, prepared by NW Scientific Services, has been submitted. This contains an assessment of the suitability of the site for the proposed residential development having regard to road traffic noise. No assessment is made of other noise sources in the area such as the adjacent Council car park and the new sports facilities on the opposite side of Central Avenue. However, it is agreed that the main noise affecting the site is from road traffic and, as such, the noise assessment in the report is adequate.

The report provides predicted road traffic noise levels at receiver locations representing the proposed flats. These predicted noise levels take account of increased road traffic associated with future planned development in the area. The noise levels can be classified using the Noise Exposure Categories of PPG24 Planning and Noise. The noise levels quoted show that the most exposed facades of the majority of the proposed flats would be in Noise Exposure Category B, although a smaller number of flats on the upper two floors facing Botwell Lane would be in the bottom end of Noise Exposure Category C. It is therefore suggested that the advice for Noise Exposure Category B would be the most appropriate overall. This states:

'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.'

In view of the above, refusal of the application on noise grounds could not be justified, subject to the imposition of a condition aimed at providing satisfactory indoor and outdoor noise levels. The noise report suggests that ordinary thermal double-glazing would provide satisfactory internal noise levels. Detailed sound insulation calculations should be provided at the detailed design stage, and should use the internal and external noise criteria in the Council's Supplementary Planning Document on noise. It is recommended a condition requiring the submission of a scheme for protecting the proposed residential development from road traffic and other noise should be attached should approval be granted.

The standard informative should be attached regarding the control of nuisance from demolition and construction work.

- Air quality

The proposed development is located within an Air Quality Management Area. A draft feasibility study has been provided which looks at projected traffic data for the development for 2011. This concludes that the nitrogen dioxide levels in the area are likely to remain static (or slightly reduce) with the development at three receptor locations identified at the proposed development.

The energy statement favours the use of photovoltaics (PVs) as a renewable energy source. Should the renewable energy source change to biomass or any other type of biofuel then a full air quality assessment must be undertaken and any impacts from its use mitigated.

The draft feasibility air quality study has used the traffic data on the surrounding road network, and that associated with the development, as the only source of emissions. Given the suggested use of PVs as an energy source this approach appears to be adequate. The study does not consider the impact of the final development on nearby existing receptors. The latter is not considered to be a significant issue as the report concludes that the annual nitrogen dioxide levels will not be exceeded at the three receptor locations identified at the new development. However, relevant conditions should be attached to any consent in order to ensure the appropriate and most up to date transport assessment information is used to determine the impact of the development of the site on the surrounding area and to ensure adequate steps are taken to reduce emissions.

The air quality feasibility study does not consider the impact on the surrounding area of the development works (demolition/construction) at the site. This needs to be considered within a construction management plan, submitted to the LPA for approval prior to any works commencing. The plan should follow the risk assessment approach as outlined in the GLA Best Practice guide and ensure all appropriate mitigation measures are employed to protect existing sensitive receptors, including where relevant a dust monitoring strategy.

The report does not consider if the hourly mean for nitrogen dioxide is likely to be exceeded as a consequence of the development. Given the predicted concentration level of annual mean nitrogen dioxide, it is thought unlikely that this will be an issue, however the final design including the siting of any flues and the siting of residential receptors fronting onto busy main roads, can increase emissions at specific receptor locations. An appropriate condition should be attached to any consent to prevent the ingress of any potentially polluted air.

The site is located within an AQMA and in close proximity to area of known exceedences of European Union limit values. Accordingly a Section 106 contribution of £5,000 should be sought towards the air quality monitoring network in the area.

- Contamination

A desk top study based on available information has been carried out at the above site. The risk to the development and the environment has been identified as low/medium and recommends further investigation to determine the exact nature of the risk. The report lists the standard limitations of such a study. The sources of contamination identified to date are former decommissioned fuel tanks at the site, areas used for the storage of chemicals used at the site, an existing electricity sub-station and possible areas of made ground at the site. The report indicates the assessment should include a ground gas assessment. This is accepted as some made ground and low levels of carbon dioxide were noted at an adjacent development site to the east. Appropriate conditions regarding land contamination and gas monitoring for the proposed development, should be attached should approval be granted.

S106 OFFICER

Proposed Heads of Terms:

- The preparation and adoption of a Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the S106 agreement in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.
- 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix size is to be agreed with the Council's Housing Department.
- A contribution of £212,005 towards local education facilities, split as follows:
 - £22,433 for nursery provision;
 - £84,596 for primary provision;
 - £62,581 for secondary provision;
 - £42,395 for post 16 provision.

- A contribution of £28,717.44 towards primary health care provision.
- A contribution of £20,000 towards public realm/town centre enhancements.
- A contribution of £30,000 towards community facilities to be provided locally.
- A contribution of £3,048.42 towards library books and equipment.
- A contribution of £5,000 towards air quality monitoring.
- A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.
- 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

WASTE STRATEGY

All internal roadways should be of sufficient strength to support the weight of a standard refuse collection vehicle.

Access must be able to be made for the manoeuvring of the refuse vehicle.

All units should be provided with a food waste grinder included as standard as part of the kitchen sink unit to allow residents to indirectly recycle their food wastes by grinding it and washing it down into the waste water system for composting by the relevant water company.

SUSTAINABILITY OFFICER

No objections are raised relating to energy. As submitted the energy report identifies a suitable method by which the development can reach the 20% renewables target (policy 4A.7) outlined in the London Plan.

HOUSING

The 72 unit scheme offers 214 habitable rooms in total. This application offers only predominantly 1 & 2 bedroom units with only 8 x 3 bedroom units and 4 x 4 bedroom units providing larger family accommodation.

All units should comply with lifetime homes standards and gain SBD accreditation to enable an RSL to gain Homes & Communities Agency Funding. The units should also be built to level 4 of the Code for Sustainable Homes.

The units are all well sized and exceed both HDAS and HQI minimum standards.

It is understood that an FVA has been submitted which supports only 11% affordable housing. If the FVA is validated the mix and tenure of affordable units should be agreed during the S106 negotiations.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R5 of the Hillingdon Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will not grant planning permission for proposals which involve the loss of indoor sports and leisure facilities unless adequate, alternative facilities are available.

Planning permission was granted in 2007 for the erection of a community leisure centre incorporating a new 25m swimming pool, sports hall, fitness and exercise areas, creche, cafe/bar, library and associated facilities (ref: 20817/APP/2006/3393) on Botwell Green,

on the opposite side of Central Avenue, immediately to the east of the application site. Planning permission was also granted in 2008 for the construction of an all-weather surface training pitch at that site. The new leisure centre has recently opened to the public. It is considered that the provision of a new modern leisure centre, which includes a 25m pool, in such close proximity to the application site, is sufficient to off-set the loss of the existing facility and to justify an exception to Policy R5 of the UDP.

No retail facilities would be lost as part of the scheme and, accordingly, the proposal does not conflict with the objectives of Policy S12, which seeks to maintain the vitality and viability of Secondary Shopping Areas.

Accordingly, providing other site specific policies can be addressed, no objection is raised to the principle of the development in this location.

7.02 Density of the proposed development

The southern half of the site has a Public Transport Accessibility Level (PTAL) of 4, and the northern half of the site has a PTAL of 3. Given the location of the site within Hayes Town Centre it falls within an urban area as defined in the London Plan (2008). Taking the worse case, the London Plan (2008) range for sites with a PTAL of 2-3 in an urban area is 55-145 units per hectare and 200-450 habitable rooms per hectare. In accordance with guidance in the Council's Supplementary Planning Document on Residential Layouts rooms over 20m² would count as two habitable rooms. As such, based on a site area of 1 hectare, the site would have a density of 72 units per hectare and 266 habitable rooms per hectare. This complies with London Plan guidelines.

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

The site does not fall within an Archaeological Priority Area and there are no Areas of Special Local Character within the vicinity of the site. The Hayes Village Conservation Area is located approximately 100m to the north east of the application site. However, due to mature tree planting along Central Avenue, views of the proposed building would be limited from here. Given the distance, combined with the screening, and that the scheme would be seen in context with other large town centre buildings, including the adjacent leisure centre development, it is considered that the proposal would have a negligible impact on the character and appearance of the Conservation Area.

Botwell House, which is located approximately 65m to the south of the nearest part of the application site boundary is a Grade II Listed Building. However, given the separation provided between that building and the application site by busy Botwell Lane, and extensive mature tree planting around the application site boundaries, it is not considered that the proposed development would have such a detrimental impact on its setting so as to justify refusal. Whilst the proposed building would project further forward into the site than the existing swimming pool building, it could be argued that the proposed design would be more in keeping with the character and appearance of the area than the existing pool.

Notably, the Council's Conservation Officer does not consider it necessary to provide comments on the scheme due to its limited impact on the Listed Building and Hayes Village Conservation Area. The Council's Urban Design Officer has also confirmed that the development will not have an unacceptable visual impact on the surrounding area including the nearby conservation area and listed building.

7.04 Airport safeguarding

BAA Safeguarding and National Air Traffic Services (NATS) have both confirmed that they

have no objections to the proposal, subject to relevant conditions and informatives.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of this site.

7.07 Impact on the character & appearance of the area

The application site lies on the edge of Hayes Town Centre. Accordingly, the nature of development in the surrounding area varies widely in terms of scale, height, density, layout and appearance. To the north east and north west the area is largely characterised by two-storey semi-detached and terraced residential properties. However, to the south west, and beyond Botwell Green to the south east, the area is much less uniform in character, with a mix of two, three and four storey buildings, many of which are commercial buildings associated with Hayes Town Centre. Amongst the largest buildings in the locality are the Immaculate Heart of Mary Church to the south, which is equivalent to approximately three-storeys in height, with a taller tower, the four-storey telephone exchange building just over 100m to the south east, and various three to four storey high commercial buildings closer to the heart of the town centre.

Notably planning permission has been granted for the redevelopment of part of the adjacent Botwell Green to provide a new leisure centre complex (ref: 20817/APP/2006/3393) and ancillary facilities. Construction is currently underway. The new leisure centre would be a large building, which would accommodate various facilities including a 25m swimming pool, sports hall, gymnasium, etc. The tallest part of that building would be approximately 13.5m high. Accordingly, with a maximum height of four-storeys (approximately 12m), the height of the proposed development would be similar to that of nearby buildings within the town centre.

