

## Report of the Corporate Director of Planning & Community Services

<b>Address</b>	21 HIGH STREET YIEWSLEY
<b>Development:</b>	Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m <sup>2</sup> of office space and 135 m <sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access)
<b>LBH Ref Nos:</b>	26628/APP/2009/2284
<b>Drawing Nos:</b>	201 (Existing Floor Plans) 202 (Existing Elevations & Sections) 208C (Proposed Sections) 209C (Proposed Sections) 210A (Proposed Contextual Site Plan) 214a (Canal Amenity Section) 222c (Proposed Apart-Hotel First Floor Plan) 223c (Proposed Apart-Hotel Second Floor & Office Level 3 Plan) 224d (Proposed Apart-Hotel Third Floor & Office Level 4 Plan) 225f (Proposed Apart-Hotel Fourth Floor & Office Roof Plan) 226f (Proposed Apart-Hotel Roof Plan) Desk Study Report Prepared by WYG dated March 2009 Flood Risk Assessment Prepared by WYG dated 13 March 2009 Transport Assessment prepared by Savell Bird & Axon dated March 2009 Travel Plan prepared by Savell Bird & Axon dated March 2009 Air Quality Assessment Report prepared by White Young Green dated March 2009 Noise Assessment prepared by White Young Green dated March 2009 Energy Statement prepared by White Young Green dated 11 March 2009 Tree Survey Report prepared by White Young Green dated March 2009 Daylight Overshadowing Report prepared by White Young Green dated March 2009 Letter from White Young Green dated 21/10/09 regarding Average Daylight Factor Plots Letter from Savell Bird & Axon ref: 83384/NB/L1 Letter from White Young Green dated 14/10/09 regarding the Flood Risk Assessment Letter from White Young Green dated 14/10/09 relating to the Air Quality Assessment Letter from White Young Green dated 14/10/09 relating to Groundwater Preliminary Risk Assessment Letter from White Young Green dated 14/10/09 relating to the Noise Assessment 206G (Proposed Elevations) 207D (Proposed Elevations) 211C (Unit Layouts) 212C (Lobbies Layout) 213g (Canal Amenity Area Plan & Elevation) 220m (Proposed Apart-Hotel Lower Ground & Office Level 1 Plan) 221g (Proposed Apart-Hotel Ground Floor & Office Level 2 Plan) Revised Design & Access Statement prepared by Dunthorne Parker Architects dated 27/11/09

Revised Planning & Consultation Statement prepared by Turley Associates  
dated November 2009  
Letter from Savell Bird & Axon ref: 83384/NB/L1

<b>Date Plans Received:</b>	16/10/2009	<b>Date(s) of Amendment(s):</b>	16/10/2009
<b>Date Application Valid:</b>	16/10/2009		22/10/2009
			01/12/2009

## 1. SUMMARY

This application seeks outline planning permission for the redevelopment of the site to provide a mixed-use development comprising a 4-storey 1,320m<sup>2</sup> office block, a 5-storey 44-unit apart-hotel, and a 135m<sup>2</sup> restaurant/bar. Details of access have been provided at this stage with details of appearance, landscaping, layout and scale reserved for future consideration.

The site is situated in a prominent location with boundaries to the High Street, Bentinck Road and the Grand Union Canal. Its redevelopment is considered to be an important opportunity for the long-term regeneration of Yiewsley/West Drayton Town Centre, and the enhancement of this part of the canal and the streetscene.

This is a resubmission of a scheme which was refused in July 2009 following concerns over the visual impact of the development on the appearance of the street scene and the setting of the Grand Union Canal, due to its size, scale, height and design.

Several amendments have been made to the design of the scheme, including a reduction in height, setting back of the fourth floor of the office development and provision of a more active frontage to the canal, in order to address previously raised concerns. In addition, following consultation with the Yiewsley and West Drayton Town Centre Action Group and the Yiewsley Community Involvement Group, amended plans have been submitted which most notably include the provision of a restaurant/bar facility as suggested by residents to allow greater activity along the High Street and canal frontage.

No objections are raised to the principle of the development and it is considered that the previous concerns have been fully addressed. The proposal would now be visually acceptable in this location, significantly contributing to the enhancement of this part of the Grand Union Canal and surrounding area.

There would not be any significant detrimental impact on the amenity of nearby residential properties and the parking and access arrangements are considered to be acceptable.

The proposal is considered to comply with relevant planning policies and, as such, approval is recommended subject to conditions and the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act

1990 as amended to secure contributions towards highway, town centre, public realm improvements, healthcare facilities and the provision of construction training in the borough.

## **2. RECOMMENDATION**

**That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:**

**A. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:**

**(i) A 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a bond quantum of £18,500.**

**(ii) A contribution of £10,000 towards public realm/town centre improvements.**

**(iii) A contribution of £20,000 towards canal improvements and/or the Waterspace Strategy.**

**(iii) A contribution of £16,000 towards construction training.**

**(iv) A contribution of £2,776.65 towards the management and monitoring of the resulting agreement.**

**B. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.**

**C. That the officers be authorised to negotiate the terms of the proposed agreement.**

**D. That, if the S106 agreement is not completed by the application expiry on 15/01/2010 that, under the discretion of the Director of Planning and Community Services, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.**

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

### **1 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).

### **2 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) Layout

(b) Scale

(c) Appearance

(d) Landscaping

REASON

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

**3            OUT3            Approval of Details**

Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto 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).

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

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

REASON

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

**5            OM2            Levels**

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

REASON

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

**6            M1            Details/Samples to be Submitted**

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

REASON

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

**7            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 buildings are occupied. Development shall be carried out in accordance with the approved details.

#### REASON

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

### **8 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.

### **9 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:-

- 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,
- Full details of the roof garden and green wall,
- 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).

### **10 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).

### **11 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).

### **12 DIS1 Facilities for People with Disabilities**

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

#### REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

### **13 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 R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

### **14 DIS3 Parking for Wheelchair Disabled People**

Development shall not commence until details of parking provision for wheelchair users, have been 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 people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM5 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.

### **15 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).

### **16 H10 Parking/Turning/Loading Arrangements - Commercial Devs.**

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

#### REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the

London Plan. (February 2008).

**17 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

**REASON**

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

**18 NONSC Cycle storage provision**

Prior to the commencement of the development, details of covered and secure cycle storage provision for 40 cycles (for use by staff and visitors to both the offices and apartment-hotel) shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed in accordance with the agreed scheme prior to the first occupation of the buildings hereby permitted and thereafter permanently retained and maintained for so long as the development remains in existence.

**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.

**19 NONSC Height limitation on buildings and structures**

No building or structure of the development hereby permitted shall exceed 67.93m AOD.

**REASON**

Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome contrary to Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007. For further information see Advice Note 1 'Safeguarding an Overview' available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp).

**20 NONSC Landscaping**

No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)). These



details shall include:

- any earthworks,
- grassed areas,
- the species, number and spacing of trees and shrubs,
- details of any water features,
- drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes' (SUDS) (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)),
- others that you or the Local Planning Authority may specify having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SUDS.

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

#### REASON

To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the application site, in compliance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

### **21 NONSC Canal side buffer zone**

Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the Grand Union Canal shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone in accordance with drawing no. 1027.213g;
- details of the planting scheme (locally native species only of UK genetic provenance);
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term;
- details of any footpaths, fencing, structures, lighting etc.

#### REASON

In compliance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because in urban areas in particular, rivers and canals have often been degraded by past development. This condition is necessary to secure the enhancement of the buffer zone, and nature conservation value, along the Grand Union Canal in line with national planning policy (Planning Policy Statement 9).

### **22 NONSC Contamination**

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.

Due to previous historical usage of the site, an intrusive site investigation should be carried out. This should characterise the site and provide information as to the level and nature of contamination present on and in the site.

Based on the result of the site investigation, a strategy for remediation should be drawn up. This should give details of the works that need to be done and the method statement.

#### REASON

To ensure that the occupants of the development, and users of the surrounding area, are not at risk from contamination in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

### **23 NONSC Contamination**

Prior to commencement of 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.

#### REASON

This would ascertain the effectiveness of the remedial strategy in mitigating the effect of the contaminants, thus reducing the risk to controlled waters in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**24 NONSC Contamination**

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 unexpected 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.

**25 NONSC Contamination**

No infiltration of surface water drainage into the ground is permitted other than 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.

**REASON**

In compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and to protect the water environment. 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.

**26 NONSC Contamination**

Piling or any other foundation designs using penetrative methods shall not be permitted other than 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 groundwater. The development shall be carried out in accordance with the approved details.

**REASON**

This is to avoid creating preferential pathways that could expose controlled waters to contamination in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**27 NONSC Landscape management plan**

Prior to the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

**REASON**

In compliance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and to protect the natural features and character of the area and identify opportunities for enhancement of biodiversity in line with national planning

policy in PPS9.

**28 NONSC Native species planting**

All planting within 5 metres of the Grand Union Canal shall be of locally native plant species only, of UK genetic origin.

**REASON**

In compliance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because the use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

**29 NONSC Lighting**

There shall be no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat. To achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 5 metres of the top of bank of the watercourse are maintained at background levels. The Environment Agency considers background levels to be a Lux level of 0-2.

**REASON**

To minimise light spill from the new development into the watercourse or adjacent river corridor habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat, and in particular is inhibitive to bats utilising the river corridor, contrary to Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**30 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 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).

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 of the development are not subjected to any risks from land contamination in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

### **31 NONSC Canal wall condition**

Prior to the commencement of the development hereby approved a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified shall be submitted to and approved in writing by the Local Planning Authority, in consultation with British Waterways. Any heritage features and materials identified by the survey shall be made available for inspection by British Waterways and where appropriate, preserved in situ or reclaimed and re-used elsewhere on site or on a nearby waterway wall. The repair works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

#### **REASON**

In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity in compliance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

### **32 NONSC Health and safety during construction**

Prior to the commencement of development a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with British Waterways. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

#### **REASON**

To ensure the safety of workers and members of the public during the demolition and construction of the development in compliance with the Construction (Design and Management) Regulations 1994.

### **33 NONSC Landscaping**

No development shall take place on site until full details of the proposed landscaping scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, any signage and information boards together with the means of on-going maintenance for a five year period. The approved landscaping scheme shall be implemented by the first planting scheme after the development commences.

#### **REASON**

In the interest of preserving open views to and from the canal, the living environment for future residents and the canal setting in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **34 NONSC CCTV and lighting**

Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development.

#### REASON

In the interest of crime prevention, ecology, visual amenity and the canal setting and in compliance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

### **35 NONSC Waterborne transport**

Before development is commenced, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclates). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

#### REASON

To encourage the use of the canal for transporting waste and bulk materials in accordance with Blue Ribbon Network Policies 3C.25 & 4C.8 of the Consolidated London Plan, 2008.

