

Report of the Head of Planning & Enforcement Services

Address HERMITAGE SCHOOL NURSERY & LANCASTER CENTRE SITE
LANCASTER ROAD UXBRIDGE

Development: Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total)

LBH Ref Nos: 68164/APP/2011/2711

Drawing Nos: 2011/D88/P/08 Rev. F
2011/D88/P/09 Rev. C
2011/D88/P/10 Rev. C
2011/D88/P/11 Rev. D
2011/D88/P/12 Rev. E
2011/D88/P/14
Design & Access Statement dated October 2011
Design & Access Statement Addendum
Arboricultural Impact Survey ref 2011/D88/P/AIS Rev A
Mechanical & Electrical Renewable Energy Report
2011/D88/P/13 Rev. C
2011/D88/P/02 Rev. A
2011/D88/P/03
2011/D88/P/04
2011/D88/P/05
2011/D88/P/06 Rev. C
2011/D88/P/07 Rev. C
2011/D88/P/01

Date Plans Received: 04/11/2011 **Date(s) of Amendment(s):**
Date Application Valid: 10/11/2011

DEFERRED ON 27th March 2012 FOR FURTHER INFORMATION .

The application was heard at the 27th March 2012 Central & South Planning Committee. The application was deferred to enable officers to review the issues raised in relation to overlooking in Lancaster Road, parking and for an overshadowing diagram to be provided.

Plans have been submitted, showing 1:1 parking. This has been achieved by reducing the number of units from 20 to 19. Windows have been amended to address concerns raised by Committee.

Overshadowing diagrams have also been produced. In light of these officers have sought changes to the scheme which has resulted in improved outlook from and reduced overshadowing to no. 1 Lancaster Road to a satisfactory level. The rear part of the block facing Lancaster Road, closest to the boundary with no. 1 Lancaster Road has been reduced to single storey in height.

1. **SUMMARY**

The application seeks planning permission to redevelop the Lancaster Centre & Hermitage Nursery site for residential purposes, in the form of a new two storey building fronting the site and the conversion of the Lancaster Centre comprising a total of 18 x 1 bedroom and 1 x 2 bedroom units. In total, 19 units are proposed.

The proposed scheme is considered to be of an acceptable design which would be compatible within the local context and result in an adequate standard of amenity for future occupiers.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide an acceptable area of soft landscaped amenity space for the benefit of future occupiers.

Accordingly, the application is recommended for approval, subject to conditions and the signing of a S106 Legal Agreement.

2. **RECOMMENDATION**

That delegated powers be given to the Head of Planning, Sport and Green Spaces 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:

a. Mayoral CIL: a contribution of £25,499

b. Affordable Housing: either 4 x 1bed units on site or a payment in lieu of on site delivery in the sum of £378,000.

c. Education: a contribution in the sum of £28,758.00.

d. Health: a contribution in the sum of £6,454.00.

e. Libraries Contribution: Libraries: a contribution in the sum of £685.17.

f. Construction Training: a contribution in the sum of £3,062.41.

g. Project Management and Monitoring: a contribution of 5% of the total cash contributions secured from this proposal.

h. Car Parking Permits: No permits shall be issued to future occupants of the flats.

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, Sport and Green Spaces, 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 Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers.

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

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 RES3 Time Limit

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

REASON

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

3 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

2011/D88/P/08 F
2011/D88/P/09 C
2011/D88/P/10 C
2011/D88/P/11 D
2011/D88/P/12 E
2011/D88/P/14
2011/D88/P/13 C
2011/D88/P/02 A
2011/D88/P/03
2011/D88/P/04
2011/D88/P/05
2011/D88/P/06 c
2011/D88/P/07 C
2011/D88/P/01

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

4 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the

development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

5 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 3 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

6 RES18 Lifetime Homes/Wheelchair Units

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 and constructed 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 (July 2011) Policies 3.1, 3.8 and 7.2

7 RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 RES24 Secured by Design

The dwelling(s) shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

9 RES6 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).

10 RES9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.b Cycle Storage (inc. security measures)

2.c Means of enclosure/measures to create defensive space/boundary treatments (inc. elevations if appropriate)

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within

the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation, which shall ensure amenity space is provided prior to occupation of any dwelling.

