Report of the Head of Planning & Enforcement Services

Address HAYES SOCIAL & SPORTS CLUB, 143 CHURCH ROAD HAYES

Development: Demolition of existing Sports and Social Club and erection of 24 apartments

and 8 maisonettes, with associated landscaping and parking.

LBH Ref Nos: 65797/APP/2010/1176

Drawing Nos: JBA 10/67 TSO Rev B (Tree Protection Plan)

Revised Transport Statement by BAC Partnership dated 10th June 2010 Open Space Assessment by David Ames Associated dated June 2010

Renewable Energy Statement (Ref: SRP3913 Issue 1) by BBS Air Quality Assessment (Report Number 999/1/D1) by AQA

Design and Access Statement by David Ames Associates dated May 2010 Review of Polciies R4 and R5 of Adopted Hillingdon UDP by David Ames

Associates dated February 2010

Habitat & Protect Species Site Assessment Report

S09-205-100 (Land Survey)

Arboricultural Constraints Report by JBA Arboricultural Implications Assessment by JBA

Arboricultural Method Statement 4169LP (1:1250 Location Plan)

4169/4.02 Rev B (Proposed First Floor Plans) 4169/4.03 Rev B (Proposed Second Floor

4169/4.04 Rev B (Proposed Roof/Third Floor Plans) 4169/4.05 Rev C (South Elevation & East Elevations) 4169/4.06 Rev C (North Elevation and West Elevation)

4169-01 Rev G (Proposed Site Plan) First Floor Separation Diagram

Date Plans Received: 21/05/2010 Date(s) of Amendment(s): 25/05/2010

Date Application Valid: 25/05/2010 06/06/2010 10/06/2010

11/06/2010 27/07/2010 28/07/2010

DEFERRED ON 28th July 2010 FOR FURTHER INFORMATION.

The application was deferred from the 13th July 2010 Central and South Planning Committee so that further information and details could be provided as detailed below:

- 1. Investigate the potential of erecting security gates at the site entrance
- 2. Clarification of wheelchair accessibility to flat 1 amenity space
- 3. Defensible space between ground floor windows and communal amenity space
- 4. Plans showing gates to the side of the amenity space
- 5. Plans demonstrating that the layout of the maisonettes afford access to the rear
- 6. Provision of privacy screening between second and third floor windows to prevent internal overlooking
- 7. Provision of obscure glazing to windows in the flank wall of the proposed unit 20
- 8. Privacy concerns to be addressed for the top floor flats to prevent overlooking from the amenity space.

Additional information and amended plans have been provided in relation to each of these points, which are addressed in turn below.

1. POTENTIAL OF ERECTING SECURITY GATES AT THE SITE ENTRANCE

The applicant has reviewed the potential of providing security gates and provided details of by correspondence dated 27/07/10.

The correspondence outlines four issues which the applicant considers to be prejudicial to the provision of security gates at the site:

a) Rights of Way. The applicant has indicated that all parties with a right of way over the land where the gate were to be installed would have to accept the installation of such a gate via a formal agreement. This would include all existing occupiers at Chartwell Court and any sub-tenants of the garages.

The applicant puts forward that if one party did not accept this, the gates could not be introduced.

Planning Case Officer Comment - Having regard to this it is not considered that the applicant could be reasonably required to provide such a gate. It is also considered that the provision of such gates may make the use of the Chartwell Court garages for parking less convenient for existing residents.

- b) Cost. The applicant has put forward the installation of such a gate would add cost implications which may prejudice delivery of the scheme. However, it is not considered that the cost of such an installation would be so great as to make the scheme undeliverable.
- c) Safety. The applicant has put forward safety concerns due a young girl recently being badly hurt in electric gates and the use of the site for social rented accommodation which would likely include young families.

Planning Case Officer Comment - The applicants concerns are noted; however it is not considered that an access gate would present any substantial safety concerns if properly installed.

d) Precedent. The applicant considers that the provision of security gates is a poor design solution which leads to issues of social exclusion and sets the wrong impression in today's society.