### **36 NONSC Length of occupancy**

The apart-hotel units hereby approved shall be used solely as serviced apartments and shall not be used as separate residential units or for any other purpose. Furthermore, before the apart-hotel units are brought into use, a management plan detailing the booking system for the serviced apartments shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall include:

- i) the maximum permitted stay in the serviced apartments,
- ii) a system for keeping a register of customer bookings and a means by which the local planning authority can check the register to ensure that the maximum permitted stays are enforced.

The units shall be operated in accordance with the approved management plan.

#### REASON

To ensure a sub-standard form of accommodation is not permitted for long-term residential use, contrary to Policies BE20, BE21, BE23 and BE24 of the Hillingdon Unitary Development Plan Saved Policies September 2007, Policy 3A.6 of the London Plan (Consolidated with Alterations since 2004), and the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Layouts.

### **37 NONSC Noise**

Before the development hereby permitted commences details of air extraction and/or air conditioning systems to be installed (with respect in particular to noise levels of the equipment installed and noise migration measures) shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety before the hotel is brought into use and maintained as such thereafter unless written agreement is given to any variations from the Local Planning Authority.

#### REASON

To safeguard the amenity of the users of the proposed building given already high background noise levels around the application site in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**38 NONSC Noise**

Before the development hereby permitted commences the hotel bedrooms shall be insulated in accordance with a scheme to be agreed in writing by the Local Planning Authority. The scheme shall provide sound insulation of not less than 35dB(A) against external noise. The approved scheme shall be implemented in its entirety before the hotel is brought into use and maintained as such thereafter unless written agreement is given to any variations from the Local Planning Authority.

**REASON**

To safeguard the amenity of the users of the proposed building given high background noise levels around the application site in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**39 NONSC Hours of deliveries and loading/unloading**

The premises shall not be used for deliveries and the loading or unloading of goods outside the hours of 0800 hours and 2200 hours Monday to Friday, and 0800 hours and 1800 hours on Saturdays. There shall be no deliveries, loading or unloading of goods on Sundays, bank holidays and public holidays.

**REASON**

To safeguard the visual amenity of surrounding areas in compliance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**40 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).

**41 NONSC Electric charging points**

Prior to commencement of the development hereby approved, details of the installation (including location and type) of at least two secure vehicle charging points within the car park must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed prior to occupation of the development and retained for the lifetime of the building.

**REASON**

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

**42 NONSC Delivery and servicing plan**

Prior to commencement of development details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours.

**REASON**

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**43 SUS2 Energy Efficiency Major Applications (outline where energy s**

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 20% of the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within 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).

**44 NONSC Parking management strategy**

Prior to occupation of the development a car parking management strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented as soon as any of the uses hereby permitted are brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

**REASON**

To ensure the efficient operation of the parking facilities, especially at peak demand periods, in accordance with Policies Am2 and Am14 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**45 NONSC Wheelchair accessible bedrooms**

Notwithstanding the plans hereby approved, a minimum of four rooms shall be designed to be fully wheelchair accessible. Full details of the location and layout of these rooms



shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

**REASON**

To ensure that adequate facilities are provided for people with disabilities in accordance with policies Am13 and R16 of the Hillingdon Unitary Development Plan Saved Policies September 2007, London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5 and guidance within the Council's Supplementary Planning Document: Accessible Hillingdon.

**46 NONSC Grey water recycling**

Prior to commencement of development full details showing how grey water recycling 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 grey water recycling facilities shall be maintained and retained for the lifetime of the building.

**REASON**

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

**47 OM17 Litter Bin Required**

The use hereby permitted shall not commence until the owner has made arrangements, to be submitted to and approved in writing by the Local Planning Authority, for the provision of a litter bins within and in the vicinity of the site.

**REASON**

To ensure that adequate provision is made for the disposal of litter likely to be generated by the proposed development, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**48 OM18 Litter Picking Required**

A schedule of 'litter picking' shall be submitted to and approved by the Local Planning Authority and carried out for as long as the use hereby permitted is in existence.

**REASON**

To ensure the satisfactory disposal of litter and waste, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 152 Compulsory Informative (1)**

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

**2 153 Compulsory Informative (2)**

No objections are raised to the principle of the development and it is considered that previous concerns relating to the scheme have been fully addressed. The proposal would be visually acceptable in this location, significantly contributing to the enhancement of this part of the Grand Union Canal and surrounding area. There would not be any significant detrimental impact on the amenity of nearby residential properties and the parking and access arrangements are considered to be acceptable.

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.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE36	Proposals for high buildings/structures in identified sensitive areas
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
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
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

### **3            11            Building to Approved Drawing**

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

### **4            12            Encroachment**

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

**5**            **13**                            **Building Regulations - Demolition and Building Works**

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

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

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

#### **12            125                    Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

#### **13            134                    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](http://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](http://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](http://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](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

#### **14            146            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 (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

#### **15            147            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).

#### **16            160            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](http://www.aoa.org.uk/publications/safeguarding.asp))

#### **17**

You are advised that should a scheme for Closed Circuit Television (CCTV) be proposed for the site, you should liaise with the Metropolitan Police Crime Prevention Officer to ensure that this is compatible with the Council's CCTV system.

#### **18**

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

#### **19**

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments', which can be requested by telephoning 020 8507 4321.

#### **20**

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

#### **21**

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

#### **22**

The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

## 23

Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting rivers and canals and the river corridor habitat, and in particular is inhibitive to bats utilising the river corridor.

There should be no light spill from external artificial lighting into Grand Union Canal or adjacent canal corridor habitat. To achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 5 metres of the top of bank of the watercourse are maintained at background levels. We consider background levels to be a Lux level of 0-2.

## 24

The applicant is advised that any discharge of surface water into the waterways requires British Waterways's written permission before development commences. Please contact Ben Loader on 0207 985 7288 for further information.

## 25

The applicant/developer is advised to contact British Waterways's third party works engineer, in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways's Code of Practice for Works affecting British Waterways (<http://www.britishwaterways.net/media/documents/CoPIntroductions1-4.pdf>).

## 26

The building envelope of the development hereby approved should have adequate insulation against external noise to ensure satisfactory noise levels in the guest accommodation units and any staff accommodation. The Council's Supplementary Planning Document on noise contains advice on satisfactory noise levels. These are daytime noise levels of not more than 35 dB LAeq,T for indoor living areas, and night-time noise levels of not more than 30 dB LAeq,T and 45 dB LAmax inside bedrooms. Adequate ventilation should be provided with windows closed.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises a three-storey 1980's brick-built office block and associated car parking, which is currently undergoing demolition, on an irregularly shaped approximately 0.2 hectare plot on the eastern side of the High Street in Yiewsley. The building provided 1,610sq.m of office space and 51 parking spaces. The site is bounded to the north west by Union Walk, a relatively newly built 5-storey residential development; to the north/north-east by the Grand Union Canal, beyond which is a vacant site formerly occupied by a public house/club, and Morrisons Supermarket; to the south east by the High Street, which is largely characterised by a mix of retail, office and residential uses; and to the south west by Bentinck Road, beyond which are service areas serving the rear of shops and residential properties along the High Street, and Global House, a large office building. Whilst of a relatively poor quality, specimen trees along the High Street and

Bentinck Road frontage help to soften the built form and have some amenity value in this urban environment.

The site is within walking distance of West Drayton Station, which is located less than 200m to the south east, and provides regular overland rail services to London Paddington, with an average journey time of 20 minutes.

The immediately surrounding area is largely characterised by a mix of development ranging between 3 and 5-storeys in height and incorporating a mixture of retail, office, community and residential uses.

The site falls within the Yiewsley/West Drayton Town Centre, and the Hayes/West Drayton Corridor, as shown on the Hillingdon Unitary Development Plan Proposals Map.

### **3.2 Proposed Scheme**

Outline planning permission is sought for the redevelopment of the site to provide a mixed use development comprising a 44 unit apartment hotel, 1,320m<sup>2</sup> of office space, 135m<sup>2</sup> of restaurant/bar use and associated parking and landscaping. Details of access have been provided at this stage, however, details of appearance, landscaping, layout and scale are reserved for future consideration.

The scheme would essentially comprise the erection of a four-storey office block located towards the south east side of the site, with frontages to the High Street and Bentinck Road, and an adjoining larger 5-storey block, fronting the Grand Union Canal and comprising the 44 apart-hotel units and the restaurant/bar facility.

The plans indicate the apart-hotel block would comprise a reception area, a 135m<sup>2</sup> A3/A4 restaurant/bar facility for use by both hotel guests and members of the public; a small 15m<sup>2</sup> office; WC facilities; 6 units on the ground floor; 9 units on the first floor; 10 units on the second and third floors; and 9 units on the fourth floor. Each unit would comprise a bedroom, living area with small kitchenette, bathroom and balcony.

A roof terrace comprising decking, seating and planting would be provided on the roof of the office block to provide a communal amenity area. A large communal amenity area comprising decking, seating and planting would also be provided at lower ground level overlooking the canal. Smaller communal amenity areas would also be provided at ground floor level adjacent to the north west and south west elevations of the apart-hotel block.

35 car parking spaces, including 4 disability standard spaces, would be provided at lower-ground level under the apart-hotel block. 14 of these would be allocated to the office use and 21 to the apart hotel. Overnight and on weekends there would be little or no demand for the office parking and, as such, this would be managed and allocated to users of the restaurant and hotel. 40 bicycle parking spaces would be provided for use by the offices and apart-hotel, and shower and changing facilities would be provided within the proposed office building. Vehicular access to the site would be provided from Bentinck Road towards the north western side of the site. The main pedestrian access into the site would be alongside the proposed office building, also via Bentinck Road.

Covered refuse and recycling facilities would be provided at the front of the building.

The main changes between this and the previously refused scheme relate to a reduction



in the height of the apart-hotel of 2m; the set back of level 4 of the offices along both the High Street and Bentinck Road frontages; a reduction in the scale and bulk of the roof at the north west end of the building; provision of an office/bar facility and increased glazing to the hotel reception area to create a more active frontage along the Grand Union Canal and High Street; and the voluntary offer of £9,533 from the applicant towards local public health facilities, which was agreed following detailed discussions with local residents' groups.

### **3.3 Relevant Planning History**

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

The site has an extensive planning history dating back to the 1970s. However the most relevant applications can be summarised as follows:

26628/APP/2008/1922 - Redevelopment of site to provide 1,472m<sup>2</sup> of office floorspace and a 46 unit apart-hotel scheme - Withdrawn 14/10/08 following concerns raised by officers over the ability of the scheme to enhance the visual amenities of the canal and its role as a wildlife corridor and accessible recreational space.