The building's horseshoe layout helps to break up, and limit views of, the relatively long facades, particularly with regard to the western wing, which would be curved in shape. Whilst details of appearance have been reserved for future consideration, the submitted plans indicate that the facades would be well articulated, which would add visual interest to the building and help to further break up their mass. Notably, whilst very different to the existing swimming pool building in terms of layout and design, the overall scale, bulk and mass of the proposal would not be significantly larger.

7.08 Impact on neighbours

The nearest residential properties to the proposed development are located in Holmbury Gardens and back on to the site's northern boundary. However, the rear elevation of these properties is located just over 40m away from the nearest elevation of the proposed development. This significantly exceeds guidance in the Council's Supplementary Planning Document on Residential Layouts which requires a minimum distance of 21m between facing habitable room windows. Notably the northern part of the western wing steps down in height to two-storeys at this point which further reduces its impact on properties to the north and opposite. In addition to this distance, a row of approximately 12m high Hornbeam and Cypress trees align the site's northern boundary and provide a significant amount of screening between those properties and the proposed building, even during winter months.

Residential properties are also located in Church Road, Botwell Lane, Golden Crescent and Nield Road to the east of the site, the nearest, on the corner of Botwell Green and Church Road, being approximately 40m away. However, the orientation of these properties means that they do not directly face the application site, and Botwell Lane and Church Road provides some separation. In addition, the existing mature tree planting around the site boundaries would be retained and provides some screening between these properties and the proposed residential block.

Given the distances between the proposed building and the nearest residential properties, in addition to screening provided around the site boundaries by mature tree planting, it is not considered that the development would result in an unacceptable level of overlooking which would be detrimental to the residential amenity of the occupiers of nearby properties. Accordingly the proposal complies with UDP Policy BE24 and guidance within the Council's Supplementary Planning Document on Residential Layouts.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 50m² internal floorspace should be provided for a one-bedroom flat, 63m² for a two-bedroom flat, 77m² for a three-bedroom flat and 87m² for a four-bedroom flat. The application proposes the provision of 22 one-bedroom flats which would each have internal floor areas of 54m²; 38 two-bedroom flats, 16 of which would have floor areas of 74m² and 22 which would have floor areas of 88m²; 8 three-bedroom flats, 4 of which would have floor areas of 81m² and 4 of which would have floor areas of 132m²; and 4 four-bedroom flats which would have floor areas of 132m². Accordingly, all flats provided would exceed the Council's minimum standards. All windows would receive adequate daylight and the amenities of future occupiers would not be prejudiced by the position of adjoining houses. As such, it is considered that the proposed property would adequately serve the needs of future occupiers in terms of internal space.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 20m² external amenity space should be provided for one-bedroom flats, 25m² for two-bedroom flats, 30m² for three and four-bedroom flats. Accordingly, a total of 1,750m² amenity space should be provided. Shared amenity space would be provided to the south of the site, in the northern most corner, and within the centre of the site, above the basement car park. In addition, ground floor units would each be provided with a small private garden, and the majority of the remaining units would be provided with balconies. Communal roof gardens would also be provided on the fourth and third floor roofs. In total, approximately 5,400m² of usable external amenity space would be provided which significantly exceeds the Council's minimum guidelines.

Notably the provision of small garden areas for the ground floor units creates a defensible space between the units and the communal areas, providing both an added measure of security and also a level of privacy for occupiers of these units.

Policy 3D.13 of the London Plan sets out that "the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Saved Policy R1 of the Hillingdon UDP also seeks the suitable provision of playspace in developments.

Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young Peoples Play and Informal Recreation' it is anticipated that there will be approximately 33 children within the development. The guidance sets a benchmark of 10 sqm of useable child playspace to be provided per child. As such the development should make provision throughout the scheme for 330 sqm of space where play may occur.

While landscaping (and provision of children's play space) is a reserved matter, this development would provide a range of private, semi-private and public amenity space, total amenity space provision on site amounts to 5,400 sqm. It is considered that sufficient space exists on the site to meet play space requirements for very young

children.

For older children, Botwell Green is situated adjacent to the site. The level of provision fulfils the requirements of a neighbourhood area of play' (NEAP) under the Six Acre Standards nationally adopted by local planning authorities.

It is evident that there would be sufficient provision of play space for children of all ages both on and off site, and that the development would be compliant with London Plan policy 3D.13 and the Mayor's SPG on Children and Young Peoples Play and Informal Recreation.

The scheme significantly exceeds the Council's minimum guidelines relating to both internal floor space and external amenity space. It is considered that the proposal would adequately serve the needs of future occupiers and that it fully complies with policies BE20, BE21, BE23 and BE24 of the UDP which relate to residential amenity.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

A total of 75 car parking spaces, including 11 disability standard spaces, would be provided. The plans indicate that 17 spaces (including six disability standard spaces) would be provided at surface level, and 52 spaces (including 5 disability standard spaces) would be provided at basement level.

The Council's Parking standards require a maximum provision of 1.5 spaces to be provided per unit. The London Plan makes it clear that all developments in areas of good public transport accessibility and/or town centres should aim for less than 1 space per unit.

Whilst officers would have concerns over a lesser parking provision in this location, as recommended by the London Plan, given the site's good accessibility to public transport (PTAL of 3), its Town Centre location and its proximity to Hayes Station (approximately 700m to the south), it is considered that the proposed parking ratio is acceptable in this location. It is not considered that the proposal would substantially contribute to an increase in on-street parking and the Council's Highway Engineer has raised no objections on these grounds.

Notably 11 disability standard spaces would be provided, which exceeds the Council's requirement of 10%. Accordingly, in order to ensure enough parking is provided for non-disabled users, it is recommended that a condition is attached, should approval be granted, to ensure only 8 disability standard spaces are provided.

Secure stores for up to 80 bicycles would be provided at basement level (a ratio of more than 1 space per unit).

The public car park to the north of the site would be retained. In addition, 20 public car parking spaces would be provided/retained adjacent to the site access in the north east corner of the existing site. Accordingly, access to the site would be via a shared access with the adjacent public car parks, off Central Avenue. The continued use of this access, for the lifetime of the development, would be secured via the S106 agreement. A ramp would provide access to the basement level car parking, and level access would be provided to the surface level parking.

The provision of a 10-year Green Travel Plan, which includes provision of a car club, would be secured via the S106 agreement.

The proposed level of parking provision and access arrangements are considered to be acceptable, particularly given the sites town centre location and good accessibility. It is not considered that the proposed development would lead to a significant increase in on-street parking or congestion in the area, and the proposed is considered to comply with Policies AM2, AM7, AM9, AM14 and AM15 of the UDP. Notably, the Council's Highway Engineer has raised no objections subject to appropriate conditions.

Several residents and local community groups have raised significant concerns over the lack of parking in Hayes Town Centre and it has been suggested that a more appropriate use of the site would be to provide a public car park. Some concerns have also been raised over the loss of existing parking at the site.

Notably, the existing parking at the site is directly linked to the swimming pool and is intended for use by users of that facility only. Nevertheless, part of the existing site would be retained to provide 20 public car parking spaces. The proposed scheme has been assessed against relevant UDP and London Plan policies and the principle of residential use of the site is considered to be acceptable. Notably, the development would comply with policies which encourage the provision of additional housing in the area and would help to meet a recognised housing need. Accordingly, refusal cannot be justified on the basis that a public car park would be a more suitable use of the site.

7.11 Urban design, access and security

- Urban Design

This issue has been partly discussed in part 7.07 of the report. The layout of the proposed building would form a rough 'U' shape, with two wings located on either side of a southern focal point. The longer, western wing would be slightly curved in shape and step down to three and then two-storeys towards its northern end. The building would have a maximum height of approximately 12.3m.

Whilst appearance is reserved for future consideration, the Design and Access Statement suggests the development would have an 'Art Deco' design, and illustrative elevations have been provided.

As discussed above, whilst it is recognised that the application site is located on the edge of a town centre, close to a predominantly two-storey residential area, given the mix of development types surrounding the site, including the large scale leisure centre at Botwell Green opposite, the nearby Immaculate Heart of Mary Church to the south, and other large developments within the town centre, it is not considered that the scale, mass or height of the building would be unacceptable in this location. Notably, the development is approximately 40m away from the nearest residential property. Combined with significant tree screening around the site boundaries, and the separation provided by Botwell Lane and Church Road which border part of the site, this is considered sufficient distance to ensure the proposal will not have any significant detrimental impact on the residential amenity of occupiers of those properties, and to ensure the development is viewed more in context with the larger scale town centre developments to the east, and does not appear as overly prominent in relation to the smaller scale dwellings.

Following suggestion from the Council's Urban Design Officer the applicant has accommodated a number of alterations to the facades of the proposed building to ensure a distinct well designed development is provided. These include modification of the focal point of the building at the south of the site, to soften its appearance whilst retaining an art deco style, alterations to the balconies to provide a softer curvature and to ensure they

contrast with the background, emphasising the horizontal lines of the building, and use of a softer palette of materials/colours. However, it should be noted that the submitted elevations are indicative only and subject to change. Full details of the building's appearance would be submitted at a later stage as part of a reserved matters application.

In addition to the above, and in response to comments received from the Environment Agency, green roofs would be provided by way of roof gardens, and an attenuating pond would be provided towards to north of the site.

The proposed garden space for the ground floor units has also been enlarged to provide a sufficient defensible space between the communal areas. The boundaries to these areas would be provided through the use of low railings, concealed by shrubs, hedging and other planting to soften their appearance.

The Council's Urban Design Officer has confirmed that the proposed changes add positively to the scheme and that the proposal is considered to contribute positively to the character of the surrounding area and the surrounding streetscenes.

As stated above, it should be noted that details of appearance and landscaping (including soft and hard landscaping) are reserved for future consideration and further details will be submitted in due course. Details relating to landscaping and boundary treatment would be required by way of condition should approval be granted.

Overall it is not considered that the proposed development would have a detrimental impact on the character or appearance of the surrounding area. Significant enhancements would be made to the existing site, which currently houses an unattractive and dated large scale building and significant amount of hardstanding, both in terms of building design and landscape improvements. Notably the Council's Urban Design Officer has raised no objections subject to the imposition of appropriate conditions regarding materials and hard landscaping.