Planning Case Officer Comment - Consideration of social equality is necessary in relation to the current adopted policy context, including PPS1, and it is accepted that the provision of gated developments can in certain circumstances represent a poor design approach in this respect which must be balanced against other material considerations such as security.

The cost and safety implications put forward by the applicant are not accepted by Officers. However, it is not considered that the applicant can be reasonably required to provide an access gate at the entrance given the existing rights of way and the Metropolitan Police Crime Prevention Design Advisor considers that the provision of CCTV to the access/parking area and other aspects of Secure Design adequate in terms of security.

In this instance it is considered that the development will achieve an appropriate level of security in accordance with policy without the provision of an access gate and it is not considered that the scheme could be reasonably refused due to lack of such provision.

2. CLARIFICATION OF WHEELCHAIR ACCESSIBILITY TO FLAT 1 AMENITY SPACE

The applicant has submitted amended plans which now clearly show the provision of doors between the units living room and amenity space, which would provide direct and level access to a patio terrace.

This arrangement would provide for direct and convenient access to the amenity space for all potential occupiers of this unit.

3. DEFENSIBLE SPACE ADJACENT BETWEEN GROUND FLOOR WINDOWS AND COMMUNAL AMENITY SPACE

The applicant has provided amended plans which clearly demonstrate provision of planting and 1.2m high railings within the communal amenity space and adjacent to ground floor windows. The railings would provide for a 1m deep defensible space adjacent to these windows which would keep users of the amenity space at a reasonable distance from the windows and enhance security.

Similar arrangements have been considered acceptable at other sites, including at Harlington Road Depot (Ref: 4501/APP/2009/535), and it is considered that the proposed amendment would ensure adequate amenity and security for the future occupiers of these units.

4. PLANS SHOWING GATES TO THE SIDE OF THE AMENTIY SPACE

Amended plans have been provided which demonstrate the provision of railings and access control around the boundaries of the communal amenity areas and children's play area.

All boundaries between communal and private amenity space are appropriately defined by railings and access to the area between the eastern flatted block and existing garages is shown to be controlled by gates.

It is considered that the amended plans adequately demonstrate the provision of boundary treatments and access control to necessary areas of the site.

5. PLANS DEMONSTRATING THAT THE LAYOUT OF THE MAISONETTES AFFORD ACCESS TO THE REAR

Amended plans have been provided which demonstrate that a straight route would be available between the front and rear doors of the maisonettes in order to enable access with ladders etc.

While the internal layout of the units has not been amended, this is considered to demonstrate that appropriate access could be achieved though the hallway and a small area of the living room.

Such arrangements are commonplace within terraces throughout the UK and are considered to provide an appropriate arrangement with regard to maintenance and the amenity of future occupiers.

6. PROVISION OF PRIVACY SCREENING BETWEEN SECOND AND THIRD FLOOR WINDOWS TO PREVENT INTERNAL OVERLOOKING

The applicant has submitted amended plans, which demonstrate the introduction of angled bay windows to units 2, 6 and 12 which would ensure that no inter-visibility exists between these units and units 1, 7 and 13 in the south eastern corner of the proposed eastern block.

In relation to overlooking the HDAS - Residential Layouts states that 'As a guide, the distance should not be less than 21m, between facing habitable room windows.'

While there are units located to the northern side of the proposed eastern block with windows at 90 degree angles to each other, these windows are not facing one another. Nonetheless the relationship between these windows has been carefully examined by officers and a clarification plan (First Floor Separation Diagram) has been provided by the applicant.

The First Floor Separation Diagram shows the level of potential overlooking between the habitable rooms which are at 90 degree angles to each other. It is considered that this relationship would not result in an unacceptable level of overlooking.

Overall, it is considered that the level of inter-visibility between habitable internal spaces would be so limited that it would not give rise to any material harm to the amenity of future occupiers. The scheme would therefore comply with Policy BE24 of the Saved Policies UDP and guidance within the HDAS - Residential Layouts.