26628/APP/2009/557 - Redevelopment of site for a mixed use development comprising a 46 unit apartment hotel and 1,344m<sup>2</sup> of office space, with associated access, car parking and landscaping (outline application) - Refused 06/07/09 due to the development's size, scale, height and design which would have an adverse impact on the appearance of the street scene and setting of the Grand Union Canal.

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

- Hillingdon Unitary Development Plan Saved Policies September 2007
- London Plan (Consolidated with Alterations since 2004)
- Planning Policy Statement 1 (Delivering Sustainable Development)
- Planning Policy Statement 6 (Planning for Town Centres)
- Planning Policy Guidance Note 13 (Transport)
- Planning Policy Guidance Note 22 (Renewable Energy)
- Planning Policy Guidance Note 24 (Planning and Noise)
- Supplementary Planning Guidance - Community Safety by Design
- Supplementary Planning Guidance - Noise
- Supplementary Planning Guidance - Air Quality
- Supplementary Planning Guidance - Planning Obligations
- 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.   |
| PT1.18 | To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough. |
| PT1.26 | To encourage economic and urban regeneration in the Hayes/West Drayton  |

- Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.
- PT1.28 To encourage the provision of a range of hotel and conference facilities provided development does not harm the environment.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

#### Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- 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
- BE31 Facilities for the recreational use of the canal
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- BE36 Proposals for high buildings/structures in identified sensitive areas
- 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
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- 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
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **23rd November 2009**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

## External Consultees

Consultation letters were sent to 248 local owner/occupiers, the Yiewsley and West Drayton Community Involvement Group, the Yiewsley and West Drayton Town Centre Action Group, and site and press notices were posted.

A 10 signature petition in support of the scheme, signed by local businesses, has been submitted by the applicant.

10 letters of objection, including two from the same person, have been received. The following concerns are raised:

- i) This scheme is the same as that previously proposed.
- ii) This will generate additional traffic and parking issues.
- iii) Bentinck Road is one-way. This is already abused with cars exiting the road the wrong way to access the High Street. More signage should be provided to prevent this. It would also mean traffic would pass through a quiet residential area before existing onto busy Tavistock Road.
- iv) A hotel is not necessary in this location as there is ample hotel provision near Heathrow.
- v) Yiewsley is already overcrowded with an increasing amount of development resulting in less space for residents.
- vi) The noise from an extremely busy High Street will disturb guests.
- vii) There is no housing for staff and nowhere for them to park their vehicles when on duty.
- viii) Ruislip, Ickenham and Stockley Park provide quieter areas for such development.
- ix) A perfectly sound construction has been allowed to be demolished.
- x) The hotel operator/developer is not well known and puts a very dubious spin on the word hotel.
- xi) Other parts of the borough would not be happy to have this development in their High Street, but Yiewsley and West Drayton are hit again with people it doesn't need in an already overcrowded High Street.
- xii) Insufficient parking will increase pressure for on-street parking.
- xiii) A permit parking scheme is being introduced to Bentinck Road which will increase the pressure for parking on surrounding roads.
- xiv) There is already existing pressure on public transport from nearby developments at Porters Way and Waterside.
- xv) A hotel would create 24 hour disruption for residents and office users in the area.
- xvi) Increase in litter.
- xvii) A high volume of traffic, including HGVs, already use Bentinck Road.
- xviii) This area has significantly increased in population over the past few years and many sites are being redeveloped into flats.
- xix) Increasing the transient population of Yiewsley will add to the lack of local pride in the area and the continual deterioration of the local environment.
- xx) Yiewsley has no facilities which would encourage users of the hotel to spend money in the area other than takeaways and food shops.
- xxi) Yiewsley needs quality developments, not low-class transient accommodation.
- xxii) The location is better suited for permanent residential use.
- xxiii) The proposed building will be too big for the surrounding area which is already dominated by large/high office buildings and residential buildings.
- xxiv) The development will be overpowering when viewed from Bentinck Road, the High Street and canal.
- xxv) There is no need for additional office space as there are already vacant offices nearby.
- xxvi) The apart-hotel units are in effect studio flats and the developers could reapply for planning permission to turn the hotel into a residential building as has happened elsewhere.
- xxvii) The area cannot accommodate additional residential dwellings as it is already too congested.
- xxviii) On occasions there are three articulated lorries waiting to access the Tigi site, blocking the road and parking on the pavement. With additional delivery vehicles accessing the site the road could become impassable causing considerable congestion.

xxiv) Increased risk to highway and pedestrian safety.

xxx) Pollution from the additional vehicles would be a hazard to the public and could affect the local school.

xxxi) Waste disposal would result in additional vehicles to the site and if not disposed of properly it could attract vermin, rats and mice which would be a health hazard.

xxxii) The building would be an eyesore adding to the overdevelopment of the area.

A letter of objection has also been received from the Yiewsley and West Drayton Town Centre Action Group which raises the following concerns:

a) The apart-hotel should provide facilities such as a bar/restaurant which would also be open to the general public.

b) The site would be better served with a 'bone-fide' hotel which would provide a more positive economic and employment opportunity for the town.

c) The hotel should fully comply with relevant criteria to ensure it is fully accessible to all.

d) Inadequate parking.

e) The developer states there will be provision for 35 cars and 40 bicycles. The application form states there will be 39 spaces and 40 bicycle spaces.

f) Opinions of members relating to design, height and density were either neutral or negative.

g) The developer states there will be a maximum of a 90 day stay for guests. A planning condition should be included in any approval to ensure a minimum/maximum stay.

h) If the scheme does not prove to be viable the owners may resort to extending the facility to long-term residents. Planning conditions should be attached to any approval to ensure that a change of use would be subject to a further planning process and consultation.

i) The demolition of the existing building prior to completion of the planning process has created another wasteland in the town centre.

j) The developers statement that 'if this application is turned down, then the owner may withdraw' should have no bearing on the consideration of the application.

In addition a letter of objection has been received from the Yiewsley Community Involvement Group, which raises the following concerns:

- Appearance, Scale and Character

1) Whilst the existing building is dull and uninspiring it does at least present a solid, sustainable frontage

2) The existing building is fairly modern, holding open plan office space, which is adaptable and extremely reusable without redevelopment.

3) At present the building dwarfs the adjacent UB7 Club on the opposite bank of the canal and is at least one storey higher than the parade of shops next to it in the High Street.

4) This site was historically retail with flats over, but when Harrier House was permitted it was judged that employment was needed more than retail. This formed a break in the shopping area at the centre of the two towns. If the building is to be returned to a 'mixed use' it should be with a return to retail on the ground floor to readdress this situation.

5) The planned replacement buildings do not present a substantial development. They appear to be predominantly wood, glass and board structure on a steel frame. This would not be an improvement to the townscape even if it were to be on a similar size and capacity.

6) This is not a rebuild it is a total redevelopment involving 2 additional floors fronting the High Street, and 3 floors of additional space on the canal frontage.

7) The road rises to accommodate the canal bridge and the present buildings dominate that corner and all buildings around. It does not form a gateway to Yiewsley. Nor will the more overpowering and dominating replacement building, which will be even taller.

8) This is not a 'compact cityscape' as described in the application. It is an urban development, which needs to reflect human values and scales if retail activity is to be encouraged.

9) The building will be substantially higher than adjacent two-storey buildings, and the Union Walk apartments.

10) The 'soft corner' treatment is interesting but does not in any way forgive the hard harsh block

like appearance planned. The development is out of character and scale with its surrounding, and would be more suited to a docklands enterprise site not the urban surrounding here.

11) The proposal represents an over density of development and an example of corporate greed at its most obvious.

12) Far from representing a 'gateway' to Yiewsley it will add to the barrier that this building has already formed and be even more dominating.

#### - Retail, Economic Contribution and Employment

13) The applicant claims the development will enhance the prosperity of the community. There can be no gain of prosperity from an emergency housing development placed in the middle of a main shopping area.

14) Historically this frontage was an uninterrupted retail fascia. It should be returned to that to comply with the London Plan's expectations that the two towns should form one centre.

15) The site is designated as office or employment use. This produces more employment than hotel use, especially since this appears to be a development of hutch style self-catering units rather than having any pretensions to be a hotel at all.

16) This redevelopment will decrease not increase the contribution to local employment. If local jobs for local people is the mantra of the sustainability of town centres then this should remain as office space or return to retail use.

#### - Density, Floorspace Allocation and Car Parking Provision

17) The proposal does not comply with the minimum floorspace requirements for apartments with only the two mezzanine units being 58m<sup>2</sup>. There are therefore 44 miniscule units.

18) It is claimed there will be 1,472m<sup>2</sup> of office space, yet adding up all the floors a total of 1,892m<sup>2</sup> is reached. The existing building has 1,610m<sup>2</sup>. To add 280m<sup>2</sup> of office space and also 46 self catering units is a substantial increase in space.

19) Originally this application had to comply with car parking regulations to provide 52 spaces (1-30m<sup>2</sup> ratio). Now despite some 2,488m<sup>2</sup> of additional space only 37 spaces are proposed to meet the needs of office and hotel staff and guests (although given no restaurant, bar or other services would be provided there would be few staff required).

20) There is no allocation for staff cars. Some staff do overnight shift work and may need to a car because public transport is unavailable. There are also safety implications.

21) The travel plan suggests that staff could car share. If there are no spaces for staff how does sharing a car help?

22) It is claimed there are no standards for apart-hotels to comply with on room size or car parking provision. However there are standards for hotels and conference centres, for office use and for residential apartments and some sort of correlation must be made. None appears to be possible with such ridiculous figures presented for the journeys created in association with this development.

Giving the use a new name does not change its impact or the regulations that must be complied with. The local residents already have long standing complaints about on-street parking created by the rail station. This can only exacerbate the present situation and is on those grounds alone completely unacceptable.

23) In the London Plan 1 space to 100m<sup>2</sup> of office space calculations 18 of the 37 spaces should be allocated to the office use leaving just 19 spaces for staff and guests in the hotel. This is unrealistic. It is also unrealistic to expect guests with suitcases to arrive by bicycle and make use of the bike parks supplied.

24) It is suggested that staff will use taxis, however, it is unlikely they will be able to afford this unless the hotel management is prepared to foot that expense.

25) Policies AM14 and AM15 of the UDP are not complied with.

#### - Transport, Congestion and Disabled/Public Access

26) Public transport in this borough is very poor which is why it has the highest level of car ownership in London. The location of this development close to the rail station does not preclude the need to supply parking. The surrounding roads are all congested, and cannot cope with either

the journeys this will entail or the on street parking it will create.

27) There is no allocation of spaces for delivery vehicles, linen and laundry services, taxis and post.