- Security

The applicant's Design and Access Statement confirms that following pre-application discussions, a number of security measures have been incorporated into the scheme, including securing the perimeter with 1.8m high fencing, secure vehicular access, controlled access doors, formation of semi-private areas outside ground floor units, lighting of common areas, secure cycle storage, etc. Should approval be granted a condition would be required to ensure further details of security measures are provided and that the development meets the Metropolitan Police's 'Secured by Design' criteria.

7.12 Disabled access

The applicant's Design and Access Statement confirms that the development would meet all relevant Lifetime Homes Standards and would fully comply with the requirements of BS8300:2009 and Part M of the Building Regulations.

Pre-application discussions have taken place with the Council's Access Officer and relevant recommendations, such as the provision of walk-in showers within en-suite bathrooms, careful consideration of the location of bathroom fixtures, accessible access pads for swipe cards, accessible signage, etc, have been taken into consideration.

11 disability standard parking bays would be provided, six above ground and 5 within the basement car park. This exceeds Council standards which require 10% of spaces to be disability standard. All spaces would be located as close as possible to building

entrances and lifts.

As stated above, it is recommended that only 8 spaces (10%) are provided to disability standard, in compliance with current Council guidelines, to ensure a sufficient number of spaces are provided for non-disabled users.

It is considered that the proposal would fully comply with relevant London Plan and UDP policies relating to inclusive design and notably the Council's Access Officer has raised no objections to the proposal. Further details regarding accessibility would be required by way of condition should approval be granted.

7.13 Provision of affordable & special needs housing

The London Plan and guidance within the Council's Supplementary Planning Document for Planning Obligations requires that 50% of all residential units provided should be affordable.

The application proposes that 11% of the units would be affordable. Although this is significantly below London Plan policy requirements, the application is accompanied by a financial viability appraisal that concludes that this is the maximum level of affordable housing which the scheme could provide whilst contributing towards other planning obligations. This has been validated by an independent consultant.

As such, the applicant's proposed provision is considered acceptable and will be secured by the proposed Section 106 agreement.

7.14 Trees, landscaping and Ecology

This flat and prominent corner site is located on the edge of the town centre. It is divided from the new sports centre by the mature London plane trees that line Central Avenue. The central part of the site is dominated by the existing swimming pool building. There are open grounds on the south, west and east sides of the building, and a car park to the north. Trees line the other road frontages of the site, and a belt (high hedge) of cypresses and upright hornbeam trees forms a screen/buffer between the site and the residential properties in Holmbury Gardens.

The double line of mature London plane trees (the southernmost part of the avenue) dominates and, in the morning, shades (Spring-Autumn) the eastern part of the site. The mature roadside horse chestnut trees, and groups of lime and sycamore trees line and, in the afternoon and evening, shade (Spring-Autumn) the southern and western parts of the site. These trees form a major landscape feature and a green buffer surrounding the site, which is supplemented by the row of cypresses and hornbeams which form a long high hedge and screen close to the northern boundary of the site.

The trees on and close to the site, which are shown on the topographical/tree survey drawing, have been surveyed, in accordance with the recommendations of BS 5837:2005, by Landmark Trees Consultants Ltd. The results and interpretation of the results of the survey are presented in the Arboricultural Impact Assessment Report (December 2009). The report includes a tree survey/constraints plan.

A total of 66 individual trees and groups were assessed and categorised according to the guidance. Nine trees are categorised as 'A' grade (good quality and landscape value, where protection and retention is most desirable as part of any redevelopment). 27 trees are categorised as 'B' grade (fair quality and value, worthy of protection and retention as part of any redevelopment). 21 trees are 'C' rated (poor), which could be retained but, subject to replacement planting, are not a constraint on the development of the site. 9

trees are 'R' rated and identified for removal together with works to other trees, in any event, in the interests of safety and/or sound arboricultural management.

The tree survey/constraints drawing shows the root protection areas (RPAs) for the trees (other than 'R' grade), which define construction exclusion zones necessary to safeguard trees from built development, or interference within the root zone, and hence limits the size of the building envelope.

The trees on and close to the site are not protected by Tree Preservation Order or Conservation Area designation. However, the Council maintains the mature (roadside) trees. The mature trees form large and conspicuous linear features in the local landscape, and contribute to the visual amenity and character of the area and provide some screening of the site. The majority of the trees, in particular those close to the boundaries of the site, have high amenity values and should be protected and retained as part of any redevelopment of the site. In this case, the valuable trees on the fringes of the site merit the protection of a tree preservation order.

The proposal is an outline application with details of access layout and scale. Based on the recommendations of BS 5837, the design of the scheme for residential development should be informed by the tree survey/report, and an arboricultural impact assessment and constraints report/plan, which considers construction-related issues as well as information about the shade effect of the buildings and trees.

With the exception of the northern ends, the proposed building will be sited at least 10m from the tree canopy. The revised scheme will have a low impact in terms of the removal of eight trees (One 'B' category, four 'C' category and 3 'R' category) in the middle of the site, and low/very low impacts in terms of minor encroachments (removal of hard surface and/or resurfacing) in the root protection zones of six trees. Given that the layout (revised) makes provision for the long-term retention of all of the more valuable trees/features on the site, including the belt of trees, which form a 12m-high screen, along the northern boundary, and that the other impacts can be mitigated, there is no objection to the loss of eight trees in the middle of the site.

Details of services (including drains and lighting) and levels, and tree protection measures, including a tree protection plan and an arboricultural (demolition, construction and tree protection) method statement should be required by conditions.

The layout (with the basement car park) reserves space around the building for amenity space, and large-scale landscaping in scale with the proposed building. There is space in the north-western corner of the site (between the car park, the end of the building and Church Road for the planting of large (feature) trees to supplement the existing tree belt/screen and trees on the road frontage.

It is not considered that the proposed development would have an adverse impact on existing important landscape features at the site, and the landscape proposals would enhance the character and appearance of the area in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). Notably no objections have been raised by the Council's Trees/Landscape Officer, subject to conditions.

7.15 Sustainable waste management

The plans indicate that refuse storage facilities would be provided towards the rear of the site, in close proximity to the site access. Whilst limited details have been provided at this

stage there is ample space on site for provision of additional or larger facilities if necessary and, as such, it is considered that further details could be dealt with by way of condition should approval be granted. Notably no objections have been received from the Council's Waste Strategy Manager.

7.16 Renewable energy / Sustainability

Policy 4A.7 of the London Plan 2008 advises that boroughs should require major developments to show how they would reduce carbon dioxide emissions by 20% through addressing the site's electricity or heat needs from renewable sources, wherever feasible.

The applicant has submitted an Energy Report with the application which confirms that a number of efficiency measures would be incorporated into the scheme. Although limited details of these have been provided at this stage, should approval be granted it is recommended a condition requiring the applicant to meet a Code for Sustainable Homes minimum level of 3 is attached.

The report also confirms that a 20% reduction in carbon emissions would be achieved through the use of rooftop photovoltaic panels, in compliance with London Plan guidelines. Further details of these would be required by way of condition should approval be granted.

7.17 Flooding or Drainage Issues

The site does not fall within a flood zone or close proximity to a watercourse. However, given the size of the site a Flood Risk Assessment has been submitted in support of the application. Following initial concerns received from the Environment Agency, an attenuation pond, and green roofs have been incorporated into the scheme. The Environment Agency have now removed their objection, subject to appropriate conditions, should approval be granted. Accordingly, it is not considered that the proposal would lead to any increased risk of flooding, or drainage issues, within the surrounding area.

7.18 Noise or Air Quality Issues

- Noise

The application has submitted a Noise Assessment in support of the application. This concludes that the most exposed facades of the flats would fall within Noise Exposure Categories B and C (mostly B) and that, accordingly, noise mitigation measures should be incorporated into the scheme. The Council's Noise Officer has confirmed that the noise levels at the site are acceptable providing appropriate mitigation measures are put in place, such as the installation of double glazing, and has therefore raised no objections subject to relevant conditions.

- Air Quality

The applicant has submitted an Air Quality Feasibility Study which has been carried out in order to determine the suitability of the site for residential development, and any impacts the development could have on local air quality. The report concludes that the development is likely to have a negligible impact on air quality. Officers in the Council's Environmental Protection Unit have confirmed that the submitted Air Quality Feasibility Study is acceptable and have raised no objections subject to relevant conditions requiring the submission of further details.

Notably, due to the site's location close to areas of known exceedences of pollution levels, a S106 contribution has been sought towards air quality management and monitoring within the area.

7.19 Comments on Public Consultations

In terms of the concerns raised by residents, points (i), (iii), (v), (vi), (viii), (xi), (xii), (xiii), (xvi), (xvii) and (xx) have been addressed in the report.

Point (ii) suggests Hayes is already overcrowded. As discussed in part 7.02 the proposed density falls below London Plan guidelines and is considered to be acceptable in this location.

Point (vii) suggests the site should be used to provide a children's recreational area. Point (xix) suggests a garden and playground should be provided here. As discussed above, no objections are raised to the principle of the development. Notably, playing fields and a children's park exist at Botwell Green, opposite the application site.

Point (ix) raises concerns over a potential increase in litter. Appropriate refuse and recycling facilities for the proposed units would be provided on site. It is not considered that the proposed development would lead to an increase in litter over and above the existing use.

Point (x) raises concerns over noise from construction work. Appropriate conditions would be attached to minimise construction impacts on the surrounding area. Notably, construction works would only be temporary.

Point (xiv) suggests that whilst the proposal would generate short-term income it would lead to long-term problems. This is not considered to be a material planning consideration.

Point (xv) suggests memories will be lost with the demolition of the existing pool. This is not considered to be a material planning consideration. Notably the existing pool would be replaced by a new facility at Botwell Green.

Point (xviii) suggests that the pedestrianised part of Hayes Town Centre is abused and that accordingly, a pedestrian crossing should be put in place. This is not related to the proposed development. Notably the Council's Highway Engineer has raised no objections to the proposed scheme.

The concerns raised by the Hayes Town Business Forum have been addressed in part 7.10 of the report.

Points (i), (v), (viii), (ix), (xi) and (xii) of the concerns raised by the Hayes Town Partnership have been addressed in the report.

Point (ii) questions the proposed unit mix. The provision of smaller units is considered to comply with Policy H4 of the UDP.

Point (iii) questions the viability of the scheme given the current economic climate. Planning permission would last for three years. The viability of implementing the scheme during this time is for the applicant to assess.