7. PROVISION OF OBSCURE GLAZING TO WINDOWS IN THE FLANK WALL OF THE PROPOSED UNIT 20

The applicant has submitted amended plans which clearly demonstrate the provision of obscure glazing to the secondary bedroom window and bathroom window within the western elevation of the block.

This would prevent any overlooking of neighbouring units in accordance with Policy BE24 of the Saved Policies UDP.

8. PRIVACY CONCERNS TO BE ADDRESSED FOR THE TOP FLOOR FLATS TO PREVENT OVERLOOKING FROM THE AMENITY SPACE.

The applicant has submitted amended plans which alter the layout of the roof terrace within the eastern block.

The amended plans demonstrate the provision of soft landscaping around the edge of the communal area, and the subdivision of the space to provide a communal area and two private terraces.

The separation between the communal area and habitable room windows within the top floor is consistent with that secured adjacent to the ground floor amenity spaces and is considered appropriate in terms of both securing the amenity and security of the future occupiers of these units.

1. SUMMARY

The proposal seeks the redevelopment of the site to provide a residential development comprising of 32 units within 2 blocks, associated car parking and landscaping. All of the

proposed units are to be provided as affordable housing in the form of the either socially rented or intermediate units.

The application was deferred from the Central and South Planning Committee on the 13th July 2010 for clarification and amendments to address various issues as set out in the Deferred Details Section of this report. Additional information and amendments have been received which are considered to adequately address these issues.

The applicant has submitted a detailed open space assessment and policy review, which are considered to demonstrate that there are adequate open space and recreation facilities available to meet the needs of the area and that there are no feasible alternative open space or recreation uses for the site. Accordingly, no objection is raised to the principle of the development.

There would be limited views of the development from Church Road and the scheme is considered to be of a design which would appropriately harmonise with the character and appearance of the surrounding area. Furthermore, appropriate tree retention and landscaping proposals are indicated which would ensure an appropriate landscape environment within the development and surrounding area.

Adequate amenity areas would be provided, as would play provision for under 5's in the form of a Local Area of Play. Overall, the development would provide a high quality residential environment for future occupiers and it is not considered that it would give rise to any significant detrimental impacts on neighbouring occupiers.

Subject to conditions the proposed development would secure an appropriate outcome in terms of accessibility, security and sustainable design objectives.

In addition the development would make a significant contribution towards the provision of affordable housing within the borough and, subject to a legal agreement, would provide contributions to mitigate its impacts on local facilities.

Accordingly, the application is recommended for approval subject to a legal agreement and conditions.

2. RECOMMENDATION

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

- a) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:
- i) Affordable Housing The provision of 100% of the development as affordable housing by habitable room and securing that the Council must be afforded full nomination rights for the development.
- ii) Education Contribution The provision of a contribution of £146,486 towards educational facilities.
- iii) Healthcare Contribution The provision of a contribution of £15,745.41 towards healthcare facilities.

- iv) Community Facilities Contribution The provision of a contribution of £20,000 towards community facilities
- v) Libraries Contribution The provision of a contribution of £1,671.41 toward local libraries facilities.
- vi) On site construction training £2,500 per million of build cost or the provision of onsite training of construction workers.
- vii) Off site recreational and sporting facilities £25,095.
- viii) Project Monitoring and Management 5% of the total cash contributions.
- b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.
- c) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
- d) That if by the 24th August 2010, the S106 Agreement has not been finalised, delegated powers be given to the Head of Planning and Enforcement to refuse planning permission for the following reasons:
- 1. The development is not considered to have made adequate provision, through planning obligations, for contributions towards affordable housing provision, educational facilities, healthcare facilities, community facilities, library facilities, construction training, off site recreational & sports facilities and project monitoring & management. Given that a legal agreement or unilateral undertaking has not been secured to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.9, 3A.10, 3A.11, 6A.4 and 6A.5 of the London Plan and the Council's Supplementary Planning Document for Planning Obligations (Adopted July 2008).
- e) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers to the applicant.