28) It is suggested that 93% of staff who currently use a car will be targeted to use other means of transport. It is also suggested that there is a cycle path through the High Street, and along the canal to Uxbridge and to Paddington and Brentford. However, the only green cycling lane in Yiewsley High Street is a small stretch approximately 18inches long. If this is supposed to be a realistic proposition for guests and staff the developer is living in cloud cuckoo land.

29) It is 300 yards between the station and the hotel. This is too far to struggle with luggage and no taxi would help for such a short fare.

30) Many doors are too narrow for wheelchairs (700mm-800mm). Only a child's wheelchair is 600mm. This does not comply with requirements for access.

31) The four disabled spaces are insufficient for wheelchair users and in the wrong location.

32) The balconies, the only private amenity spaces, are 5m<sup>2</sup> and less than 2ft deep, which is not wide enough for a wheelchair.

33) The roof space amenity area is only 45.15m<sup>2</sup> shared between the offices and 46 flats.

34) There is no disabled access to the flat roofed amenity space. The 111-117 apartment development further up the High Street was refused on this basis and this should be too.

35) The development does not 'increase the public realm and access to the canal' as claimed. The London Plan requires a linear park of 8m in width and that developments alongside canals are for water linked activities. This is not complied with. The increased access appears to be 1m in width. To allow public access as claimed a deeper set back is required.

36) The Transport Plan claims less cars come out of the hotel each day than go in, and more come out of the offices than go in. There would appear to be no data to back these claims and the figures suggested are unrealistic.

37) Horton Road, High Street, Bentinck Road and Tavistock Road are all extremely congested and do not have capacity to cope with more traffic.

38) The site has a PTAL of 2. PPS guidelines suggest developments predicted to create heavy traffic should be located in high PTAL areas, reflecting ease of access by several forms of transport.

39) The development is not accessible to car users.

- Energy usage, material re-use, rubbish disposal and carbon footprint

40) There would be two high void areas over the reception areas both of which will use energy to heat light and ventilate unneeded space. Emphasis should surely be put on developments to comply with energy saving designs which do not waste space in high ceilings and showy glass atriums. The office floors are 15ft high which is over generous.

41) There is no detail given on the reuse of materials to comply with the 10% requirement and the sense in demolishing a perfectly modern, usable and flexible building to replace it with something much less substantial would appear to be crazy. It certainly does not represent low carbon footprint building which encourages the reuse of buildings and conservation of materials.

42) The design produces corridors, hallways, bathrooms and kitchens all without any source of natural light. This adds to the energy consumption of each unit.

43) It is suggested that photovoltaic cells will be used to cut the energy usage by some 19.8% however these are not shown on the plans.

44) The applicant toys with the idea of preheating water with heat pump technology using canal water. This is not a good use of the canal and circulating water containing viles disease through a domestic water heating system is not a suitable suggestion.

45) Inadequate bin storage - there are only 14 bins with a capacity of 43sq.m.

- Compliance with legislation, Statement of Community Involvement

46) The development should fit into the environment without irreparable harm, it should be appropriate to the area and centre in which it is placed, and it should be directly related to the role and function of the centre and its catchment.

47) The developers seem to have lost the point that this area has already filled the GLA new

housing target for the entire borough six times over in the last two years. There is therefore considerable strain to the environment and healthcare system. No form of accommodation can be developed in this area without adding to that already unacceptable deprivation.

48) UDP Policy SH23 clearly details the loss of industrial and office space throughout Yiewsley and West Drayton in recent years. PPG4 encourages the development of small business units and these premises would appear ideal for this sort of use.

49) The developer has completely ignored the requirements of the Statement of Community Involvement. There has been no attempt to contact any community groups, there has been no advertising of the project, and no exhibition or presentation. It would appear to be an attempt to slide through an obviously unacceptable development in the guise of much needed hotel space for the 2012 Olympics as quietly as possible.

50) Guests will find accessing the games very difficult from this location.

51) According to Lord Wolf the lack of community involvement alone is reason for refusal of a planning application. Communities should be involved 'at the earliest possible point' and 'when it could make a material difference' as the legislation says. This is not consultation it is presentation of a completed plan with the express desire to obstruct any local objections or views by sneaking it through in disguise.

52) PPG13 encourages local jobs for local people therefore cutting reliance on car journeys, yet the development cuts job possibilities in an area which has already lost the majority of its employment to out of town retail developments.

53) The use of London Plan Policy 43.1 to justify the development as part of a 'compact city' is to misrepresent the policy. This applies to centre locations not Greater London urban development. This is not a high rise area and this is unsuitable development on that basis.

#### - Notification, Advertising and Information Availability

54) Once again this development has not been advertised in a paper circulated in the area. The notification to groups did not go out until after the planning department was contacted and asked for details. Yet again a major application is submitted without the information being made available in the library as the legislation requires.

#### - Misrepresentation, Honesty and Intent

55) The development is clearly not a hotel. If it is to be such it does not provide the services, space or parking required. If it is to be used as apartments for emergency housing objections are raised to this use in this location and the dishonesty of the approach. If as mentioned in the submission it is to be used for conference use then this is also unacceptable since the services for that are clearly not supplied. You cannot dictate that all your customers will use their feet, a bus or a train to visit the hotel or conference centre. This is a clear attempt to mislead the public and committee members and should be exposed as such and dismissed.

56) There are many features of this so-called hotel development, which will mean it cannot compete with other hotels in the area. Then an alternative use will be sought and this is clearly the idea behind this now.

It should be noted that the concerns raised by the Yiewsley Community Involvement Group are identical to those submitted in relation to the previous scheme at this site, and do not appear to reflect the changes which have been made to the scheme.

Notably the applicant has carried out extensive consultation, including holding a public exhibition and meeting with local community groups. Following a meeting with The Yiewsley and West Drayton Town Centre Action Group and representatives from the Yiewsley Community Involvement Group amended plans were submitted which took on board some of the issues raised and most significantly incorporated the provision of a restaurant/bar facility. Following receipt of these plans 249 residents were reconsulted. Three letters of objection have been received following the second consultation. The following concerns were raised:

- i) The creation of a bar and restaurant facility means the parking will be even more inadequate and that there will be more disruption to residents.
- ii) The change in plans begs the question of what else the developer will decide to add.
- iii) Increase in noise.
- iv) Increase in traffic.
- v) There are numerous hotel developments close to Heathrow.
- vi) This development will make a bad situation 10 times worse and access from the High Street will cause even more congestion in an already overcrowded area.

A second letter of objection has also been received from the Yiewsley and West Drayton Town Centre Action Group which makes the following additional comments:

- i) The inclusion of a bar/restaurant facility is welcomed.
- ii) The design would be out of keeping with the local environs.
- iii) Very limited information is provided regarding improvements to the canal frontage.
- iv) The community should be consulted on any future changes to the outline application, if approved.

The applicant has forwarded a letter of response to the amended plans of objection has also been received from the Yiewsley Community Involvement Group which makes the following additional comments:

- i) The bar/restaurant is a vast improvement but the canalside area should be developed to extend the seating area.
- ii) There is no DDA compliant access to the office element and doorways and corridors do not comply with relevant DDA regulations.
- iii) Conditions to cover the following should be added:
  - Health contribution to be used for the new health centre in Yiewsley only (not for the PCT)
  - The green spaces and town enhancement element of the S106 should go specifically towards clearing and improving the canal.
  - Conditions to limit noise associated with the bar/restaurant.
  - A 90 day restriction.
  - A restriction to prevent the drying of laundry on balconies.
- iv) An outdoor drying area should be provided as the development is for flats.
- v) The application should be withdrawn to reflect the required changes and new consultation carried out.

#### ENVIRONMENT AGENCY

No objection subject to conditions regarding the provision of a buffer zone along the canal and contamination.

#### BRITISH WATERWAYS

British Waterways supports the principle of the redevelopment of the site subject to an appropriate legal agreement to secure the financial contribution towards the waterspace masterplan and conditions regarding the waterway wall, submission of a risk assessment and method statement, landscaping, CCTV, and a freight feasibility study.

#### BAA SAFEGUARDING

No objection subject to a condition regarding landscaping and an informative regarding cranes.

#### NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection.



MINISTRY OF DEFENCE (MOD)  
No objection.

THAMES WATER  
No objection subject to informatives regarding surface water drainage and water supply.

### **Internal Consultees**

#### **URBAN DESIGN OFFICER**

The redevelopment of this centrally located site, situated in close proximity to the Grand Union Canal is considered to be an important opportunity for the enhancement and long-term regeneration of Yiewsley town centre. The application site is situated in a very prominent, exposed town centre location, at the interface of the High Street and the Grand Union Canal. The northern part of the scheme is positioned along the waterfront, whilst the eastern elevation faces the High Street, with the entrance to the commercial building found on the corner of the High Street and Bentinck Road. Given the important and sensitive location, the highest level of design quality is required for the re-generation of this site.

From an urban design point of view the principle of re-developing this centrally located brownfield site is supported, as it presents an interesting opportunity to actively enhance the character, appearance and functionality of the local townscape and the adjacent canal environment. The application site is located in a prominent position by the Colham Bridge, at the gateway to Yiewsley.

The Grand Union Canal (GUC) is an attractive landscape element of strategic importance, which strongly contributes to the quality and amenity of the Yiewsley townscape. The GUC possesses a strong potential for further enhancement in a local as well as regional perspective, for residents, town centre visitors and recreational users alike.

The Urban Development Plan requires any waterside development to complement the visual qualities of the canal in term of scale, bulk, layout and materials, and through the development optimise the visual relationship between the built environment and the canal setting (BE32 (iii), BE32(vi)). The integrated approach to waterside developments and their setting, as well as the importance of creating active watersides and ground level frontages, all form part of the London Plan's Blue Ribbon Network Policies (Policy 4C.20 Design - starting from the water).

The scheme, which is a re-submission of a previously refused scheme, is considered to fully address the issues involved regarding the lack of integration between the proposed development and the canal side setting, the interface between the two major built elements and the visual impact from northwest, as manifested in the character and appearance of the building from the waterway. The key objective from an urban design point of view is to ensure that the scheme would enhance the visual amenity and townscape character in the area in the long-term perspective.

As a result, an ancillary restaurant/bar facility has been integrated along the canal frontage for residents as well as the general public to enliven the character of the canal side elevation. From an urban design point of view the integration of this facility is considered to enhance the functionality and visual appearance of the building. The provision of a green, yet formal waterside terrace to create a 5 meter buffer zone along the Grand Union Canal provides an important feature of the scheme.