Point (iv) suggests that increasing the number of residential units in the area puts increased pressure on existing infrastructure. Relevant S106 contributions would be sought to off-set the impacts of the development on local infrastructure.

Point (vi) suggests that a specific S106 contribution should be sought towards the

provision of a polyclinic in Hayes rather than a generalised sum put towards the Primary Care Trust. It should be noted that such clinics are run by the PCT. The contribution is in accordance with adopted guidance on planning obligations.

Point (vii) suggests that S106 contributions should be sought towards providing youth facilities in the area. A £30,000 contribution is being sought towards community facilities.

Comments made in point (x) which support the retention of existing trees on site are noted.

Point (xiii) raises concerns over the proposed gating of the development. Appropriate fencing and gates would be provided in accordance with recommendations from the Council's Crime Prevention Design Advisor and relevant Secured by Design guidelines.

Point (i), (ii), (iii), (v) and (vi) of the concerns raised by John McDonnell MP have been addressed in the report.

Point (iv) suggests the proposal would lead to additional traffic movements which would pose a threat to school pupils. It is not considered that the proposal would lead to a significant increase in traffic movements which would be detrimental to pedestrian safety. The Council's Highway Engineer has raised no objections on these grounds. However, notably, should approval be granted the applicant would be required to carry out highway improvements and provide a pedestrian crossing in accordance with the agreed S106 agreement.

The comments received in response to the second round of consultation have been addressed above and in the report. No new issues have been raised.

7.20 Planning obligations

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

The application is accompanied by a financial viability appraisal which has been validated by an independent consultant. This concludes that 11% affordable housing is the maximum which the scheme could provide whilst also contributing towards other obligations as follows: Education (£212,005), Health (£28,717.44), Public realm/town centre enhancements (£20,000), Community facilities (£30,000), Libraries (£3,048.42), Air quality (£5,000), Construction training (£2,500 for every £1million construction cost or a training scheme to be delivered on site). In addition, the applicant has agreed to provide a Green Travel Plan for the site and 5% of total cash contributions towards the management and monitoring of the subsequent Statement. The proposed planning obligations are considered reasonable in order to offset the impacts of the scheme on local services whilst still allowing development to take place.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

- Contamination

The application has submitted an Environmental Assessment as part of the application. Officers in the Council's Environmental Protection Unit have confirmed that whilst there

may be some contamination present at the site the risk is not high. However, further investigation and appropriate remediation measures should be carried out if necessary prior to the commencement of development. This would be dealt with by way of condition should approval be granted.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The size, scale and height of the building is considered to be acceptable in this location and would be in keeping with the character and appearance of surrounding development. The scheme complies with relevant guidelines within the Council's Supplementary Planning Document on Residential Layouts and would provide satisfactory living conditions for future occupiers. Furthermore, it is not considered that the scheme would give rise to issues such as loss of privacy, overlooking or overshadowing, which would be detrimental to the residential amenity of occupiers of nearby properties.

The proposed parking provision and access arrangements are considered to be satisfactory, and relevant standards relating to sustainability and renewable energy would be met.

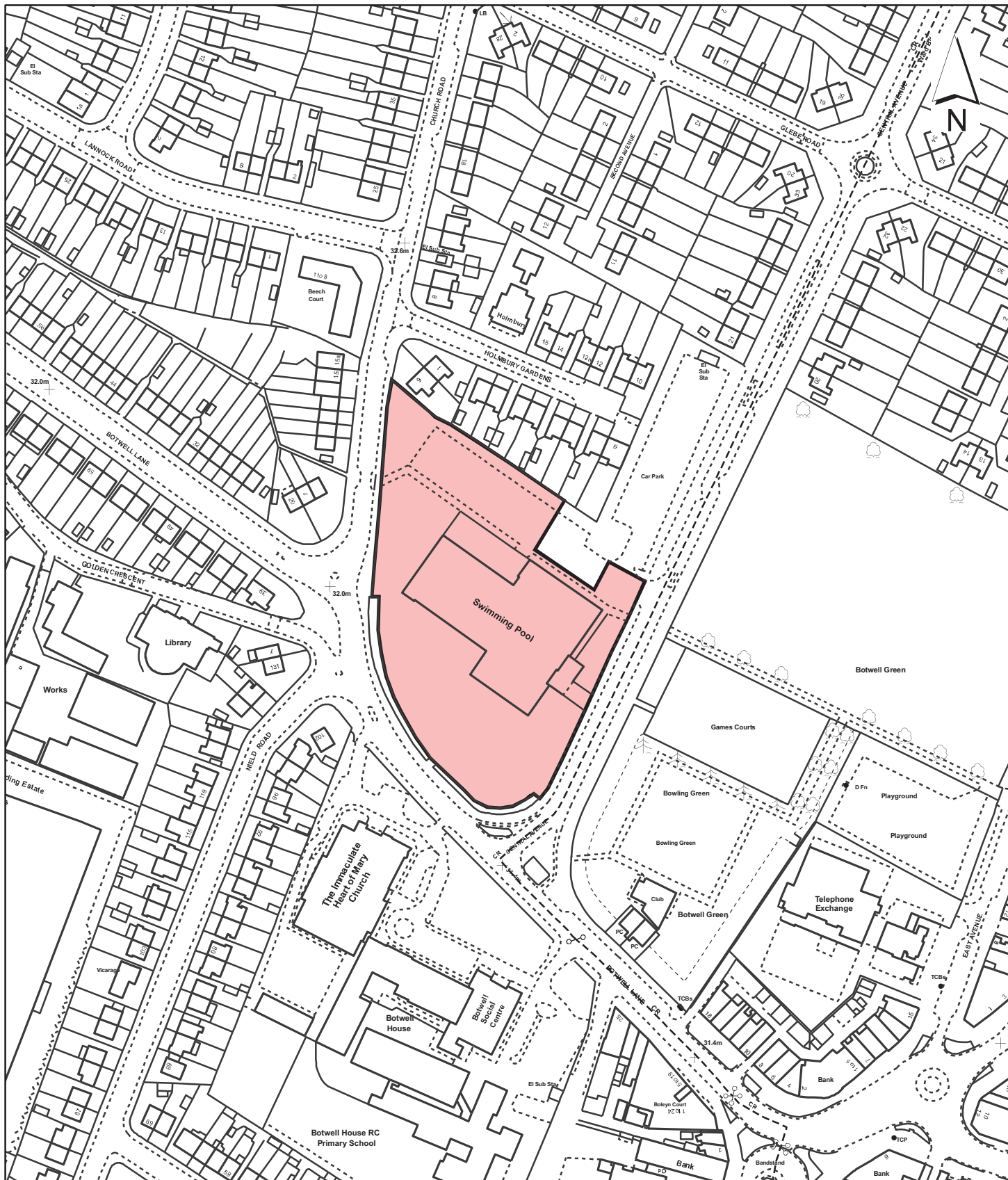
The application is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

11. Reference Documents

London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 4 (Planning for Sustainable Economic Growth)
Planning Policy Guidance 13 (Transport)
Planning Policy Statement 22 (Renewable Energy)
Planning Policy Guidance 24 (Planning & Noise)
Planning Policy Statement 25: Development and Flood Risk
Council's Parking Standards
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Planning Obligations
Council's Supplementary Planning Document - Residential Layouts
Council's Supplementary Planning Document - Accessible Hillingdon

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Hayes Swimming Pool
Botwell Lane
Hayes**

Planning Application Ref:

1942/APP/2010/31

Planning Committee

Central and South

Scale

1:2,000

Date

April 2010

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

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



HILLINGDON
LONDON



Meeting: **Central & South Planning Committee**

Date: **12 October 2010**

Time: **7.00pm**

Place: **Committee Room 5, Civic Centre Uxbridge**

ADDENDUM SHEET

Item: 6	Page: 15	Location:	Hayes Swimming Pool, Botwell Lane
Amendments/Additional information:		Officer Comments:	
Replace all references to drawing '2009D25/P/04 Rev D' with '2009D25/P/04 Rev E'		To reflect the new plan.	
Amend section 2 (resolution) by inserting an additional Head of Term: (xiv) That future residents will not be granted parking permits.		To ensure that future residents at the site do not park in surrounding streets.	
Amend condition 24: <ul style="list-style-type: none"> Remove ', including CCTV,' Insert 'Such details shall include CCTV provision and measures specifically designed to ensure security of the children's play area.' between 'commences.' and 'Any security'. 		To ensure clarity and security of the children's play area.	
Amend condition 30 by replacing the words '[insert name/reference]' with the words 'Energy Report' prepared by Lawrence Musey, Energy Manager London Borough of Hillingdon'		For clarity.	
Amend condition 21 to add sentence 'Three car parking spaces shall be allocated and dedicated for use by visitors and at least one of these visitors spaces shall be designed for use by disabled persons.'		To ensure appropriate provision of visitor parking spaces and that residential units are only allocated an appropriate number of parking spaces.	
Replace condition 40 with: No development shall commence until details of water efficiency measures for that phase, including grey water recycling or rainwater harvesting, have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and		See Reason.	

<p>the installed measures permanently retained and maintained.</p> <p>REASON To safeguard water resources in accordance with Policy 4A.16 of the London Plan</p>	
<p>Additional condition:</p> <p>'Notwithstanding the provisions of Schedule 2, Part 25 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 satellite dishes shall be installed on the building hereby approved.</p> <p>REASON To enable the Local Planning Authority to assess all the implications of the development and in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).'</p>	See reason.
<p>Additional condition:</p> <p>'No development shall commence until details demonstrating the provision of space and facilities for the storage and charging of electric wheelchairs with units designed to be wheelchair accessible, or easily adaptable for wheelchair users, have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.</p> <p>REASON To ensure the development meets the needs of disabled and elderly people in accordance with the Council's Accessible Hillingdon Supplementary Planning Document and London Plan (February 2008) Policies 3A.5, 3A.17 and 4B.5</p>	See reason.
<p>Additional condition:</p> <p>No development shall commence until a scheme demonstrating means of escape from all levels of the building (including basement level) for disabled persons have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved scheme shall be implemented and maintained for the life of the development.</p> <p>REASON: To ensure the development meets the needs of disabled and elderly people in accordance with the Council's Accessible Hillingdon Supplementary Planning Document and London Plan (February 2008) Policies 3A.5,</p>	See reason.