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 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).

3 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).

4 RPD14 Glazing to balconies

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

REASON

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

5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

The means of enclosure shall include gated accesses to the sides of buildings, boundary treatments to communal & private amenity areas and means of enclosure of the Children's play area.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 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).

7 TL1 Existing Trees - Survey

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

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

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 TL3 Protection of trees during site clearance and development

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

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 TL5 Landscaping Scheme

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works (including the landscaping of roof terraces) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

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

The scheme shall also include details of the following: -

- · Proposed finishing levels or contours,
- · Signs and lighting,
- · 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.

The submitted landscaping scheme shall ensure that the private amenity area servicing

units 1 and 5 are secure and only accessible to the occupiers of these units.

REASON

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

11 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 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).

13 TL19 Play Areas

No development shall commence until full details of the setting out of the proposed play area (LAP); including the installation of play equipment, boundary treatment and measures to prevent unauthorised access; have been submitted to, and approved in writing by, the Local Planning Authority. The play area shall be implemented in accordance with the approved details prior to the occupation of the development and thereafter retained and maintained for the lifetime of the development.

REASON

1) To ensure that the development makes adequate provision for children's play in

accordance with Policy R1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 3A.19; and

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

14 TL20 Amenity Areas (Residential Developments)

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

REASON

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

15 NONSC Defensive Space

No development shall commence until details of measures to ensure the provision of defensive space adjacent to ground floor windows within communal areas have been submitted to, and approved in writing by, the Local Planning Authority.

REASON

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

16 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse and recycling 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 and ensure adequate refuse and recycling facilities are provided, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4B.1 and 4A.22.

17 NONSC Recycling Facilities for Chartwell Court

No development shall take place until details of the retention or reprovision of at least one 1100l recycling bin to service the needs of Chartwell Court have been submitted to,

and approved in writing by, the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

REASON

In order to ensure adequate recycling facilities are maintained for Chartwell Court in accordance with Policy 4A.22 of the London Plan (February 2008).

18 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage, changing facilities, lockers and showers for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

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

19 H1 Traffic Arrangements - submission of details

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

REASON

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

20 NONSC Car Parking Allocation

Prior to the commencement of development a scheme for the allocation of parking spaces shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the parking area shall be marked out in accordance with the approved plans; designated and allocated for the sole use of the occupants of the development in accordance with the approved scheme; constructed prior to occupation of the development; and thereafter be permanently retained and used for no other purpose. The allocation scheme shall ensure that car parking spaces are located within reasonable proximity to the units they will serve.

REASON

In order to ensure the development is adequately serviced by car parking spaces and to meet the needs of disabled persons in accordance with Policies AM7, AM13 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

21 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy generation contained within the submitted report entitled 'Renewable Energy Statement' reference 'SRP3913 Issue 1' shall be integrated into the development and thereafter permanently retained and maintained.

REASON

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

22 SUS4 Code for Sustainable Homes details

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

REASON

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

23 SUS5 Sustainable Urban Drainage

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

REASON

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

24 SUS8 Electric Charging Points

Before development commences, plans and details of at least 3 electric vehicle charging point(s), serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

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

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

26 DIS5 Design to Lifetime Homes Standards & to Wheelchair

All residential units with the description of the units hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, and shall include within the design of each wheelchair unit internal storage space for the storage of mobility scooters/wheelchairs and associated charging points as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

REASON

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

27 NONSC Lift Provision

Prior to the commencement of the development details of the lift within the eastern block containing 20 units shall be submitted to, and approved in writing by the Local Planning Authority. The lift and lift shaft shall be specified to be suitable for means of escape in the event of a fire and shall service all floors within the block.