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

11 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

- i) Obscure Glazing and materials as shown on plan no. 2011/d88/p/11 rev b and 2011/d88/p/12 rev b
- ii) Car parking allocation (numbered spaces being allocated to the corresponding unit number) as shown on plan no. 2011/d88/p/07 rev b.

Thereafter the development shall be retained/maintained in accordance with these plans and details for as long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties, to ensure adequate provision of car parking for future residents and to ensure the appearance of the scheme is adequate in accordance with policies AM14, AM16, BE13 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 RES13 Obscure Glazing

The window in flat 20 (shown on plan 2011/d88/p/08 rev b) in the lounge room, facing northwest shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

13 RES8 Communal Amenity Space

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

- 1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. 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.

Thereafter, the development shall be implemented in accordance with the approved details. 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:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e 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 can and will be retained on site and 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).

14 NONSC Storage and Collection of Refuse

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

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

15 OM19 Sewerage Connections, Water Pollution etc.

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) 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.

(ii) 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).

(iii) 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).

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 (July 2011) and national guidance.

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.
AM7	Consideration of traffic generated by proposed developments.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 5.13	(2011) Sustainable drainage

LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 8.3	(2011) Community infrastructure levy

3 I21 Street Naming and Numbering

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

4 I3 Building Regulations - Demolition and Building Works

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

5 I14 Installation of Plant and Machinery

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

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

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

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

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

6 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

7 117 Communal Amenity Space

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

8 118 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans. For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

9 119 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804/805/808).

10 143 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

11 151 Notification of Commencement of Works

Written notification of the intended start of works shall be sent to Planning & Community Services, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the east side of Lancaster Road within close proximity of Uxbridge Town Centre. The site consists of the single storey Hermitage Nursery building fronting Lancaster Road and the two storey Lancaster Centre, which has been disused

since 19/08/2010, to the rear.

The site is bound to the north by residential dwellings on Wilmar Close as well as houses fronting Lancaster Road. To the west of the site is a small terrace of residential dwellings known as Orchard Parade. The properties do not front a street, instead fronting a pathway between the terrace and buildings front Belmont Road. The site is bound to the south by a terrace with ground floor commercial units that front Belmont Road with residential units at first floor level.

The site is located within the North Uxbridge Area of Special Local Character. The area is predominantly residential in character with residential properties to the north and west. The site is within the developed area as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.2 Proposed Scheme

It is proposed to demolish the existing single storey Hermitage Nursery building and erect a two and a half storey residential building containing 12 flats; to convert the Lancaster Centre to 7 residential dwellings. The proposal is for a total of 19 residential dwellings, of which 18 are 1 bedroom units and 1 x two bedroom unit together with associated parking (19 spaces) and landscaping.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant site history relating to this site.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.

Part 2 Policies:

- 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.
- AM7 Consideration of traffic generated by proposed developments.
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.

- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

- LPP 3.1 (2011) Ensuring equal life chances for all
- LPP 3.12 (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
- LPP 3.3 (2011) Increasing housing supply
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.7 (2011) Large residential developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.9 (2011) Mixed and Balanced Communities
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.18 (2011) Construction, excavation and demolition waste
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.7 (2011) Renewable energy
- LPP 6.13 (2011) Parking
- LPP 7.1 (2011) Building London's neighbourhoods and communities
- LPP 7.2 (2011) An inclusive environment
- LPP 7.4 (2011) Local character
- LPP 8.3 (2011) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **15th December 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 70 neighbouring properties were consulted. A total of 12 letters of objection have been received. Objections have been raised on the following grounds:

- i) Loss of parking for residents in Lancaster Road.
- ii) The scheme would be detrimental to the whole area.
- iii) Increased congestion.
- iv) Those residents who currently park in Bennett's Yard will now have to park in Lancaster Road causing parking problems.
- v) Noise and disturbance during construction period.
- vi) Increased overlooking
- vii) Unacceptable removal of trees and hedge on the eastern boundary.
- viii) Over development

Two petitions, both with in excess of 20 signatories, have been submitted. No reasons for objection are stated.