From an urban design point of view, the proposed scheme is considered to address previous concerns with regards to the general layout, design aspects of the built elements as well as open spaces and the interface with the canal. The current proposal is considered to reinforce the green

natural character along the waterway, and to continue the enhancement of the townscape character in the area by a contemporary, mixed use town centre regeneration scheme. The generous and attractive open space along the waterfront as well as the indicative boundary treatment with well designed, contemporary steel railings at the water edge and wave shaped wrought iron lattice at the rear of the terrace will accommodate an interesting façade, which also forms a strong connection to the canal. Well designed details, high quality materials and finishes, as well as a well chosen colour palette will be vital for the final success of the scheme. An element of public art would help to reinforce an active frontage along the Grand Union Canal and to engage artists in the townscape renewal.

There are no objections to the scale, height or the design approach of the scheme, which has undergone a number of revisions with regards to the juxtaposition and interface between the rectangular hotel component along the GUC and the curved commercial element at the corner of Bentinck Road. The corner element provides a distinct form which is well balanced between creating an interesting feature in the streetscene, whilst still integrating well in terms of scale and height with the existing built context. The scheme has undergone a reduction in height and scale compared with the previously submitted proposal. As a result the tower element has been reduced in height and the massing of the corner element has been broken up and redesigned into a more refined and interesting composition as seen from the Grand Union Canal. This elevation also benefits from an additional roof terrace on the second floor. The cylindrical element, which now appears more slender, gives a contrasting lift to the elevation. The ridge height in relation to the adjacent building has been reduced and creates a smooth integration of the proposed development with the existing built context.

The indicative design shows a waterside development with a reminiscence of a typical wharf character in terms of appearance, scale and position along the watercourse. The proposal is characterised by typical narrow gable features and a multi-pitched roof structure, an approach which creates a strong sense of place, as well as instantly reduces the bulk and scale of the building. The wharf style design cue is strongly supported from an urban design point of view, and is considered to enhance the character and appearance of the immediate streetscape, as well as contributing to the long-term improvement of the larger townscape context.

Samples of all building materials including hard landscape materials as well as a coordinated colour scheme should be required by way of condition.

#### HIGHWAY ENGINEER

The site has a PTAL value of 2/3 and is within 200 metres of West Drayton Station. Four bus routes can be accessed for the High Street or Station Approach.

Car parking spaces are being reduced from the existing 52 to 35. 14 spaces were to be allocated to the office use in accordance with the maximum permitted under LBH parking standards that would leave 21 for the apart-hotel and restaurant. A condition is required for the submission of a Car Parking Management Plan that reflects the optimum use of the parking spaces considering the complimentary parking demands of the uses.

40 cycle parking spaces are to be provided. These should be in a covered and secure area.

The development is expected to generate less trips during peak hours than the existing permitted use.

A 10 year Travel plan is required in accordance with current TfL guidance to be delivered under a Section 106 agreement.

No objections are raised on highway/traffic grounds.

#### TREES/LANDSCAPE OFFICER

The Design & Access Statement sets out the landscape objectives. This includes the provision of replacement tree planting, an attractive canalside amenity area, decking and planting to the roof terrace, a 'green wall' on the west facade and areas of hedge/shrub planting. The design images illustrate the effective use of timber, stainless steel and glazing juxtaposed with planting.

The proposed footprint of the new building is similar to the previous application. Drawing No. 220i indicates the external spaces associated with the groundfloor, including soft landscaping (planting) to the car park, off Bentink Road and canalside enhancements (hard and soft). Drawing No. 225f shows illustrative hard and soft landscape enhancements to the amenity space on the roof terrace above the offices. Illustrative sections are provided on drawing Nos. 206F, 207c, 208c, 213f and 214a which show the softening effect of the trees and other landscaping against the building.

Although the proposal involves the loss of the existing trees, they are of insufficient quality, value or useful life expectancy to constrain the development. The plans and illustrative material indicate that tree replacement will be included within the landscape proposals. The submission shows a commitment to a high quality landscape scheme and amenity areas which will benefit both the site occupiers and the local environment in accordance with saved policy BE38.

A substantial amenity space will be in the form of a roof garden with decking and planting. While the information submitted so far is illustrative only, this space will require attention to detailing to ensure that the space is both functional and attractive to users.

No objections are raised subject to conditions TL4, TL6 and TL7. Details of the design and specification of the roof garden should be included.

#### ACCESS OFFICER

The development demonstrates commitment to the principles of access and inclusion.

#### POLICY AND ENVIRONMENTAL PLANNING

##### - Site

The site is located in the secondary frontage of Yiewsley and West Drayton Town Centre in the Hayes/West Drayton Regeneration corridor. To the north of the site is the Grand Union Canal - a Nature Conservation Area of Metropolitan Importance with a road bridge going over the Canal. The southern part of the site is within flood zone 2 and there are land contamination issues.

##### - London Plan Consolidated with Alterations since 2004 (2008)

The London Plan seeks to develop London's economy and employment opportunities at the strategic level. Policy 3D.7 looks for improvements to visitor accommodation and facilities provision. Policy 3D.8 seeks to maintain the protection of London's Green Belt.

##### - Land-Use

In establishing the principal for an office/ apart hotel development, the key issues are the loss of the existing office floorspace, the suitability of the site for a more intensive development, the impact on the Grand Union Canal, the flood risk, environmental and highway considerations.

##### - Loss of the Office Use

There are no specific policies which protect office buildings outside designated employment areas. The scheme would result in a slightly smaller office development. In view of the current strong

office supply there would be no objection to the proposed reduction in the amount of office floor space.

- Hotel Need

Part 1.28 of the UDP Saved Policies 2007 and Policy T4 establishes the principle for hotel and conference facility provision. With the move towards the 'Plan, Monitor and Manage' approach to planning, the recent GLA Hotel Demand Study (2006) identifies an indicative need for 3,800 new hotel rooms in Hillingdon (of which 800 would replace older accommodation) during the period 2007-2026. It is further predicted that the majority of this estimate will be required by 2012. PPS6 supports hotel type development in town centres as they can contribute to the viability of the centre. Moreover the site is close to West Drayton station which would facilitate visitor access to the proposed development. Heathrow Airport is a destination in its own right. Consequently the principle for a large hotel can be established provided site specific issues are addressed including the criteria of policy T4.

- Impact on the Grand Union Canal

Immediately to the north of the site is the Grand Union Canal. This forms a Green Chain which is protected by Policy OL11 Green Chains and a site of Nature Conservation Interest (Saved Policies EC1 and EC3). One of the key criteria of Saved Policy OL11 in respect of this application is criteria 3 which seeks to conserve and enhance the visual amenity and nature conservation value of the landscape. Similarly Saved Policy BE32 Grand Union Canal, has more specific criteria which looks for buildings which compliment the visual qualities of the canal. Consequently you are advised to consult the urban design and landscape officers to ensure that the scheme will not harm the visual amenities or environmental conditions of the canal.

- Flood Risk

Part of the proposal site lies within flood zone 2. The accompanying Flood Risk study observes that the risk is minimal. Officers should consult the Environment Agency to confirm that the scheme and mitigation measures are safe and appropriate.

- Air Quality

The proposal site is located in an Air Quality Management Area. The accompanying air quality report assesses the local potential pollutants. However it does not incorporate the effect of the CHP system. Environmental Protection would need to assess the accompanying air quality assessment.

- Noise

In accordance with noise related policies OE1 and OE3 development will only be permitted if the impact is mitigated within acceptable noise levels. The Environmental Protection Unit would need to assess the impact of noise.

- Contaminated Land

Officers would need to be satisfied that ground contamination is adequately addressed in accordance with UDP Saved Policy OE11.

- Renewable Energy

The 2008 London Plan Policy 4A.7 requires that schemes should reduce carbon emissions by 20% through the use of renewable technologies. A CHP/CCHP communal system with photovoltaic array is proposed which has the potential for a 20% reduction of carbon emissions. This would be considered to meet the policy requirement.

- Highways

The proposed scheme would have no adverse impact on traffic or transportation matters according to the Transport Assessment. Highways should be satisfied that the scheme would not have a detrimental effect on highway safety or present capacity issues.

- Conclusion

No objection in principle provided site specific issues are addressed.

#### ENVIRONMENTAL PROTECTION UNIT

- Air quality

Whilst the site falls within an Air Quality Management Area, the development is for a relatively small 46-room apart-hotel development and there would be a significant reduction in the number of car parking spaces over the existing office use. In addition, the site has good transport links into central London and many of the clientele are likely to be business people (some of whom are likely to be from outside the UK) using the premises for longer periods than that of a traditional hotel, and are unlikely to travel by car. As such, it is likely there would be a significant reduction in traffic generation from the site, particularly during peak hours. This is verified by the Transport Assessment. Therefore, it is considered that the development would have a negligible impact on air quality.

- Noise

The noise report indicates that the majority of the site is in Noise Exposure Category C according to the noise exposure categories for new dwellings in PPG24. This is an indication that the site is unsuitable for new residential use because of high road traffic noise levels. It is therefore important that the development is only used as offices and a hotel, and that longer term residential occupancy is not allowed. I would suggest restricting the length of hotel apartment occupancy and also ensuring that the units remain as 1-bedroom units and that any separate studios are not used as additional bedrooms. A condition could also be considered requiring longer occupancies, for example, of more than 4 weeks to use rooms at the back of the hotel where the noise environment is better.

- Contamination

There is a possibility that there may be some contamination present at the site and, as such, an appropriate condition to ensure a site survey and appropriate remediation works are carried out should be attached to any consent granted.

#### S106 OFFICER

Proposed heads of terms:

- A 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a bond quantum of £18,500.
- A contribution of £10,000 towards public realm/town centre improvements
- A contribution of £20,000 towards canal improvements and/or the Waterspace Strategy.
- A contribution of £16,000 towards construction training.
- A contribution of £9,533 towards local Primary Care Trust healthcare facilities.
- A contribution of £2,776.65 towards the management and monitoring of the resulting agreement.

#### WASTE STRATEGY

The application is for a commercial development and, as such, the business that occupies these premises ultimately has discretion over the waste management methods they intend to use. However, as a minimum the development should include room to locate recycling facilities for all grades of paper and cardboard, cans, plastic bottles, glass bottles and jars.

## **7. MAIN PLANNING ISSUES**

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

The merits of establishing a mixed use scheme incorporating both office and apart-hotel

uses on the subject site are contained within policies of the Unitary Development Plan Saved Policies September 2007 (herein after referred to as the 'UDP').

Part 1.23 of the UDP encourages offices and other business uses, shops and public buildings employing or attracting large numbers of people to locate within town centres or other areas identified for such purposes. The site already contains an existing office and, as such, this use is already established on the site. Although, the scheme would result in a loss of 290m<sup>2</sup> of office floor space, the qualitative improvement in terms of layout, size and type of business units proposed within the development is supported and considered sufficient to offset this loss. Notably Officers in the Council's Policy and Environmental Planning Team have raised no objections, and no objections have been raised to previous similar proposals at this site on these grounds.