REASON

To ensure that the development provides adequate means of escape for disabled persons in accordance with Policies 3A.5, 3A.17 and 4B.5 of the London Plan and the Hillingdon Design and Accessibility Statement - Accessible Hillingdon

28 NONSC Sound Insulation Scheme

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from noise from Hayes Football Ground has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal noise design criteria of 30-40dBA in accordance with requirement under BS82331999. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise football ground in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

29 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 contaminates from the site

shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed and verification information submitted to, and approved in writing by, the Local Planning Authority before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority).

Any imported material, such as soil, shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

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

30 NONSC CCTV System

No development shall commence until details of a CCTV system and associated lighting to service the development have been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system and associated lighting shall be implemented in accordance with the approved details prior to occupation of the development and thereafter permanently retained and maintained.

REASON

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

31 RPD2 Obscured Glazing and Non-Opening Windows (a)

The windows facing west within unit 20 shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies

(September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H5	Dwellings suitable for large families
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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 I1 Building to Approved Drawing

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

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 commision 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).

5 I15 Control of Environmental Nuisance from Construction Work

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

- A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.
- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

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

6 |2 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.

7 I23 Works affecting the Public Highway - Vehicle Crossover

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

8 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).

9 I47 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public

footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

10 | 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)

11

You are encouraged to ensure that all flats and houses provided as part of this development must have a food waste grinder included as standard as part of the kitchen sink unit to allow residents to indirectly recycle their food wastes by grinding it and washing it down into the waste water system for composting by the relevant water company.

12 | 49 | Secured by Design

The Council has identified the specific security needs of the application site to be:

- (i) CCTV surveillance of parking along the access road;
- (ii) Secure design for cycle parking provision;
- (iii) Defensible space adjacent to ground floor windows (see condition 15);
- (iv) Appropriate boundary treatments;
- (v) All other aspects of buildings/lighting design to comply with Secured by Design objectives; and
- (vi) access control to the amenity areas and children's play space.

You are advised to submit details to overcome the specified security needs in order to comply with condition 25 of this planning permission.

13

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

3. CONSIDERATIONS

3.1 Site and Locality

The site is that of the Hayes Social and Sport Club on Church Road in Hayes, which is located in proximity to other sports, community and retail facilities including at Barra Hall Park (approximately 380m away) and Hayes Town Centre (approximately 480m away) and Botwell Leisure Centre (approximately 740m away).

The site is irregular in shape, consisting of a square area to the west of the existing garages serving Chartwell Court, on which the Social Club building and bowls green are located. To the south of Chartwell Court is a relatively wide access route from Church road which is largely covered with hardstanding with the exception of a small landscape strip adjacent Church Road. The existing social club building is a part two and part single

storey structure which sites tight against the western boundary with the rear gardens of nos. 6a and 36 Evergreen Way and has a dominant impact on these properties.

Use of the site as a bowl club ceased three years ago when the Bowls Club merged with the nearby bowls club on Botwell Lane (adjacent to the Botwell Leisure Centre) to form the Hayes Bowling Club (and now utilise that facility). The current use of the site as a children's day nursery, although the planning history indicates that planning permission has not been granted for a change of use (D1 - D2).

Church road is a residential street with the built form consisting primarily of 2 storey houses generally of pitch roof design, however Chartwell Court is a 3 storey flatted block directly to the east of the application site and there are some other examples of 3 storey buildings in the locality. The area is considered to be suburban in character having regard to the predominant built form, the type of road and the significant level of street planting and frontage landscaping.

To the north of the application site is the Hayes Football Club, which is currently subject to an application for residential redevelopment. To the east and south are residential properties on Evergreen Road and Compton Road, respectively.

3.2 Proposed Scheme

The proposal seeks the redevelopment of the site to provide a residential development comprising of 32 units, associated car parking and landscaping. All of the proposed units are to be provided as affordable housing in the form of the either socially rented or intermediate units.

The proposed development would be provided in the form of two blocks.