NATS: No objection

THAMES WATER: No objection

NURA:

The Association has considered the scheme at its Committee meeting and wishes to support the petitioners against the current proposal for the following reasons:

- i) Whilst residential adaptation and new build flats are an appropriate user for the site, the overall numbers of units and bulk and height of the mid block are not sympathetic or appropriate to the adjacent residential environment.
- ii) The 3 storey height of the middle block will have an overbearing impact upon the Wilmar Close houses, directly affecting Nos 1 & 3, causing significant shadowing until midday in mid summer, and of course worse in winter.
- iii) Accepting the suggested set back from the boundary with Wilmar Close properties, the proposed middle block would offer a worthwhile site for 2 storey family housing. This would reduce the overall numbers from 19 flats to 11 flats and 3 houses and a corresponding reduction in car parking requirement to 14 spaces.
- iv) Such a reduction would offer an opportunity to create street tree planting to improve the current sterile tarmac parking area, making it more appropriate as a residential environment.
- v) Our view is that it represents an overdevelopment of the site by seeking to achieve 19 flats. The 3 storey middle block should be reduced to 2 storey and ideally used as family houses, and the carparking reduced pro rata.
- vi) I have been asked to speak to the Committee on behalf of the petitioners.

Internal Consultees

S106 OFFICER:

Proposed Heads of Terms:

1. Mayoral CIL: £25,499
2. Affordable Housing: either 4 x 1bed units on site or a payment in lieu of on site delivery in the sum of £378,000.
3. Education: financial contribution in the sum of £28,758.
4. Health: a financial contribution n the sum of £6,454.60
5. Libraries: a financial contribution in the sum of £685.17
6. Construction Training: a financial contribution in the sum of £3,062.41.
7. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions secured for the scheme (£20,848).
8. Highways: if a s278 and/or s38 is required for this scheme then all works and associated costs

are to be met by the developer.

TREES & LANDSCAPING:

Following amendments to the scheme that ensure that the sycamore tree to the front of the site is retained no objection is raised to the proposals, subject to conditions TL3, TL5, TL6 and TL7.

DESIGN & CONSERVATION:

This site, situated close to Uxbridge town centre, and within North Uxbridge Area of Special Local Character, currently accommodates the 'L' shaped, purpose-built, part two, part single storey Child Guidance Centre and, on the other side of a play area, the single storey Hermitage Nursery. It is surrounded by two storey inter war housing on the west side of Lancaster Road, some three storey housing on the east side, and it faces the rear of the commercial properties fronting Belmont Road. The most attractive features on this site are the sycamore tree close to the Nursery entrance and the tall, mature hedge running along the Lancaster Road frontage, both of which relieve the otherwise largely concreted frontages of the properties in the vicinity.

The scheme shows the replacement of the nursery with a long, three storey block of flats on the Bennett's Yard frontage, the height exacerbated by the slope of the site away from Lancaster Road, the bulk by its proximity to the back of the pavement. In addition there would be a modest two storey building on the Lancaster Road frontage, and a front extension to the old Child Guidance Clinic. The tree would be retained, as would much of the hedge, whilst other hedging would be introduced to soften the otherwise bulky and heavily built-up effect of the buildings on the site.

Overall the elevations are considered to be of an acceptable design. Whilst there remain issues of usable amenity space and outlook, these are for consideration elsewhere. No objection is raised.

HIGHWAYS:

The site is located in a PTAL 5 (excellent) area, served by Uxbridge underground station and a number of buses services nearby. 20 car parking spaces are proposed for the development, 19 parking spaces will remain in the same position as existing and will include 2 disabled car parking spaces as well. The applicant has stated that the existing parking area is associated with the existing/previous uses on site. 1 car parking space is proposed adjacent to no. 1 Lancaster Road, its visibility to the north will entirely fall on land within no. 1 Lancaster Road, and to the south drivers visibility will be obstructed by a high hedge. The submitted drawings do not propose relocation of the existing utility cabinet at the proposed access point. Moreover, the proposed crossover at this location will result in an excessively wide crossover when combined with the existing crossover serving the adjoining dwelling, over and above the Council's maximum allowable width of 2.5m for crossovers serving single dwellings. This car parking space should therefore be removed and revised drawings should be requested to be submitted through a suitable planning condition. Considering the site is located in a high PTAL area, 19 car parking spaces for 20 flats is considered acceptable.

The site's permitted use has the potential to generate its own traffic demand during the recognised peak traffic times. The proposals are not considered to result in a significant traffic impact on the capacity of the surrounding highway network.

The development will require refuse vehicles to continue to reverse in to Bennett's Yard, which although is not desirable it is the same as existing when the permitted/previous use of site has a higher potential of pedestrian conflict with vehicles. Moreover Bennett's yard is a relatively quiet no through road off Lancaster Road, which would facilitate this operation.