In terms of the proposed apart-hotel Pt1.28 and Policy T4 of the UDP encourage appropriate hotel and conference facility provision in the borough. Policy T2 of the UDP encourages the provision of a range of accommodation and conference facilities on sites easily accessible from Heathrow airport, underground and railway stations and from the main road network provided the development does not conflict with the aim to maintain and improve the environment. In addition the London Plan 2008 identifies a need for a net increase of 40,000 hotel rooms across London, and the provision of new visitor facilities is encouraged by Policy 3D.7. The Greater London Authority Hotel Demand Study (2006) also identifies a need for additional hotel accommodation in London, the majority of which would be required by 2012. As such, providing site specific issues can be met no objections are raised to the principle of providing an apart-hotel on this site.

Policy S12 of the UDP states that in secondary shopping areas A3 uses will be acceptable providing; the remaining retail facilities are adequate to accord with the character and function of the shopping centre; the proposed use will not result in a separation of class A1 uses or a concentration of uses which could harm the vitality of the town centre; the proposed use provides a substantial element of its services to the public; and the use is appropriate to the role and function of the shopping centre and is likely to contribute to its attractiveness for shoppers. In this instance the provision of a restaurant/bar facility at the site, which would be open to the public as well as hotel users, is considered to be a positive aspect of the scheme which would provide a more active site frontage and increase the vitality of this part of the town centre. It is considered to comply with relevant UDP and London Plan policies which encourage a mix of uses within secondary shopping areas and, as such, the principle of providing a restaurant/bar facility as part of the wider scheme at this site is considered to be acceptable in principle.

The letter of objection from the Yiewsley Community Involvement Group states that the increased apartment accommodation is inappropriate when there is already a surplus of such accommodation in the area, and that the change of use on any part of this site should be returned to retail use so as to provide a continuous retail frontage. The letter states that the scheme is contrary to the London Plan's aspirations for Yiewsley and West Drayton to be combined as one.

Dealing firstly with the issue of an over supply of accommodation within the vicinity, it should be noted that the GLA Hotel Demand Study (2006) identifies an indicative need for 3,800 new hotel rooms in Hillingdon (of which 800 would replace older accommodation) during the period 2007-2026. It is further predicted that the majority of this estimate will be required by 2012. While the Hayes and Harlington Goods Yard development in Hayes will provide for some additional apart-hotel units prior to 2012, a large proportion of existing hotel facilities are concentrated within the immediate vicinity of Heathrow, and there is no

evidence to suggest that there is an over supply of accommodation in Yiewsley/West Drayton.

The Local Development Framework Background Technical Report Tourism Study (January 2007) states that the expansion of visitor accommodation and facilities in the Heathrow Area is largely constrained both by competition from other land uses (especially airport related activities) and land use designations including Green Belt and employment land. The study identifies opportunities within other areas within the vicinity of Yiewsley/West Drayton, including Stockley Park Phase 3 for establishing visitor accommodation. This indicates support for establishing this land use within this part of the borough. Hayes and Uxbridge are both also identified as areas where visitor accommodation could be established.

The Yiewsley Community Involvement Group also states that the site should be returned to retail use so as to provide a continuous retail frontage and that the scheme is contrary to London Plan policies to combine Yiewsley and West Drayton town centres.

Table A1.1 of Appendix 1 of The London Plan (2008) identifies broad classifications of town centers, according to their current roles in the town centre network and in relation to the roles of other centres, including those outside London. Yiewsley/West Drayton town centres are identified as a district town centre. There is no specific policy support within the London Plan that advocates the merging of the town centres of Yiewsley and West Drayton.

The site is located within a secondary shopping area as designated in the UDP. This is an area which is peripheral to the primary centre and in which shopping and service uses are more mixed. However, Class A1 shops should still be the majority use. Whilst there is a general presumption supporting the retention of existing retail uses within the secondary shopping area, the site contains an existing B1 office use and will not result in the loss of retail use on site. There is no policy presumption supporting the replacement of existing office uses with Class A1 retail uses in situations where office uses are established on site. While the importance of town centres for retailing is acknowledged, town centres also play a wider role in promoting other employment generating uses which in themselves can promote associated economic benefits to the town centre and surrounding area.

Notably Policy 3D.6 of the London Plan 2008 encourages the siting of visitor accommodation outside Central London to be located in town centre and other locations, with good public transport links. Overall, there is no objection to the principle of establishing a mixed use scheme comprising B1 office, apart-hotel and A3/A4 uses on this site, and the proposal is considered to comply with relevant UDP and London Plan policies relating to this matter.

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

The Greater London Authority has confirmed that the density matrix under Table 3A.2 of the London Plan 2008 is not applicable to residential uses other than C3 uses. In the case of a mixed use scheme incorporating serviced apartments, the height and bulk of the development will be crucial for achieving an acceptable design response for this site and its immediate setting.

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

N/A. The site does not fall within an Archaeological Priority Area and there are no Conservations Areas, listed buildings, or Areas of Special Local Character within the

vicinity of the site.

#### **7.04 Airport safeguarding**

BAA Safeguarding, National Air Traffic Services (NATS) and the Ministry of Defence (MoD) have been consulted and confirmed that the proposed development would not conflict with airport safeguarding criteria subject to conditions.

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

N/A. The site is not within close proximity to any Green Belt land.

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

Policy BE13 of the UDP highlights the importance of designing new development to harmonise with the existing streetscene.

Policy BE26 states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

The surrounding area is characterised by a mix of development ranging from more traditional rows of terraced properties with retail at ground floor level and residential or office use above, to more modern and larger scale commercial and residential buildings.

The application site is situated in a very prominent, exposed town centre location, at the interface of the High Street and the Grand Union Canal and its redevelopment is considered to be an important opportunity for the enhancement and long term re-generation of Yiewsley town centre. The northern part of the scheme is positioned along the waterfront, whilst the eastern elevation faces the High Street, with the entrances off Bentinck Road. Given the important and sensitive location, any re-generation scheme involving this site needs to demonstrate the highest level of design quality.

The principle of re-developing this brownfield site is supported, as it presents opportunities to actively enhance the character, appearance and functionality of the local townscape and the adjacent canal environment.

The proposed site layout consists of two main structures, located at right angles to each other and joined together at the corner fronting the High Street and the Grand Union Canal. A four storey office development is proposed along the High Street, whilst a five storey, 44 unit apartment hotel development is proposed along the Canal.

The scheme promotes two distinct building forms. The office block, along the High Street, would take on a more morphologic and irregular shape, and the entrance at the corner of Bentinck Road would be emphasised by a tower-like feature, with a distinct roof element. By way of comparison, the canal edge block would take on the character of a more typical wharf style building in terms of scale and position along the watercourse, with typical narrow gable features and a multi-pitched roof structure.

In terms of height and scale, the apart-hotel has been reduced in height by 2m overall, and by 4.2m adjacent to the adjoining Union Walk building, since the previous application at this site. It is considered to respond well to that of surrounding developments, including the adjacent four-storey flatted development along Bentinck Road and also fronting the canal, and also flats and offices fronting the canal at the opposite side of the High Street. Its height would now be very similar to that of the adjacent residential building and is considered to be totally acceptable in this location. It is not considered that the proposed apart-hotel would element of the scheme would appear as unduly prominent or out of character with its surroundings in this location. Similarly the four-storey office element of



the scheme, which would front the high street, is considered to be acceptable in terms of height, scale and mass, and it is not considered that it would be out of keeping with the character or appearance of surrounding development within the vicinity or detrimental to the visual amenities of the area.

The proposed restaurant/bar facility is considered to be a positive addition to the scheme and with fully glazed windows would create a lively frontage to the canal. The addition of this to the scheme has resulted in the loss of one of the apart-hotel rooms and the internal rearrangement of the reception area at ground floor level. This has resulted in additional glazing to the reception area along the High Street frontage which it is considered similarly helps to create a more active frontage within the street scene and more welcoming approach to the building.

A 5m wide, 162m<sup>2</sup> amenity area comprising decking, tree planting, landscaping and seating would be provided along the length of the apart-hotel overlooking the canal. This would be accessed at ground floor level and also via the stairwell, restaurant and car park. This is considered to be a significant improvement over the existing situation and it would significantly contribute to the visual amenity of the scheme and enhance the character and appearance of this part of the canal. The provision of the communal amenity area overlooking the canal, the provision of balconies to the apartments, the proposed roof garden, and the restaurant/bar facility will all contribute to creating a more lively and more interesting canal frontage. It is considered that the proposed development has sufficiently overcome previously raised concerns regarding the interaction between the development and the adjacent canal and it is not considered that refusal could be justified on this basis. Notably no objections have been raised by British Waterways or the Environment Agency and the Council's Urban Design Officer is supportive of the scheme. It should be noted that this is an outline application with details of appearance, landscaping, layout and scale to be reserved for future consideration. As such, opportunities to further enhance the quality of the amenity areas and the visual amenities of the scheme can be taken at the detailed design stage.

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

In terms of impacts on the amenity of neighbouring properties, given the proximity of this development to the adjoining Union Walk (residential flats to the north-west), there is the potential that occupiers of this building may be impacted upon by this scheme.

The apart-hotel block will present a flank wall to the adjoining Union Walk development, which is to be complemented with a green wall finish. However, it is not considered that the scheme will impact upon the internal living environment of adjoining residents, especially given that the apart-hotel block steps back from the adjoining boundary and does not have any habitable windows facing towards the Union Walk development. Furthermore, there is no external amenity space at ground level immediately adjacent to the adjoining development.

It is concluded that there will be no undue loss of light or privacy to, or outlook from, these properties as a result of the erection of the new building. As such the scheme is considered to be in accordance with Policies BE19, BE20, and BE21 of the UDP.

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

Policies relating to living conditions largely relate to residential developments, and there are no specific guidelines relating to hotel guest accommodation. Nevertheless it is important to ensure that suitable accommodation would be provided for future occupiers.

Each apartment would comprise a bedroom, living room with small kitchen area, and bathroom. The majority of these units would be 45m<sup>2</sup>, although the corner units would be larger at 54m<sup>2</sup> and 70m<sup>2</sup> respectively. Each unit, except the corner units, would also have a 5m<sup>2</sup> balcony. This compares with a minimum floorspace requirement of 33m<sup>2</sup> for a residential studio flat, and 50m<sup>2</sup> for a one-bedroom flat, as outlined in the Hillingdon Design and Accessibility Statement: Residential Extensions. Given the transient nature of hotel guests, albeit that apart-hotel guests may be longer-term than those using a traditional hotel, this is considered totally acceptable to meet their needs.