The first block (eastern block), located to the west of the Chartwell Court garages, has a footprint which roughly approximates a cross and would be part 3 and part 4 storeys in height containing 20 units. The fourth floor would be set in by between 1.2m and 8m to reduce its visual bulk. A landscaped amenity deck and two private terraces would be provided on the roof.

The second block (western block) would be three storey block in the form of a staggered terrace of 8 maisonettes and 4 flats located to the west of the site. This block would principally have a mono-pitched roof, reducing in height towards the west and residential properties on Evergreen Way, and each of the staggered terraces would be approximately 20m long. Each of the maisonettes would have a private garden and the flats would rely on the communal amenity space provision.

Car parking, consisting of 36 spaces, is to be provided along the southern edge of the access road and to the front of the proposed blocks. This parking area is indicated to be largely of a home zone design with distinction provided within the hard surfacing materials, although a footpath would be provided along the northern side of the access road. A large proportion of the landscaping and tree the two trees adjacent to Church Road are to be maintained and tree planting and other soft landscaping is to be provided within key locations to soften the appearance of the car parking area.

Both of the proposed blocks would have landscaping provided to their frontages and a communal play amenity space, including a Local Area of Play, is proposed to the north of the site.

Bicycle and Refuse storage are provided within the built form of the eastern block, with additional facilities located within the central area of the site adjacent to soft landscaping.

3.3 Relevant Planning History

4327/APP/2008/3227 Hayes Football Club Church Road Hayes

Erection of 282 dwellings, comprising a mixture of 64 one-bedroom, 142 two-bedroom, 49 three- bedroom, 16 four-bedroom and 9 five-bedroom properties, along with a community hall and associated parking, landscaping, open space and new access arrangements.

Decision:

4327/APP/2009/2737 Hayes Football Club Church Road Hayes

Redevelopment of the site to provide 183 residential dwellings, comprising a mix of housing and flats including 1 studio unit, 25 one-bedroom units, 54 two-bedroom units, 92 three-bedroom units, 10 four- bedroom units and 1 five-bedroom unit, with associated amenity space, landscaping, new access road and car parking (AMENDED PLANS RECEIVED & AMENDED DESCRIPTION)

Decision:

65797/APP/2010/445 Hayes Social & Sports Club Church Road Hayes

Demolition of existing Sports and Social Club and erection of 24 apartments and 8 maisonettes, with associated landscaping and parking.

Decision: 21-05-2010 Withdrawn

Comment on Relevant Planning History

4. Planning Policies and Standards

None.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.10	To seek to ensure that development does not adversely affect the amenity and the character of the area.
PT1.12	To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
PT1.16	To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
PT1.17	To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
PT1.21	To seek publicly accessible recreational open space in association with proposals

for development where appropriate to help reduce deficiencies in recreational

	open space or to ensure that provision does not fall below accepted standards.	
PT1.22	To seek the retention of existing recreation open space where there is an identified demand for such a facility or it makes a significant contribution to the visual amenity of the built up area.	
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.	
BE14	Development of sites in isolation	
BE19	New development must improve or complement the character of the area.	
BE20	Daylight and sunlight considerations.	
BE21	Siting, bulk and proximity of new buildings/extensions.	
BE23	Requires the provision of adequate amenity space.	
BE24	Requires new development to ensure adequate levels of privacy to neighbours.	
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.	
OE1	Protection of the character and amenities of surrounding properties and the local area	
OE5	Siting of noise-sensitive developments	
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures	
H4	Mix of housing units	
H5	Dwellings suitable for large families	
R4	Proposals that would involve the loss of recreational open space	
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities	
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities	
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:- 16th June 2010
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised as a major development and 280 nearby owner/occupiers were consulted, including the Hayes Town Centre Residents Association and the Townfield Residents Association.