The proposed cycle storage facilities are considered adequate and acceptable.

Subject to the removal of parking space no.1, there is no objection on the highways aspect of the application.

OFFICERS NOTE: The car parking space and crossover have been removed.

ACCESS OFFICER:

The scheme has been amended following concerns raised by the Council's Access Officer. No objection has been raised subject to standard conditions to ensure that the scheme is built to life time homes standards and that 10% of units are built to wheelchair standards.

ENVIRONMENT PROTECTION UNIT:

The development is introducing a more sensitive use introducing new receptors to the site. No former contaminative use has been identified on site based on Ordnance Survey historical maps, although it should be noted Bennett's Yard is indicated on the western most part of the site in the epoch 6 maps, and the use of the yard is unknown. If a standard contaminated land condition is considered too onerous as a minimum the following import/landscaping condition is advised to ensure the soft landscaped areas are suitable for use. Condition to minimise risk of contamination from garden and landscaped area:

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to the Local Planning Authority for approval.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON

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

WASTE STRATEGY

No objection is raised.

EDUCATION SERVICES

A financial contribution in the sum of £26,941 is required.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Hillingdon UDP Policy R5 states that the Council will not grant planning permission which involve the loss of land or buildings used (or where the last authorised use was) for public or community meeting halls, or religious, cultural and entertainment activities unless adequate, accessible, alternative facilities are available.

The applicant has supplied information that Hermitage Nursery will be relocated to the Hermitage Primary School site on Belmont Road as part of the school's expansion programme. In addition the Lancaster Child Guidance Centre has been out of use since 19/08/2010 and the staff and services have been relocated to Hillingdon Civic Centre.

Given the proposed relocation of the nursery and re-provision of the Child Guidance Centre the loss of community uses on this site is considered acceptable in accordance with Policy R5 of the Hillingdon Development Plan.

7.02 Density of the proposed development

London Plan Policy 3.4 seeks to maximise the potential of sites, compatible with local context and design principles in Policy 7.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in the Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The proposed scheme would have a density of 95 units per hectare or 180 habitable rooms per hectare. This is within the upper end of the London Plan density range (70-130 units per hectare or 250-350 habitable rooms per hectare) based on the site's Public Transport Accessibility Level (PTAL) score of 5. Accordingly, no objection is raised to the proposed density in this instance.

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

The application site is located within the North Uxbridge Area of Special Local Character. The Council's Design & Conservation officer has raised no objection to the scale or design of the proposed development. As such it is considered that any impact on the character and appearance of the ASLC will be minimal. No objection is raised to the appearance of the proposed development.

The scheme is, on balance, considered to sit well within its context, its visual amenities and is considered in keeping with the scale and height of the residential properties which characterise this part of Uxbridge and thereby accords with Policy. It is considered that the design of the proposed development is in keeping with the existing character of the area and would safeguard its visual amenity in line with policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.04 Airport safeguarding

There are no aircraft safeguarding issues resulting from the proposed development.

7.05 Impact on the green belt

The application site is not located in proximity to the Metropolitan Green Belt.

7.07 Impact on the character & appearance of the area

The requirement for 19 units has necessitated a larger building on the Heritage Nursery section of the site, which is both longer, and larger, than the single storey building that it would replace. However, the site is located immediately adjacent to Uxbridge Town Centre, and is located in an area of 2 storey residential dwellings in the form of terraced and semi detached housing as well as a row of terraces fronting Belmont Road with commercial uses at ground floor and residential above. The site is also located in close proximity to Uxbridge Town Centre with the large 3 and 4 storey office building located adjacent to the site and 5 and 6 storey office blocks slightly further to the south on the opposite side of Belmont Road.

Although generally larger, in terms of footprint, than the existing building and surrounding dwellings, it is considered that, by way of the amended facade design together with the scale, design and layout of the proposed development is considered to be in keeping with the existing character of the area and would safeguard its visual amenity in line with policies BE5, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

Policies BE20 and BE24 seek to ensure that new development does not generate adverse impacts in respect to sunlight and privacy. Because of the orientation of the site, and the size and siting of the proposed building, no significant loss of daylight and sunlight to adjoining properties would result from this development. The proposed development is considered to be consistent with Policies BE20 and BE24 of the UDP.