3A.17 and 4B.5	
<p>Additional Condition:</p> <p>The windows in elevation E6 shown n plan 2009D25/P/12 shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.</p> <p>REASON</p> <p>To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p>	See reason.
<p>Additional Condition:</p> <p>All windows facing circulation corridors within the development shall be glazed with permanently obscured glass and non-opening for so long as the development remains in existence.</p> <p>REASON</p> <p>To protect the amenity of future occupiers of the development in accordance with Policies BE24 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p>	See reason.
<p>Additional Condition:</p> <p>No development shall commence until details of measures to prevent access to the floodwater attenuation pond have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and the measures maintained for the life of the development.</p> <p>REASON</p> <p>In order to protect the health and safety of future occupiers, in particular children, and ensure an appropriate appearance in accordance with Policy 4B.6 of the London Plan and Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p>	See Reason.
<p>Additional informative:</p> <p>'You are advised that in relation to condition 8 (boundary treatment), 12 (landscaping) and 41 (gates), the Local Planning Authority will require that boundary treatment and pedestrian gates be of a sufficient height to</p>	For the applicants information.

prevent access to the site by unauthorised persons, additionally the Council will require boundary treatment to be integrated with landscape screening to prevent overlooking from outside of the site to areas of amenity space within the site.'	
Additional informative: 'You are advised that in relation to condition 41 (gates), the Local Planning Authority will require that there be a gate to the site entrance incorporating a height restriction.'	For the applicants information.

Item: 7	Page: 65	Location:	Building 63 Phase 500, Riverside Way,
Amendments/Additional information:		Officer Comments:	
Amend Recommendation 2 a) i) to insert the words: 'Ten year'		To ensure an appropriate travel plan period/	
Amend Section 2 a) iv) to: <ul style="list-style-type: none"> • replace drawing 'Q2/189/PL/0002 Rev.E' with '10780/SK/019'; and • add the following sentence 'Thereafter the landscaping shall be maintained for the life of the development.' 		To ensure correct referencing of plans and maintenance of the landscaping area.	
Renummer condition No.1 to be Condition No.29. Renummer conditions 2 through to 29 to be 1 through to 28.		To ensure correct condition numbering.	
Add standard informative I15 with additional paragraph ' You are advised that the details submitted in compliance with condition 18 should demonstrate accordance with the advice contained within this informative.		For advice and clarity. Please note condition 18 as re-numbered above.	
Additional informative: 'You are advised that at the reserved matters stage, the Council will expect details of car parking, access and manoeuvring arrangements to be provided.'		For the applicants information.	
Additional comments have been received from Denham Parish Council raising no objections.		No comment.	

Item: 8	Page: 95	Location:	186 Grosvenor Crescent
Amendments/Additional information:		Officer Comments:	
Add drawing no: HILL1001 to the list of plans.		For clarity.	
Correspondence has been received from the agent raising concern that drawing HILL1001 had not been adequately taken into account. This is not the case and the plan features in		For Information.	

the Plans Document. The Case Officer attended the site on two occasions and confirmed the accuracy of Plan HILL1001. It was found that the two northern car parking spaces could be set back 1m from the front wall of the house. However, the southern most parking space could not achieve a 1m setback. On balance, considerable concern still remains that the amenity of the ground floor dwelling would be unacceptably reduced by noise and disturbance from cars not associated with the ground floor flat. Privacy of occupiers would be compromised and there would be disturbance from car headlights at night.	
Section 3.2, paragraph 2 - replace the number '3.5' with '3.4'.	For clarity.
Section 7.09 Paragraph 1, 2 nd line - replace the word 'encourages' with 'accepts'.	For accuracy and clarity.

Item: 9	Page: 109	Location:	9 Parkway
Amendments/Additional information:			Officer Comments:
Add the following informative: You are advised that had the Council been of a mind to approve the scheme, conditions would have been imposed requiring details of refuse storage facilities to be provided.			For information.

Item: 11	Page: 129	Location:	World Business Centre 1, Heathrow.
Amendments/Additional information:			Officer Comments:
Amend condition 3 by replacing '1600' with '1800'.			To correct an error.
Amend wording of condition 1 (vi) as follows: 'The consent hereby granted shall expire at the end of a period of five years from the date of this consent or when the premises cease to be occupied by Barclays Bank Plc, whichever is to occur first.'			For clarity

Item: 13	Page: 149	Location:	53 Sweetcroft Lane, Hillingdon
Amendments/Additional information:			Officer Comments:
Add additional informatives as follows: 3. Had the Council been of a mind to approve the application, then proof that the applicant has a right of way over the side accessway would have been required. 4. The Council does not consider roof lights to provide an adequate outlook for future occupiers.			In order to provide further guidance to the applicant.

Item: 14	Page: 163	Location:	50 High Street, Uxbridge
Amendments/Additional information:		Officer Comments:	
<p>Add Secure by Design condition (revised OM14):</p> <p>'The use hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and use, including (but not limited to) details of how the portion of the building to be used during extended hours shall be protected from crime and anti-social behaviour, including details of physical separation from other parts of the building. 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 'Secure of Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).</p> <p>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'.</p>		<p>To ensure the portion of the building to be used during extended hours is adequately protected from crime and anti social behaviour.</p> <p>It is drawn to member's attention that HSBC have a similar lobby arrangement to their branch in Uxbridge town centre.</p>	
<p>Add 'Access to Buildings for people with disabilities' condition (DIS 2):</p> <p>Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.</p> <p>Reason:</p>		<p>To ensure the space is accessible to disabled persons.</p>	

To ensure that people with disabilities have adequate access to the development 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.	

Item: 15	Page: 173	Location: 2 Castle Avenue
Amendments/Additional information:		Officer Comments:
Add an informative: You are advised that had the scheme been approved, conditions would have been imposed to ensure defensible space and privacy screening would have been required to be created to the front of ground floor habitable rooms (including in the rear garden area).		For information.

Item: 16	Page: 187	Location: 86 to 90 High Street, Yiewsley
Amendments/Additional information:		Officer Comments:
Correspondence was received from the applicant which makes the following comments: Funding for this sort of project is difficult to raise in such a short time, and current lending climate. We will be in a difficult position convincing any bank that we will need funds to complete a car park before the main body of the works is completed. The car park area will be utilised for storage of building equipment, materials etc, during the development process. The store will remain open, and therefore, we need to minimise the risk of trade disruption, and maintain the safety of the general public whilst the development takes place. Access in and out of the rear of the building is vital and the most sensible approach. The safety of the cars from 47 47a and their drivers will be compromised, if we allow them to park whilst building is taking place, due to site safety issues. The car park area will endure wear and tear, through building traffic, and would normally be completed at the end of the project in order for it to be safe, secure and of the required standard. We suggest the Council consider the project within its normal time scale. Taking into		The applicants comments have been considered by the Council's Planning Enforcement team who have made the following comments: Enforcement Team: I would advise you that the applicant's proposal to remove the Council's proposed condition to make the owners start the works for the car parking spaces and implement a landscaping scheme within 6 months of the start of the date of the approval and complete within 12 months of approval is not acceptable from an enforcement point of view. As there is an on going breach of planning control on 47/47a Albert Road, we are most concerned that conditions 3 and 5 to the 2005 planning permission on this site is complied with. Without the certainty of getting the parking problem resolved, within a reasonable amount of time (i.e. one year) and to leave it until 'Prior to Occupation' will not give the Council the guarantee that the works will be completed.

<p>consideration the original application for 47a was passed in 2005, some 5 years ago. Since then the spaces have never been used at all. The situation is not going to be rectified immediately. As we will have signed a legal binding document to say we will comply with details outlined in the s106, this should be comfort enough for the Council that the car parking situation will be resolved sensibly.</p> <p>We are more than happy to comply with the car parking restrictions imposed by this development, but we strongly believe that our points of concern are sensible and realistic. They should be taken very seriously.</p>	
<p>Add the following words to the last sentence of a) ii) of the recommendation:</p> <p>'And prior to any occupation of the residential dwellings.'</p>	<p>To ensure parking is provided and to resolve an outstanding enforcement issue.</p>

Item: 17	Page: 229	Location:	Southall Gas Works
Amendments/Additional information:		Officer Comments:	
Insert the words 'Secretary of State' between the words 'permission' and 'in'		To clarify that the decision was made by the Secretary of State.	

Minutes

CENTRAL & SOUTH PLANNING COMMITTEE

12 October 2010

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



	<p>Committee Members Present: Councillors John Hensley (Chairman) Judith Cooper (Vice-Chairman) Paul Buttivant Peter Curling Janet Duncan Dominic Gilham Brian Stead</p> <p>Officers Present: James Rodger Matt Duigan Manmohan Ranger Sarah White Gill Brice</p> <p>Also Present: Councillors Pat Jackson Josephine Barrett</p>	
32.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies submitted.</p>	Action by
33.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor Paul Buttivant declared a personal and prejudicial interest in Items 6 and 23 and left the meeting whilst the items were discussed.</p>	Action by
34.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2010 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 7 September 2010 were agreed as a correct record and signed by the Chairman.</p>	Action by
35.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>Two Enforcement reports had been agreed as urgent by the Chairman, both reports would be considered in Part 2.</p> <p>The reasons for urgency are set out below:-</p> <p>Item 22 – A temporary stop notice had failed to stop building works on</p>	Action by

	<p>green belt and agricultural land. The temporary stop notice ceases to have effect on the 18 October 2010. Authorisation is required by this committee to issue enforcement s and stop notices prior to the temporary stop notice ceasing to have any effect.</p> <p>Item 23 - This report is urgently needed in order for the committee to authorise the issue of a Breach of Condition Notice for non compliance of two planning conditions.</p>	
36.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items marked in Part 1 would be considered in Public and all items marked Part 2 would be considered in Private.</p>	Action by
37.	<p>HAYES SWIMMING POOL, BOTWELL LANE, HAYES - 1942/APP/2010/31 (<i>Agenda Item 6</i>)</p> <p>Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only)</p> <p>1942/APP/2010/31</p> <p>In accordance with the Council's constitution a representative of the petitioners objecting to the proposal addressed the meeting. The agent was not present at the meeting.</p> <p>The petitioner made the following points:-</p> <ul style="list-style-type: none"> • Referred the committee to pages 43 & 44 of the report setting out the representation made. <p>A member asked whether there was a condition seeking food waste grinders for each unit.</p> <p>Officers advised that this condition was not provided and suggested that it be added. The committee agreed to the additional condition being added.</p> <p>In an answer to an issue raised in regards to trees the committee was advised that revised plans had been received that ensured that the building did not impact on the important trees on the site.</p> <p>Concerns were raised in relation to the type C flats that had no natural light to kitchens and bathrooms and suggested that the sustainable Code 3 was not sufficient and that this should be Code 4. It was also asked that an informative be added to require a light survey at the reserved matters stage.</p>	Action by

Officers advised that the proposal had more than the minimum floorspace in the main three principle rooms. The starting point for any application was the amenity for future occupiers. If members are minded to seek sustainability Code 4 there are a number of options that applicants had to achieve this.