8 letters of objection have been received in relation to the scheme raising the following concerns:

- (i) Inadequate parking for the proposed development and for Chartwell Court;
- (ii) Traffic Generation;
- (iii) Highways Safety (Access Point);
- (iv) Loss of privacy to Chartwell Court;
- (v) Loss of light;
- (vi) Loss of views;
- (vii) Overcrowding and excessive density in the area;
- (viii) Pressure on local service including Council facilities, schools and GP's;
- (ix) Increase risks of crime;
- (x) Construction impacts;
- (xi) Loss of recreation use;
- (xii) Loss of nursery; and
- (xiii) Loss of recycling facility for Chartwell Court.

SPORT ENGLAND

Sport England raise no objection to the loss of the Bowling Green and other facilities at 143 Church Road, this is on the basis that there could be a capacity enhancement (necessary to cope with additional future population) within existing areas of recreational open space. This could be secured via planning obligations, and thereby the impacts arising from future developments would be able to be mitigated.

We apply the sports facility calculator and recommend its use in such cases. We would expect such a procedure to be applied to all housing developments in Hillingdon given the scale and numbers of new housing proposed across the borough.

No objection.

BAA

No objection.

NATS

No objection.

MOD

No objection.

Internal Consultees

POLICY

The application site is that of an existing Sport and Social Club (Bowls Club). As such the site is considered to have a lawful Use Class of D2 (Assembly and Leisure) and provides 'Outdoor sports

provision' in accordance with guidance within PPG17.

The change of use of the site to housing is therefore only acceptable subject to fulfilling the relevant tests contained within PPG17 (including its companion guide) and Policies R4 and R5 of the Council's Saved Policies UDP.

The tests contained within PPG17 and Policies R4 and R5 of the Council's Saved Policies UDP will be addressed in more detail by the Case Officer.

Main policy issues:

- (i) whether there are any alternative open land, recreational or leisure uses that the site could be utilised for
- (ii) whether the public open space is surplus to requirements
- (iii) whether the loss of the existing use would lead to a deficiency of these facilities within the local area (3.2km)
- (iv) whether users of the facility can be satisfactorily accommodated elsewhere in the vicinity.

The applicant for the above site has followed Council and Sport England advice by submitting a detailed Open Space Assessment, including a local supply and demand analysis, a R4 and R5 Policy Statement and they have carried out a community-wide consultation on the loss of the open space and the loss of the sport/leisure facility.

The two detailed reports are considered to demonstrate that no other appropriate uses (which could be feasibly introduced on the site) and that the loss of the existing facility will not lead to a deficiency in the level of open land, recreational or leisure facilities in within the Local Area.

The applicant has undertaken a thorough assessment of the provision of public open space in the study catchment area. The applicant concludes that the provision of open and recreation space in the catchment area is surplus to requirements. Paragraph 10 of PPG17 says that it should be demonstrated that developers have consulted the community and that their proposals are widely supported by that community.

The applicant has undertaken an independent public consultation on the loss of the open space and sport/leisure facility in accordance with guidance contained within the PPG17 Companion Guide. The outcome of this consultation is considered to demonstrate that the loss of the open space and sport/lesiure facility is not a contentious issue with the community in the local area. As such, the local community did not raise a significant objection to the proposal on these grounds.

The information also confirms that the former users of the facility (Hayes Social and Sports Club) have amalgamated with Hayes Bowling Club in Botwell Lane, which provides alternative Bowling Green and club facilities in the locality (approximately 480m from the application site).

Conclusion:

On the basis of the information submitted (in particular the Open Space Assessment, R4 and R5 Policy Statement and the Sport England letter (attached)), it is considered that the proposal satisfies the relevant policy tests in relation to the loss of an open space and sport/leisure facility.

Accordingly, no objection is raised to the principle of the development in this case. However, the case officer would also need to be satisfied that the proposal accords with all other relevant provisions within the development plan, including meeting the recreational open space needs of future residents.

HIGHWAYS

The proposed housing is all in the affordable category and in order to represent a robust

assessment the trip generation from the TRICS database is based on normal unrestricted privately owned housing.