The site adjoins residential properties to the north and is in proximity to dwellings to the north, south and west. The distance to the dwellings to the north is approximately 18.5m. The distance to the properties opposite side of the road will be approximately 16m. The distance to the properties to the south with facing habitable room windows is 21.5m. These distances comply with or exceed the minimum 15m and 21m separation distances suggested as being appropriate in the Supplementary Planning Document HDAS: Residential Layouts. Furthermore the orientation of the proposed buildings in relation the existing properties (the closest residential units are to the north west of the proposed building) would not result in significant loss of light to neighbouring properties.

As such the scheme is not considered to result in any significant loss of amenity to neighbouring properties in accordance with policies BE20, BE21 and BE24 of the Hillingdon UDP saved policies (September 2008).

7.09 Living conditions for future occupiers

Unit Size

The London Plan (July 2011) states that a 1 bedroom 2 person flat and a 2 bedroom 3 person flat should have minimum floor areas of 50sq metres and 61sq metres respectively. The proposal is for 18 x 1 bedroom flats and 1 x 2 bedroom flats. Each 1 bedroom unit has a floor area of between 52.9sq metres and 73.8sq metres with the 2 bedroom unit having a floor area of 61sq metres which accords with the London Plan (July 2011) minimum standard and is as such considered acceptable.

The proposed habitable rooms would all have an adequate outlook and natural lighting, in accordance with policy BE20 of the saved UDP and 5.3 of the London Plan (2011).

Amenity Space

The minimum requirement for private amenity space, as set out in the SPD, is 20sq metres for a 1 bedroom flat and 25sq metres for a 2 bedroom flat of shared amenity space per flat. Therefore the proposed development for 18 one bedroom and 1 two bedroom units would require 385sq metres of amenity space. The proposal provides approximately 412 sq metres of amenity space in a number of forms designed specifically to benefit future residents. The amenity space includes the defensive landscaped areas. This is considered acceptable.

Overlooking/Privacy

The ground floor flats in the new building (where the Hermitage Nursery building now stands) facing onto the car parking area have a 1m defensive space running along the entire frontage of the proposed building. This space will be have planting and will be segregated from the car park area itself by a retaining wall. In order to ensure that these properties will be adequately protected from car headlights, a condition is proposed requesting that details of the defensive space. including measures to ensure ground floor flats are protected from car headlights.

In terms of overlooking, the development achieves the minimum 21m separation

distances in relation to facing habitable room windows and the 15m between habitable rooms and flank walls. In terms of overlooking of habitable room windows within the proposed development itself it is considered that by virtue of the oblique relationship between habitable room windows in Lancaster Centre building, the level of overlooking between flats would be negligible and therefore would not have a detrimental impact on the privacy of future occupiers. As such the scheme is considered to be acceptable in this regard.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The application proposes a total of 19 car parking spaces, including 3 spaces for people with a disability (over 10%). The Council's standards allow for a maximum provision of 1.5 spaces per dwelling. The car parking is provided in the form communal parking. 19 spaces are provided within the existing site car parking area running along the southern boundary and one space adjoining flat 1 on the ground floor, adjacent to no.1 Lancaster Road. The Highway Engineer considers that the amount of car parking (1:1) proposed is considered acceptable given the location of the site adjacent to the Town Centre and within PTAI 5 (excellent). In addition, secure storage for bicycles is proposed. It is recommended that this be secured via condition on any permission. As such, it is considered that the application complies with UDP policies AM9, AM14 and AM15.

The operation the Balmoral Drive/Burns Close/Gledwood Drive junction has been tested in the applicant's Transport Statement, and includes the likely additional development traffic. This concludes that the trip generation from the development can be accommodated on the adjacent highway network. The Council's Highway Engineer therefore considers that the likely traffic from the proposed development can be accommodated satisfactorily within the local highway network.

The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

7.11 Urban design, access and security

Urban Design matters are discussed in detail under paragraph 7.07 of this report.

Security Issues have been incorporated into the design of the development and will be secured by a recommended condition.

The proposed layout and access are considered acceptable.

7.12 Disabled access

Policy 3.8 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards and for 10% of the units to be easily adaptable for wheelchair users.