The committee agreed that condition 31 be amended to Code 4 and not Code 3 and also an informative on the light survey requirement. This was moved seconded and on being put to the vote was agreed.

In answer to a question raised in relation to the amenity space on the roof. Officers advised that the required amenity space had been provided without the inclusion of the amenity space on the roof. The amenity space on the roof would be carefully planned at the reserved matters stage.

A member stated that this application was a wasted opportunity to provide affordable housing and would be unable to support the application as it does not address the needs of the community.

It was suggested that the proposed flat roof would not assist in the building blending in with the surrounding area and consideration should be given to a crown roof.

Officers advised that this was a reserved matter, the flat roof had been designed to give an Art Deco look and to enable solar panels and roof garden to be provided.

It was moved, seconded and agreed that an informative be added for consideration to be given to the use of a crown roof.

In answer to an issue raised in relation to the parking officers advised that the right of access was covered by the S106 agreement. In regard to the issue raised in relation to the boundary treatment of the basement level car park to stop people falling from ground level, Condition 8 could be amended to ensure this is addressed.

It was moved and seconded that condition 8 be amended as suggested by officers.

The recommendation with the amendments agreed by the committee was moved, seconded and on being put to the vote was agreed.

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

1. That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

(i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written onto the Statement of Intent in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.

(ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing Department.

(iii) A contribution of £212,005 towards local education facilities.

(iv) A contribution of £28,717.44 towards primary health care provision.

(v) A contribution of £20,000 towards public realm/town centre enhancements.

(vi) A contribution of £30,000 towards community facilities to be provided locally.

(vii) A contribution of £3,048.42 towards library books and equipment.

(viii) A contribution of £5,000 towards air quality monitoring.

(ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.

(x) That the applicant enters into a S278 agreement to provide highway

improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.

(xi) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.

(xii) The shared access way and access through the public car park to the private ground level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development in perpetuity.

(xiii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.

(xiv) That future residents will not be granted parking permits.

2. That the applicant meets the Council's reasonable costs in the preparation of the Statement and any abortive work as a result of the agreement not being completed.

3. That the officers be authorised to negotiate the terms of the proposed Statement.

4. That if the Statement of Intent is not finalised within a period of 6 months from the date of this resolution, or any other period deemed appropriate by the Head of Planning and Enforcement,

that the application may be referred back to the Committee for determination.

5. That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

6. That if the application is approved, by the Head of Planning and Enforcement under delegated powers, the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting be attached and conditions on satellite dishes from addendum sheet amended to read as follows:-

Add the following condition:

Notwithstanding details shown on approved plans, sink food waste grinders shall be installed in the kitchens of all of the residential units.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

Amend Condition 31 by replacing the words 'achieve level 3 of the Code' with 'achieve level 4 of the Code'.

Amend the Satellite Dish condition in the addendum (page 2) by inserting the words '/antenna' between the words 'dishes' and 'shall'.

Amend Condition 8 by inserting the words '(which shall include boundary treatment to prevent persons falling from ground level down into the ramp leading to the basement level car park)' after the words 'to be erected'.

Add the following informatives

You are advised that the Council will require that details of fume extraction from kitchens be provided as part of any reserved matters application.

You are requested to consider amending the design of the roof form to provide a crown/pitched roof form.

You are advised that the Council will require a light survey to be submitted as part of any reserved matters application.

38.	<p>BUILDING 63 PHASE 500, RIVERSIDE WAY, UXBRIDGE - 56862/APP/2010/1694 (<i>Agenda Item 7</i>)</p> <p>Variation of condition 1 of planning permission ref: 56862/APP/2010/1355 dated 09/07/2010 (application for a Non-material amendment to planning permission ref: 56862/APP/2009/2247 dated 18/01/2010: Redevelopment of site to provide 7,200m2 of Class B1(c), B2 or B8 industrial floorspace, including ancillary office floorspace, car parking and landscaping, to replace approved drawing ref: Q2/189/PL/0002 Rev.E (Parameters Plan) with amended drawing ref: 10780/SK/019 (Parameters Plan.)</p> <p>56862/APP/2010/1694</p> <p>The Legal Advisor informed the committee that the recommendation would need to include a Deed of Variation to change the location plan contained in the S106 Agreement.</p> <p>The recommendation with the Deed of Variation being included was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved - That delegated powers be given to the Head of Planning & Enforcement to grant planning permission, subject to the following:</p> <p>a) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:</p> <ul style="list-style-type: none"> i) Travel plans to be prepared in accordance to be prepared in accordance with TfL's guidance and to include a bond quantum of £20,000. ii) A financial contribution of £25,000 towards air quality monitoring initiatives. iii) A contribution of £2,500 for every £1 million build cost towards construction training initiatives in the borough. iv) Landscaping works within the site application boundary including woodland planting within the Green Belt and on Council owned land (area of woodland planting to total approximately 4,000 sq. m) as shown hatched green on the site parameter plan (drawing no. Q2/189/PL/0002 Rev.E) submitted with the application. This shall include the conversion of hard standing within Green Belt at the southern edge of the site to soft landscaping and the ongoing management and maintenance at the applicant's expense. v) A contribution equal to 5% of the total cash contributions to enable the management and monitoring of the S106 agreement. <p>b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of</p>	Action by
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the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

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

d) That if by 19th November 2010, the S106 Agreement has not been finalised, delegated powers be given to the Director of Planning and Community Services to refuse planning permission for the following reasons:

1. The development is not considered to have made adequate provision, through planning obligations, for contributions towards construction training or monitoring, or monitoring. Given that a legal agreement or unilateral undertaking has not been secured to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document for Planning Obligations (Adopted July 2008).

2. The development is not considered to have provided appropriate mitigation measures, which in this case would be a travel plan to TFL guidelines and contributions towards air quality monitoring initiatives, to ensure that there would be no detrimental impact on local air quality within a designated Air Quality Management Area contrary to policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Hillingdon's Air Quality Supplementary Planning Guidance (Adopted 2002) and Policy 4A.6 of the London Plan (February 2008).

3. The development would fail to provide appropriate enhancement and landscaping of associated Green Belt Land in order to mitigate the impacts of the proposed built form and accordingly would result in a detrimental impact on the visual amenity of the Green Belt contrary to Policy OL5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

e) That subject to the above, the application be deferred for determination by the Head of Planning, Trading Standards and Environmental Protection to vary the existing legal agreement by way of a Deed of Variation reflecting the revised plan 10780/SK/019 and subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers to the applicant.

f) That if the application is approved, the conditions and informatives set out in the report and the addendum sheet circulated at the meeting be attached.

	<p>25424/APP/2010/1133 (<i>Agenda Item 8</i>)</p> <p>Conversion of existing dwelling to 2 two-bedroom flats to include a two storey side/rear extension with associated parking and amenity space.</p> <p>25424/APP/2010/1133</p> <p>In accordance with the Council's constitution a representative of the petitioners objecting to the proposal and the agent addressed the meeting.</p> <p>The applicant/agent made the following points:-</p> <ul style="list-style-type: none"> • The application was withdrawn from the agenda of the 20 July. • I have tried to contact the traffic engineer without success. • The relevant planning history is misleading in regard to the parking. • The only issue is the parking at the front of the property. • The hard standing that currently exists is more than that being proposed. • Would the provision of two spaces be acceptable for this proposal. • The amended plan shows a one metre buffer to the building. <p>A Ward Councillor addressed the meeting on behalf of all Hillingdon East Ward Councillors. The proposal was over development of the site and the proposed parking was detrimental to pedestrian safety. The committee are asked to agree the officer's recommendation for refusal as set out in the report refusal.</p> <p>The petitioner was not present at the meeting.</p> <p>In answer to an issue raised in relation to parking, officers advised that the area had a PTAL score of 1A. This would therefore require the maximum spaces required for this development, which would be 3 spaces. The measurement between the third parking space and the ground floor flat would not be a defensible space.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused for the reasons set out in the officer's report.</p>	
40.	<p>LAND FORMING PART OF 9 PARKWAY, HILLINGDON - 66194/APP/2009/1614 (<i>Agenda Item 9</i>)</p> <p>Single storey detached three-bedroom dwelling to rear of garden with associated parking and access (Outline application with all matters reserved.)</p> <p>66194/APP/2009/1614</p>	Action by

	<p>In accordance with the Council's constitution the applicant addressed the meeting making the following points:</p> <ul style="list-style-type: none"> • There had been a number of houses in the road that had houses built in back gardens. • St Helens School had been extended. • The application is not in or near to the Green Belt. • The proposal is not visible from the Street Scene. • The reason for refusal could be overcome. <p>The petitioners objecting to the proposal was not present at the meeting.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused, for the reasons set out in the officer's report and the addendum sheet circulated at the meeting.</p>	
41.	<p>350-352 BATH ROAD, HARMONDSWORTH - 1767/APP/2010/935 <i>(Agenda Item 10)</i></p> <p>Details in compliance with Condition 12 (Method of disposal, storage and collection of refuse) of planning permission ref.1767/APP/2009/2494 dated 11/03/2010: Change of use to Class A3 (Restaurants and Cafes) with ancillary takeaway use (Class A5) with associated parking and the erection of an extraction flue (involving demolition of part existing single storey rear extension.)</p> <p>1767/APP/2010/935</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved.</p>	Action by
42.	<p>WORLD BUSINESS CENTRE, NEWALL ROAD, HEATHROW AIRPORT - 50498/ADV/2010/49 <i>(Agenda Item 11)</i></p> <p>2 no Internally illuminated box units</p> <p>50498/ADV/2010/49</p> <p>Officers advised the committee that the description of the proposal needed to be amended as the application was for one internally illuminated box unit and not 2 as stated in the report, as an amended plan had been received.</p> <p>A member asked for condition 3 to be amended to add 'on any day or</p>	Action by