Approximately 780m<sup>2</sup> of communal amenity space would be provided across the development, approximately 550m<sup>2</sup> of which would be provided by way of a roof garden above the office block, and approximately 160m<sup>2</sup> of which would be provided alongside the canal. In addition 42 of the units would have 5m<sup>2</sup> balconies. This equates to a total of approximately 1,000m<sup>2</sup> of amenity space across the development. Whilst most of this space would be communal for use by office staff and hotel guests, it is considered to be totally sufficient to serve the needs of occupiers of the development, especially given the short-term nature of the accommodation. It should be noted that there are no amenity space guidelines for commercial developments, including hotels, however, if this were a residential scheme of 44 1-bedroom flats the developer would only be required to provide 880m<sup>2</sup> of amenity space.

The application includes a Daylight Overshadowing Report, which assesses the internal living environment for future occupiers and concludes that the orientation of the apart-hotel block would allow an adequate level of sunlight into each of the units.

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

The Council's Highway Engineer raises no objection to the development in terms of the layout and design of the scheme or the impact of the traffic generated on the highway network. While it is acknowledged that the surrounding road network is subject to parking issues and traffic congestion at times, the existing site has a total of 52 parking spaces and, as such, it is not considered that the proposal would result in a greater impact than the existing office use established on site, which forms an important baseline against which the traffic generated by this scheme should be assessed.

The proposal includes provision for Travel Plan initiatives as part of the scheme in order to reduce the reliance on the private car by occupiers of the apart-hotel and office development. This will be implemented over a 10-year period in the event that the scheme is approved.

On the basis of these initiatives and in light of the site's PTAL rating of 3, the Council's Highways Engineer has no objection to the proposed level of car parking, subject to the proposals in the Travel Plan being secured by an appropriate planning condition. Adequate refuse, recycling and cycle storage facilities are shown to be provided within the scheme together with parking facilities for people with disabilities.

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

Matters relating to urban design have in part been discussed in section 7.6 of this report. It should also be noted that details relating to scale, appearance and layout are reserved for future consideration.

The previous scheme at this site was refused due to concerns raised over the buildings size, scale, height and design, which it was considered would have an adverse impact on

the appearance of the street scene and setting of the Grand Union Canal.

In order to address these concerns, the revised scheme incorporates a floor to floor reduction in height of 150mm for the apartment hotel element, thus reducing the building's by 2m. A further change involves reducing the corner of the block, adjacent to the adjoining residential block, Union Walk, by 4.2m, which ensures a more integrated design approach in terms of height, massing and scale.

In relation to the impact on the streetscene, the fourth floor element of the office block has been set back by approximately 1m to reduce its impact in terms of scale and mass. The plans indicate that planting would be provided on the ledge/recess created by this, which would further help to break up the mass of the building. This is considered to contribute positively to the scheme, enhancing the visual appearance of the development by creating a more interesting façade and helping to reduce the perception of the scale and mass of the building.

In addition to the above changes the applicant has incorporated a restaurant /bar facility into the scheme at ground floor level and increased the level of glazing overlooking the canal and High Street. This creates more active and lively frontages which are important to the visual amenities of the area and help to increase the vitality of this part of Yiewsley.

The plans indicate that the development would make use of high quality modern contemporary materials both on the buildings themselves and in the hard landscaping around the site. The Council's Urban Design Officer has confirmed that the changes sufficiently address the previously raised concerns and that the scale, height and design of the proposed building is totally acceptable in this location. The development is considered to enhance the visual amenities of the canalside and would be in keeping with the character and appearance of surrounding development.

#### **7.12 Disabled access**

The applicant's Design and Access Statement confirms that the scheme will be fully wheelchair accessible at all levels including the canal side amenity area and that the development will comply with relevant criteria within BS 8300:2009 'Designing for the Disabled' and BS 9999 conforming to the means of escape regulations. The Design and Access Statement confirms that 2 en-suite rooms would be fully wheelchair accessible. However, the Council's Access Officer has confirmed that in compliance with BS8300:2009 four wheelchair accessible rooms should be provided. As such, should approval be granted a condition would be attached requiring the applicant to provide a minimum of four wheelchair accessible rooms. Notably no objections were raised to the previous schemes on accessibility grounds. Despite this the applicant has submitted a more detailed Design and Access Statement with this application which takes on board comments raised by the Council's Access Officer.

The development includes 4 disability standard parking spaces which complies with current Policy requiring 10% of all spaces to be to this standard.

Further information regarding disabled access can be provided at the detailed design stage, and appropriate conditions are therefore proposed should approval be granted.

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

Not applicable to this type of development.

#### **7.14 Trees, landscaping and Ecology**

The Design and Access Statement submitted with the application sets out design objectives for the appearance and landscaping of the development. Whilst landscaping is a matter reserved for future consideration, the application sets out landscape objectives to support the development and includes the provision of trees along the Bentick Road frontage, the provision of amenity space along the canal side, the provision of a roof garden (planting and decking), a green wall on the west facade, together with the planting of smaller trees and shrubs where space permits around the building.

The plans, elevations and sections show indicative landscaping, including the provision of large specimen trees in selected locations around the ground floor of the building on the canal side and on the Bentinck Road/car park frontage. It is considered that the application safeguards sufficient space, and identifies appropriate objectives, for the provision of a high quality landscape scheme which will enhance the character and appearance of the development, canal and surrounding area. Notably the Council's Trees/Landscape Officer has raised no objections subject to conditions requiring the submission of a fully detailed landscape scheme and details of long-term maintenance.

#### **7.15 Sustainable waste management**

As the application is for commercial development the site occupiers ultimately have discretion over which waste management methods are used. The plans indicate that a 34m<sup>2</sup> refuse storage area will be provided in the car park area adjacent to the western boundary of the site, although limited details have been provided at this stage. Sufficient space appears to have been provided for suitable refuse facilities. Full details of waste and recycling facilities would be required by way of condition should approval be granted. Notably, no objections have been raised by the Council's Waste Strategy Team.

#### **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 Statement with the application, which shows that a number of measures would be incorporated into the scheme to reduce its energy demand. These include the integration of sustainable design measures such as use of passive solar design, use of carefully selected materials, use of high specification insulation and windows and use of energy efficient lighting, etc. In addition the applicant has investigated the use of renewable energy sources in order to reduce the site's carbon emissions. A 20% reduction in carbon emissions would be achieved through use of photovoltaic panels and a centralised CHP/CCHP system. This is considered to comply with London Plan policy.

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

Part of the site falls within Flood Zone 2 and, as such, a Flood Risk Assessment has been submitted with the application. The Environment Agency have confirmed that they have no objections to the proposed development subject to conditions regarding drainage and contamination. As such, it is not considered that the proposed development would lead to an unacceptable increase in the risk of flooding within this area.

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

- Noise

The applicant has submitted a noise assessment prepared by White Young Green. The

report identifies that the majority of the site falls within PPG24 Category C during the day and Category B in the evening. The noise assessment incorporates recommendations for the future design of the scheme to employ appropriate noise mitigation in the form of double glazing and trickle ventilation. These recommendations can be included as conditions in the event that the scheme is approved.

The scheme is not considered to impact upon the amenity of adjoining residents given the existing use of this site and the design response promoted on site.

- Air quality

The site falls within an Air Quality Management Area and, as such, the applicant has submitted an Air Quality Assessment. This confirms that the development is unlikely to have any detrimental impact on local air quality and that a suitable environment would be provided to guests. Officers in the Council's Environmental Protection Unit have confirmed that given the reduction in trip generation from the site, due to both a reduction in the number of car parking spaces, and the likely clientele the hotel would attract, who would be less likely to travel by car, the development would have a negligible impact on local air quality. In fact, it could be argued that given the likely significant reduction in vehicle trip generation from the site, the proposal could have limited benefits to local air quality. For this reason a Section 106 contribution towards air quality mitigation measures in the area could not be justified in this instance.

## **7.19 Comments on Public Consultations**

- Comments on letters of objection from residents:

Points (i), (ii), (iv), (v), (vi), (xii), (xiii), (xv), (xxiii), (xxiv), (xxv), (xxiv), (xxx), (xxxi) and (xxxii) of the concerns raised in the letters of objection have been addressed in the report.

Point (iii) raises concerns over the potential increased abuse of the one-way system on Bentinck Road and the increase in traffic which would pass through residential areas as a result of the access off Bentinck Road. Significantly less car parking spaces are proposed than existed for the previous use on the site. As such, it is not considered that the development would exacerbate this problem.

Point (vii) raises concerns over the lack of accommodation for staff at the hotel and lack of parking for them. Should approval be granted the applicant would be required to submit a parking management strategy to demonstrate how parking would be allocated to the different uses on the site. It is anticipated that the majority of staff would live relatively locally and, as such, would be easily able to access the site by alternative modes of transport to the private car. There is no requirement for staff accommodation to be provided on site.

Point (viii) suggests that other quieter parts of the borough would be more suitable for this type of development and point (xi) suggests other parts of the borough would not be opposed to this development if it was proposed in their High Street. Every application must be assessed on its merits. No objections have been raised to the principle of development in this location or on noise grounds.

Point (ix) raises concerns over the demolition of the existing building. This would not have required planning permission.

Point (x) questions the hotel operator/developer and use of the site. The Council has no

reason to believe the site would not be used as an apart-hotel and office as described in the application. Any change of use would require planning permission.

Point (xiv) raises concerns over the increased pressure the development would put on public transport. It is not considered that the proposed development would significantly increase pressure on public transport over and above the existing use. The development complies with current planning policies aimed at encouraging the use of alternative modes of transport to the private car.

Point (xvi) raises concerns over a potential increase in litter. It is not considered that the development would result in a significant increase in litter over and above the existing use.

Nevertheless, should approval be granted conditions 47 and 48 would require the developer to address this issue.

Points (xvii) and (xxviii) suggest that a high volume of traffic, including HGVs already use Bentinck Road. It is not considered that the proposed development would lead to an increase in traffic and HGVs using Bentinck Road over the existing use of the site.

Point (xiii) raises concerns over the increasing population of Yiewsley and number of residential developments in the area. Every application must be assessed on its merits. No objections have been raised to the principle of the development in this location.

Points (xix), (xx) and (xxii) suggest that increasing the transient nature of the population will add to the continued deterioration of the local environment, and that high quality developments are required. It is considered that this development presents an important opportunity for the regeneration of this part of the town centre and the enhancement of the canal and High Street.

Point (xxii) suggests the location would be better suited to permanent residential use. No objections are raised to the principle of this development. A proposal for permanent residential use on the site would require a new planning application.