The Council's Access Officer has reviewed the application in detail and considers that the proposal would represent a development which, subject to a condition requiring further details, complies with Lifetime Homes Standards and would provide a wheelchair unit with two potential access routes. Accordingly, the proposal complies with policy 3.8 of the London Plan and guidance within HDAS - Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

The London Plan states that in estimating affordable housing provision from private residential or mixed-use developments, boroughs should take into account the economic viability of the scheme.

Accordingly, the Council sought advice from an independent and appropriately qualified

financial consultant who has assessed the applicants financial appraisal of the scheme. This assessment has confirmed that in this case the scheme would not be able to provide affordable housing as well as provide for other planning obligations (to mitigate other impacts that would arise from the scheme). Given that the scheme would deliver much needed housing and accord with relevant policies and is in a sustainable edge of centre location, no objection is raised in terms of affordable housing.

7.14 Trees, landscaping and Ecology

There is a large sycamore tree straddling the front boundary of the site which is considered to be of high amenity value. The tree is to be retained and situated within the front entrance area of the proposed residential building. The Council's Trees and Landscape officer has viewed the proposal and raises no objections subject to conditions. The layout indicates that there will be space and opportunity for a high quality landscape scheme in accordance with saved Policy BE38.

Subject to conditions securing an appropriate landscaping scheme, it is considered that the proposed development would enhance the landscaping of the site in accordance with Policy BE38 of the Saved Policies UDP.

7.15 Sustainable waste management

The proposal will provide a refuse and recycling store for residents in two locations. One bin store is located in the south eastern corner of the site for residents of the converted Lancaster block and a second bin store to the front of the property fronting Lancaster Road for residents of the new residential block.

Residents can access these bin storage areas from a path leading to the back of the building and the other from the front of the site. Servicing of the bin store to the front of the building will take place off of Lancaster Road where as the refuse area to the rear would be serviced by refuse lorries.

Adequate details of the refuse and recycling storage arrangements are provided on the submitted plans, and this would be secured by requiring general compliance with the approved plans.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for sustainable Homes Level 4.

The application is supported by an assessment which indicates that the development has been designed to comply with Level 4 of the Code for Sustainable Homes, and achieve. No objections are raised to the details submitted.

A condition to ensure the development meets this standard is recommended in line with policy requirements, and should be controlled via condition or S106 Legal Agreement, should permission be granted.

7.17 Flooding or Drainage Issues

Subject to a condition requiring the use of sustainable urban drainage on site it is not considered that the proposal would give rise to any concerns relating to flooding or drainage.

7.18 Noise or Air Quality Issues

The application seeks permission for a residential development within a residential area. It is not considered that the proposal gives rise to any concerns regarding noise for either future or neighbouring occupiers.

The Council's Environmental Protection Unit have reviewed the submission and raise no concerns in relation to noise subject to noise conditions for the plant and machinery and a sound insulation scheme.

7.19 Comments on Public Consultations

The objections received have been addressed throughout this report.

7.20 Planning obligations

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

The obligations sought are as follows:

1. Mayoral CIL: £25,499
2. Affordable Housing: either 4 x 1bed units on site or a payment in lieu of on site delivery in the sum of £378,000. NB the preference is for the onsite delivery of 4 units.
3. Education: financial contribution in the sum of £28,758.
4. Health: a financial contribution in the sum of £6,454.60
5. Libraries: a financial contribution in the sum of £685.17
6. Construction Training: a financial contribution in the sum of £3,062.41.
7. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions secured for the scheme (£20,848).
8. Highways: if a s278 and/or s38 is required for this scheme then all works and associated costs are to be met by the developer.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

No other issues are considered relevant to the application.

8. Observations of the Borough Solicitor

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

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

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

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for

example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Polices September 2007
HDAS SPD: New Residential Layouts: July 2006
Accessible Hillingdon SPD: January 2010
Planning Obligations SPD: July 2008; and Revised Chapter 4, Education Facilities: September 2010.
The London Plan (July 2011)
Planning Policy Statement 1: Delivery Sustainable Development
Planning Policy Guidance 2: Green Belts
Planning Policy Statement 3: Housing
Planning Policy Statement 9: Biodiversity and Geological Conservation
Planning Policy Guidance 13: Transport
Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation
Planning Policy Statement 22: Renewable Energy
Planning Policy Statement 23: Planning and Pollution Control
Planning Policy Guidance 24: Planning and Noise
Planning Policy Statement 25: Development and Flood Risk

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