	<p>any time' after 'hours'. This amendment was agreed by the committee.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved, subject to the conditions and informatives set out in the officer’s report and addendum sheet circulated at the meeting.</p> <p>Amended Condition 3</p> <p>The sign shall not be illuminated between 1600 and 0800 hours on any day or any time.</p>	
43.	<p>FORMER B&Q SITE, UXBRIDGE ROAD, HAYES - 51508/APP/2010/1416 (<i>Agenda Item 12</i>)</p> <p>For a period of six months from the date of this permission, retail sales shall not take place outside the hours of 08.00 to 21.00 Monday to Saturday and 10.00 to 18.00 Sundays and Bank Holidays. Thereafter, retail sales shall not take place outside the hours of 08.00 to 20.00 Monday to Friday, 08.00-18.00 Saturdays and 10.00 to 17.00 Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority (Variation of condition 12 (opening hours) of planning permission ref: 51508/APP/2008/2927 dated 16/04/2010: single-storey canopy to front entrance, refurbishment and use as an Asian supermarket)</p> <p>51508/APP/2010/1416</p> <p>The committee asked for an informative to be added to remind the applicants that this permission does not override the relevant trading laws.</p> <p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved subject to the conditions and informatives set out in the officer’s report and an additional informative as follows:-</p> <p>Informative</p> <p>You are advised that this approval in no way overrides your requirement to accord with relevant Trading Law.</p>	Action by
44.	<p>53 SWEETCROFT LANE, HILLINGDON - 5013/APP/2010/270 (<i>Agenda Item 13</i>)</p> <p>First floor rear extension with 6 front, 6 rear and 2 side rooflights and installation of glass roof over existing courtyard.</p> <p>5013/APP/2010/270</p>	Action by

A Ward Councillor attended the meeting and made the following points:-

- The proposal was over development and unacceptable.
- The additional traffic would be dangerous due to the narrow road.
- The proposal would have an overbearing view from adjoining property.

Concerns were raised in relation to the height of the rooflights and the proposal to extend the existing single storey extension by adding a first floor was felt to be detrimental to the adjoining property and surrounding area. The plans do not accurately show the correct elevations (west elevations) and if built according to the plan, the roof form would be larger than shown in the elevation. It was asked whether these issues could be addressed in the reason for refusal and an additional informatives.

Officers suggested that the issue raised in relation to the rooflights and the elevational plans should be added as informatives The issue raised in relation to the first floor extension could be included in reason for refusal 1.

It was moved and seconded that reason for refusal 1 be amended and an additional informative added as above. On being put to the vote this was agreed by the committee. The wording to be agreed by the Chairman and Labour Lead.

The recommendation for refusal with the additions added by the committee was moved, seconded and on being put to the vote was agreed.

Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report and addendum sheet circulated at the meeting and the additional condition and informative as follows:-

Amend the reason for refusal to read as follows:

The proposed development by reason of the height and bulk of the first floor extension and/or enlarged roof would be detrimental to adjoining properties and the surrounding area and fail to harmonises with the existing local and historic context of the surrounding area and would have a dominating visual impact and represent an un-neighbourly form of development when viewed from 49 and 57 Sweetcroft Lane. In addition, the principle of intensifying the use of the site to the level proposed when considered with the cramped footprint of this development, coupled with the proposed height and bulk of the first floor extension and enlarged roof would have a detrimental impact on the character, appearance and local distinctiveness of the area, detrimental to the character and visual amenity of the surrounding Hillingdon Court Area of Special Local and

	<p>Character. The development is therefore contrary to Policies BE5, BE13, BE19, BE21 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 3A.3, 4B.1 and 4B.8 of the London Plan (Consolidated with Alterations since 2004).</p> <p>Add the following informatives:</p> <p>'You are advised that the plans showing the proposed layout do not match the elevations (west elevations) and if built according to the plan, the roof form would be larger than shown in the elevation. In this case the Council has been able to make a determination based on the information submitted, however careful attention should be taken in future to ensure plans and elevations are accurate.'</p> <p>'You are advised that the proposed use of roof lights as the only means of outlook from bedrooms is not considered to provide an adequate living environment for future occupiers.'</p>	
45.	<p>50 HIGH STREET, UXBRIDGE - 36976/APP/2010/1631 (<i>Agenda Item 14</i>)</p> <p>Variation of Condition 4 (hours of opening) of planning permission ref: 36976/APP/2010/353 dated 27/05/2010: Change of use of ground and first floor from Class A1 (Retail) to Class A2 (Financial and Professional Services.)</p> <p>36976/APP/2010/1631</p> <p>The committee asked for an informative to be added to highlight that the condition in relation to security would need to provide details of a floor to ceiling barrier to secure the lobby, which was to have 24 hour access. Details of a secure entry system for customers using the lobby should also be provided.</p> <p>With the additional informative was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report and addendum sheet as circulated at the meeting and an additional informative added as follows:-</p> <p>Informative</p> <p>'In releasing the Secure by Design condition imposed on this consent you are advised that the Council will require that details be provided of floor physical barriers extending from the floor to</p>	Action by

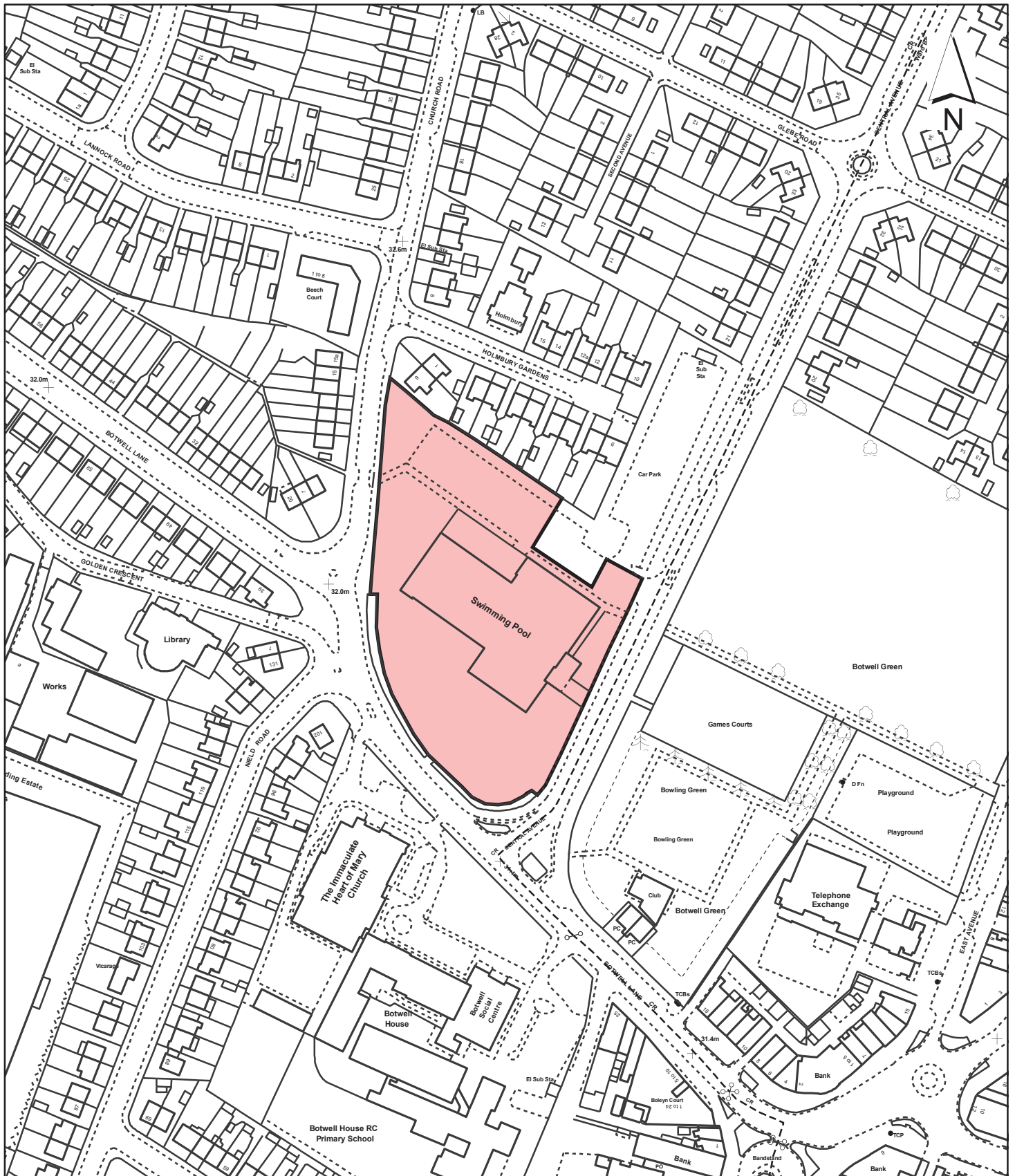
	<p>the ceiling which would be used within the premises to separate the area to be used over any 24 hour period from the rest of the bank, when the bank is shut. The Council will also require that entry to the separate the area to be used over any 24 hour period have measures to restrict entry access to only those persons with bank cards who know the PIN code of that card.'</p>	
46.	<p>2 CASTLE AVENUE, YIEWSLEY - 33995/APP/2009/2735 (<i>Agenda Item 15</i>)</p> <p>Conversion of single family dwelling to 3 self-contained flats with associated single storey rear extension and rear dormer windows.</p> <p>33995/APP/2009/2735</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be refused for the reasons set out in the officer’s report and the addendum sheet circulated at the meeting.</p>	Action by
47.	<p>86-90 HIGH STREET & 45, 47, 47A ALBERT ROAD, YIEWSLEY - 64714/APP/2009/778 (<i>Agenda Item 16</i>)</p> <p>Change of use of first and second floor from retail to residential forming 7 one-bedroom flats, and 1 studio flat, involving a second floor extension, roof terrace at third floor level, remodelling of existing elevations to include new balconies, alterations to form new entrance area at ground floor and associated parking to rear of land at 45, 47, and 47a Albert Road.</p> <p>64714/APP/2009/778</p> <p>Concerns were raised in relation to the outstanding enforcement issue in regard to access to the rear of 47 & 47A Albert Road.</p> <p>It was suggested that the application be deferred until clarification and further negotiations had taken place to enable a more robust report being presented to committee.</p> <p>It was moved, seconded and agreed that the application be deferred. On being put to the vote deferral was agreed.</p> <p>Resolved – That the application be deferred to enable further information to be provided</p>	Action by
48.	<p>FORMER SOUTHALL GASWORKS, THE STRAIGHT, SOUTHALL - 39704/APP/2010/225 (<i>Agenda Item 17</i>)</p>	Action by