Points (xxvi) and (xxvii) raise concerns over the hotel potentially becoming residential use. A separate planning application would be required to change the use of the hotel to residential accommodation. Condition 36 restricts the length of occupancy by guests to 3 months as the units are unlikely to be acceptable for long-term residential use.

Point (xii) suggests that there is no need for additional retail outlets as there are already unoccupied units in the High Street. No retail units are proposed as part of this scheme.

Point (xiii) suggests that the site should be redeveloped to meet the needs of local people. There is no requirement for the developer to provide a community facility on this site and no objections are raised to the principle of the development.

- Comments on concerns raised by the Yiewsley and West Drayton Town Centre Action Group:

Points (a), (b), (c), (d), (f), (g), (h) and (i) have been addressed above and/or in the body of the report. Point (j) is noted. Point (e) raises concerns over a discrepancy relating to the number of parking spaces. The plans clearly show that 35 car parking spaces would be provided, as do the supporting documents.

- Comments on concerns raised by the Yiewsley Community Involvement Group:

The letter submitted by the Yiewsley Community Involvement Group raises a number of issues relating to appearance, scale and character (points 1-12); retail, economic contribution and employment (points 13-16); density, floorspace and car parking provision (points 17-25); transport, congestion and access (points 26-39); energy usage, rubbish disposal, and sustainability (points 40-45); and compliance with legislation, statement of community involvement (points 46-53). The majority of these points have been largely addressed in the report. Those that have not been discussed are addressed below.

- Point 35 states that the London Plan requires an 8m wide linear park and that the development alongside the canal should be water linked activity, which the development does not comply with. The scheme does not increase the public realm and access to the canal as claimed.

Officer comments: Neither the London Plan nor the UDP require the establishment of an 8 metre linear park. There is no minimum set back requirement from the canal under policy OL11 (Green Chains). Officers have also thoroughly reviewed section 4C of the London Plan relating to the Blue Ribbon Network and there is no reference to a minimum setback from waterways. The London Plan clarifies that the Blue Ribbon Network concept does not attempt to define a set margin beside water spaces that is subject to Blue Ribbon policy considerations, as this will vary with the differing character and landscape of water corridors.

- Points 49 and 51 suggest that the developer has failed to comply with the requirements of the Statement of Community Involvement.

Officer comments: Part 6 of the Planning and Consultation Statement submitted with the application provides details of the consultation process followed, which it is considered accords with the Statement of Community Involvement.

- Point 54 suggests the development has not been advertised in a paper which is circulated in the immediate area, the plans have not been displayed in a local library, and that the Council failed to notify residents of the development in a timely manner.

Officer comments: The planning application was fully advertised in the local press, on site and through a substantive neighbour consultation. The application was advertised in the Uxbridge Gazette which is considered to be a 'local' paper under the Town and Country Planning regulations. As such, the Council considers that it has fulfilled its statutory obligations.

- Points 55 and 56 suggest that the development is clearly not for hotel use, but for residential housing and that a dishonest approach has been taken in order to obtain planning permission.

Officer comments: There is no evidence to suggest that the applicant has a 'hidden agenda' in submitting this application and that it would be used for residential purposes in the future. Should the developer/site owner wish to use the apart-hotel for residential purposes in this would require submission of a new planning application.

- Additional comments received on amended plan:

The concerns raised by the additional letters of objections, including the one from the Yiewsley and Town Centre Action Group, have been addressed in the report.

The additional comments received from the Yiewsley Community Involvement Group are

noted.

Point (i) suggests an outside seating area should be provided for the new bar/restaurant facility. This is noted, however, this would conflict with advice from the Environment Agency which encourages maximising the amount of native planting in the canal side amenity area.

Point (ii) which raised concerns regarding accessibility have been addressed in the report.

Point (iii) suggests various conditions which should be added should approval be granted. The comments on the S106 agreement are noted, however, any contributions sought must be in compliance with the Council's Supplementary Planning Document on Planning Obligations. Issues relating to the S106 have been addressed in the report.

Given that the proposal is for an apart hotel, and no clothes washing facilities are provided within the units a condition to prevent the drying of laundry on balconies is not considered necessary.

Point (iv) suggests an outdoor drying area should be provided. Given that there are no clothes washing facilities within the units this is not considered necessary. The only place washing lines could be erected are on the roof garden which would be detrimental to visual amenity, and reduce the area of usable amenity space.

Point (v) suggests the application should be withdrawn to take on board the comments raised by the Yiewsley Community Involvement Group. The application is considered to be fully acceptable in its current form. Amended plans have been submitted which take on board some of the concerns raised by residents and sufficient time has been given for new consultation to take place. As such, it is not necessary for the applicant to withdraw the application.

## **7.20 Planning obligations**

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

The applicant has agreed in principle to provide contributions towards public realm and town centre improvements, including improvements to the canal, construction training, provision of a comprehensive Green Travel Plan, and project management and monitoring. Although not previously sought, following meetings with local community groups, the applicant has also volunteered a contribution towards local healthcare facilities in an attempt to address local concern. These will be secured by the proposed S106 agreement.

## **7.21 Expediency of enforcement action**

N/A.

## **7.22 Other Issues**

N/A.

## **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**

N/A.

## **10. CONCLUSION**

The principal of the proposed development is considered to be acceptable. Significant improvements have been made to the scheme to address the previous reasons for refusal and it is considered that the size and scale of the proposed buildings are now totally appropriate for this location. The overall building design would be in keeping with the character and appearance of surrounding development and the provision of a restaurant/bar facility at ground floor level is considered to be a positive enhancement to the scheme which will create a more active frontage to the canal and High Street. A number of energy saving measures would be incorporated into the scheme in addition to use of renewable energy sources to reduce carbon emissions by 20%. The parking is considered to be acceptable and it is not considered that the proposed development would have any significant detrimental impact on the residential amenity of neighbouring properties. The proposal complies with relevant UDP and London Plan policies and, as such, approval is recommended, subject to a Section 106 agreement being entered into and conditions.

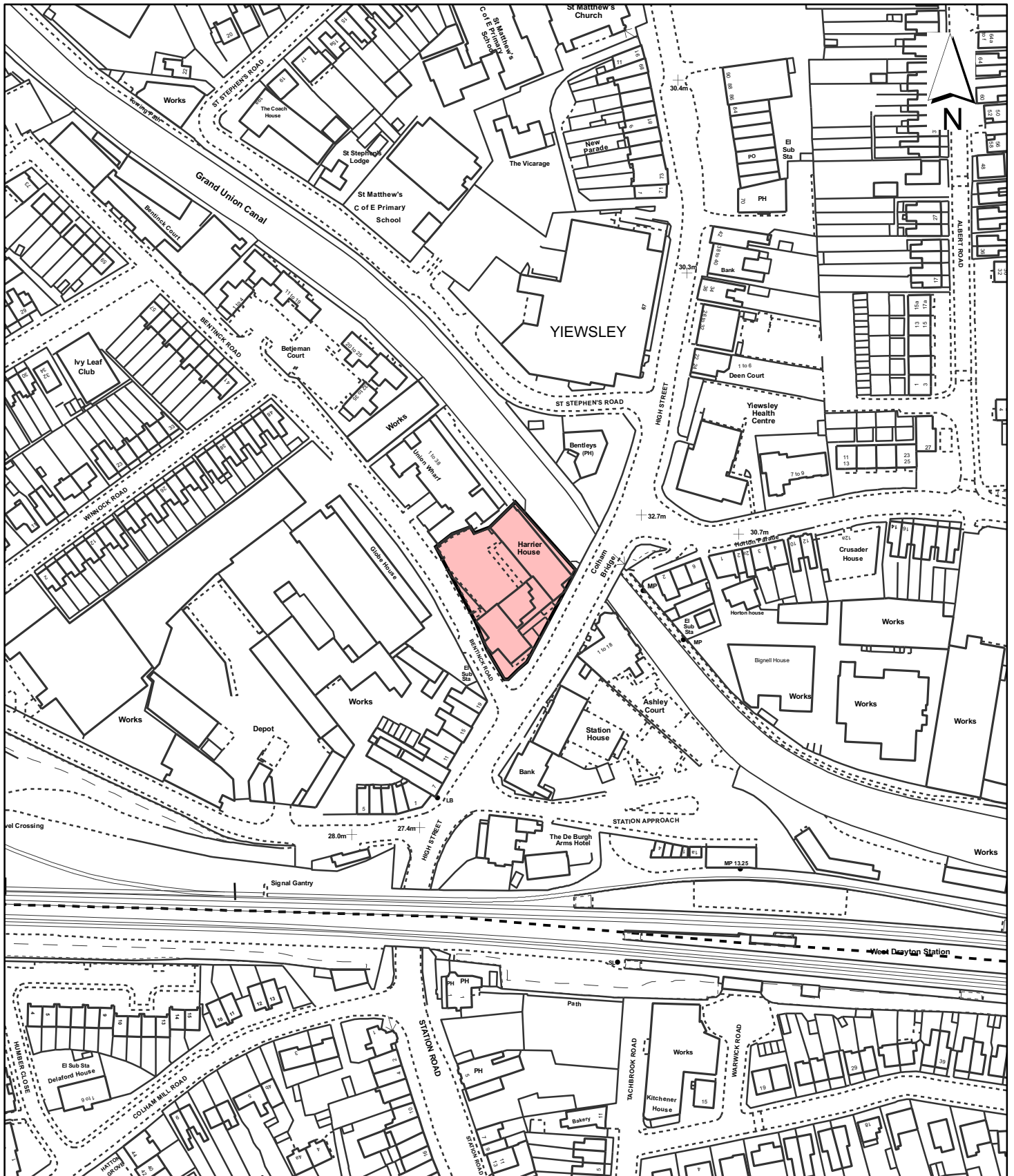
## **11. Reference Documents**

- Hillingdon Unitary Development Plan Saved Policies September 2007


- London Plan (Consolidated with Alterations since 2004)
- Planning Policy Statement 1 (Delivering Sustainable Development)
- Planning Policy Statement 6 (Planning for Town Centres)
- Planning Policy Guidance Note 13 (Transport)
- Planning Policy Guidance Note 22 (Renewable Energy)
- Planning Policy Guidance Note 24 (Planning and Noise)
- Supplementary Planning Guidance - Community Safety by Design
- Supplementary Planning Guidance - Noise
- Supplementary Planning Guidance - Air Quality
- Supplementary Planning Guidance - Planning Obligations
- Supplementary Planning Document - Accessible Hillingdon

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**21 High Street  
Yiewsley**

Planning Application Ref:  
**26628/APP/2009/2284**

Planning Committee  
**Central and South**

Scale  
**1:2,000**

Date  
**December 2009**

**LONDON BOROUGH  
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