	<p>Temporary continued use of the site for storage, preparation and parking of motor vehicles including retention of existing ancillary structures until 31 July 2013</p> <p>39704/APP/2010/2254</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved - That the London Borough of Ealing be informed that the London Borough of Hillingdon raises strong objection to the proposed scheme on the following grounds:</p> <ol style="list-style-type: none"> 1. The off-airport parking is directly related to the operation of Heathrow Airport but is located approximately 8.5 km outside the airport boundary contrary to Policy A4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). 2. The off-airport parking provides car parking in addition to the car parking cap of 42,000 spaces at Heathrow Airport under the Terminal 5 planning permission given by the Secretary of State in November 2001 and causes additional road congestion on the strategic road network between Southall and Heathrow Airport. It is therefore contrary to Policies AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3C.1 and 3C.23 of the London Plan and to advice in PPG13 to restrain the use of private cars and encourage travel by alternative modes. 3. The off-airport parking by reason of its traffic generated air pollution within the London Borough of Hillingdon Air Quality Management Area is contrary to policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), and the Council's Supplementary Planning Guidance on air quality. 4. It is considered that the application should be referred to the Mayor of London under the current referral procedures set out within the Town and Country Planning (Mayor of London) Order 2008 if Ealing Council is minded to approve the application. 	
49.	<p>S106 QUARTERLY MONITORING REPORT (<i>Agenda Item 18</i>)</p> <p>The committee received a report providing financial information on S106 and S278 agreements in the Central & South Planning Committee area up to 30 June 2010, where the Council had received and held the funds</p>	Action by

	Resolved – That the report be noted.	
50.	<p>ENFORCEMENT REPORT (<i>Agenda Item 19</i>)</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <ol style="list-style-type: none"> 1. That the enforcement action as recommended in the officer’s report be agreed. 2. That the Committee resolved to release their decision and the reasons for it outlined in the report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned. 	Action by
51.	<p>ENFORCEMENT REPORT (<i>Agenda Item 20</i>)</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <ol style="list-style-type: none"> 3. That the enforcement action as recommended in the officer’s report be agreed. 4. That the Committee resolved to release their decision and the reasons for it outlined in the report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned. 	Action by
52.	<p>ENFORCEMENT REPORT (<i>Agenda Item 21</i>)</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <ol style="list-style-type: none"> 5. That the enforcement action as recommended in the officer’s report be agreed. 6. That the Committee resolved to release their decision and the reasons for it outlined in the report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned. 	Action by
53.	<p>ENFORCEMENT REPORT (<i>Agenda Item 22</i>)</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p>	Action by

	<p>Resolved</p> <p>7. That the enforcement action as recommended in the officer's report be agreed.</p> <p>8. That the Committee resolved to release their decision and the reasons for it outlined in the report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned.</p>	
54.	<p>ENFORCEMENT REPORT (<i>Agenda Item 23</i>)</p> <p>The recommendation was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <p>9. That the enforcement action as recommended in the officer's report be agreed.</p> <p>10. That the Committee resolved to release their decision and the reasons for it outlined in the report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned.</p>	Action by
	<p>The meeting, which commenced at 7.00 pm, closed at 9.55 pm.</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Brice on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.



Notes

 Site boundary

For identification purposes only.

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Site Address

**Hayes Swimming Pool
Botwell Lane
Hayes**

Planning Application Ref:

1942/APP/2010/31

Planning Committee

Central and South

Scale

1:2,000

Date

April 2010

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

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



HILLINGDON
LONDON

APPENDIX D

68.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETINGS HELD ON 21 SEPTEMBER AND 12 OCTOBER 2010 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meetings held on 21 September and 12 October 2010 were agreed as correct records and signed by the Chairman.</p>	
69.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>There had been no items notified as urgent.</p>	
70.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items would be considered in Part 1 and Part 2.</p>	
71.	<p>HAYES SWIMMING POOL, BOTWELL LANE, HAYES - 1942/APP/2010/31 (<i>Agenda Item 6</i>)</p> <p>Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only) (Amendment to S106 agreed at C&S Committee 12/10/10)</p> <p>As a petition representative had addressed the Committee in objection to this application at the meeting held on 12 October 2010, there was no automatic right to speak for a second time.</p> <p>Officers advised that this application was for the variation of the S106 Agreement, and not a planning application. The Committee was asked to note the changes in the Addendum.</p> <p>The Committee made the following amendments:</p> <p>The word 'perpetuity' was replaced with 'for the life of the development' in Condition 50.</p> <p>328717.44 was replaced with £28,717.44 in Head of term iv and the numbering of the second Head of term iv was replaced with v.</p> <p>A Member commented that Primary Care Trust may not be in existence in the future and that the Head of term iv, should be amended to take this into account.</p> <p>The Legal Advisor responded that this would be captured in the legal agreement for all eventualities.</p> <p>The Member added that for future applications, there should be an inbuilt inflation mechanism to take into account that legal agreements may take up to 3 or 4 years to be finalised. Officers responded that</p>	<p>Action by</p> <p>James Rodger, Matthew Duigan</p>

they were aware of such issues but that no such mechanisms which were standard industry or Council practice were currently in place.

'Primary Health Care provisions' was replaced with 'the Primary Health care Trust' in the Head of term iv.

The recommendation with the Addendum and amendments agreed by the Committee were moved, seconded and on being put to the vote was agreed.

Resolved

That this authority is given by the issuing of this notice under regulation 3 of the Town and Country Planning General Regulations 1992 and shall ensure only for the benefit of the land.

a) That in advance of or at the same time as or in any event within a period of 12 months from the resolution to grant planning permission that any proposed or existing purchaser of the Council's interest in the site enters into a section 106 agreement of the Town and Country Planning Act 1990, section 16 of the Greater London Council (General Powers) Act 1974 and section 111 of the Local Government Act 1972 and/or a section 278 agreement under the Highways Act 1980 (as amended) or other appropriate legislation to secure the following:

- i) The preparation and adoption of a 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a £20,000 bond or a remedial payment measure to be written into the s106 in the case of a breach. The Travel Plan is to make provision for the inclusion of a car club if it is deemed viable.**
- ii) 11% of the scheme, based upon habitable rooms, to be provided for as affordable housing. The final tenure and mix is to be agreed with the Council's Housing department.**
- iii) A Contribution of £212,005 towards local education facilities.**
- iv) A contribution of £28,717.44 towards the Primary Health Care Trust.**
- v) A contribution of £20,000 towards public realm/town centre enhancements.**
- vi) A contribution of £30,000 towards community facilities to be provided locally.**
- vii) A contribution of £3,048.412 towards library books and equipment.**
- viii) A contribution of £5,000 towards air quality**

monitoring.

- ix) A contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1 million construction cost or a construction training scheme to be delivered on site during the construction phase of the development.
- x) That the applicant enters into a s278 agreement to provide highway improvements to the Botwell Lane/Church Road junction. Detailed design and modelling for the LPA and TfL's (if the junction is to be signalised) approval and the incorporation of pedestrian crossing facilities on Church Road and Botwell Lane should be provided.
- xi) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.
- xii) The 20 public car parking spaces (identified on drawing no.2009D25/P/04) shall remain available for use by members of the public in perpetuity.

b)That in respect of the application for planning permission, the purchaser of the Council's interest in the land meets the Council's reasonable costs in the preparation of the section 106 and any other agreements and any abortive work as a result of the agreements not being completed.

c)If the section 106 agreement has not been completed within 12 months of the resolution to grant, the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.

d)That officers be authorised to negotiate and agree the detailed terms of the proposed agreements.

e) That, subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

f) That if the application is approved, it be subject to the conditions and informatives agreed by the Central and South Planning Committee on 12 October 2010 (detailed in the Committee report, addendum and minutes) and attached to this report and the following condition 50:

50. The shared access way and access through the public car park to the private surface level parking (identified on drawing no.2009D25/P/01) shall remain available to occupiers and visitors of the development for the life of the development.

	<p>Reason:</p> <p>To ensure appropriate access to the site is retained for future occupiers in perpetuity and in the interests of highway and pedestrian safety in compliance with Policies AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p>	
72.	<p>HAYES GATE HOUSE, 27 UXBRIDGE ROAD, HAYES - 2385/APP/2010/1218 (Agenda Item 7)</p> <p>Change of use of floors 3 to 8 from Class B1 to Class D1 (Adult Education)</p> <p>In introducing the report, officers directed the Committee to note the changes in the Addendum circulated at the meeting. Members were advised that Refusal reason 2 should be amended by removing the sentence 'The proposal fails to demonstrate that it would adequately provide for and accommodate service delivery vehicles on site'.</p> <p>A petition representative addressed the Committee in objection to the application and made the following points:</p> <ul style="list-style-type: none"> • Endorsed officers recommendation for refusal • Supported the three refusal reasons stated in the officer's report • Expressed concerns about adverse impact the proposal would have on traffic • That the applicant had failed to address the issue of traffic impact • That the applicant had failed to demonstrate that the combined traffic generated by the proposed development and the extant permission would not have an adverse impact on the surrounding highway network • That this development was inappropriate for the area • Urged the Committee to refuse the application. <p>The agent addressed the meeting and made the following points:</p> <ul style="list-style-type: none"> • Planning permission was granted in 2002 and wanted to build a 4 or 5 star hotel • The proposed development was trimmed down by 50% of the original proposal and it took 2 to 3 years, which resulted in the planning permission becoming extant • ¾ m of the building was put up for rental • The building was now empty • Wanted temporary permission for 5 years • The building had already been running for 3 years without any complaints • Felt the Committee did not have the full facts – the building was used for offices only for a while • Every required documents had been submitted through out the application process • Had spoken to officers 	<p>Action by</p> <p>James Rodger, Matthew Duigan</p>