The traffic generated by the development is not considered to be significant to warrant any off site highway mitigation works.

No objections are raised on highway grounds.

URBAN DESIGN

The application site is situated along Church Road, in a predominantly residential area. The scheme proposes the demolition of the existing Sports and Social Club, and the development of the site for residential use. The application site abuts the Hayes Football ground to the north, low rise residential development in Evergreen Way to the west and Compton Road to the south, and an existing flatted development at the adjacent Chartwell Court which fronts Church Road to the east. The site is situated approximately 100 meters south of the Hayes Village Conservation Area.

The principal layout consists of three storey terraces with rear gardens along the western boundary. The terraces have been staggered slightly in order to reduce the bulk, scale and massing. Communal green spaces separate the terraces from the flatted block which is situated in the north east part of the site, next to the existing garages belonging to the adjacent Chartwell Court. Access to the site is through the existing access point from Church Road. Smaller amenity areas have been provided to the front of the flatted block, whilst a local area of play has been integrated in the green zone between the two major built elements, in accordance with preapplication advice. The scheme benefits from proposed additional planting along the access drive, as well as in front of the two new built elements. The vegetation is considered an important tool to enhance the spatial experience as one accesses the site from Church Road. Furthermore, it also creates a stronger sense of place, as well as an appropriate setting for the new development. The building design benefits from a plain contemporary approach, with a strong influence of glazed elements, which creates a light, transparent character, which assists in reducing the scale and massing. The scheme has been carefully considered in relation to the existing built context in terms of layout, position, height and scale, resulting in a redesign of the initial scheme. From an urban design point of view, the final submission is considered to fully overcome previous issues relating to layout, scale, height, massing, built character, design and quality of the open spaces.

TREES & LANDSCAPE

The submitted Arboricultural Implications Assessment and Arboricultural Method Statement set out an assessment of existing trees on site and proposals for tree retentions and removals. There is no reason to disagree with the conclusion and recommendations of these reports and the tree removal, retention and replacement proposals are considered acceptable.

The amended site layout (Revision D) addresses previous concerns relating to the feasibility of certain aspects of the proposed landscaping. No objection is raised to the proposed layout, subject to conditions TL1, TL2, TL3, TL5, TL6 and TL7.

ACCESS OFFICER

No objection subject to conditions to secure the implementation of the disabled units, implementation of Lifetime Homes standards and to ensure that the lift services all floor within the eastern block.

SUSTAINABILITY OFFICER

Ecology: No objections to the proposals as submitted.

Energy: No objections to the proposals as submitted.

Code for Sustainable Homes: The applicant has confirmed that the units will be built to Code Level 3. This will require a design stage certificate as well as a completion certificate.

WASTE STRATEGY

The 8 proposed maisonettes could be appropriately serviced by individual refuse/recycling storage within their curtilage.

For the proposed 24 flats it is recommended that a minimum of six 1100 litre eurobins be provided to provide for the storage of waste and recycling.

ENVIRONMENTAL PROTECTION UNIT - CONTAMINATION

There are no recorded former potentially contaminating land uses at the site. However, considering a residential development which includes houses with gardens is being proposed the development is vulnerable to contamination.

Based on the advice of PPS23, EPU advise that a contaminated land condition be attached to any permission that may be given.

ENVIRONMENTAL PROTECTION UNIT - NOISE

As the proposed development is sited within predominant resident area road traffic noise is unlikely to be an issue of consideration due to possibility of noise levels falling with below NEC A in accordance of PPG 24. However concerns exist in respect of noise from Hayes football ground adjacent the proposed development. A condition should be imposed to ensure a sound mitigation scheme is submitted and implemented.

ENVIRONMENTAL PROTECTION UNIT - AIR QUALITY Air Quality

The proposed development is within the declared AQMA however, based on monitoring data from 800 metres away, it is in an area which is currently not exceeding the European Union limit value for annual mean nitrogen dioxide. The draft air quality assessment only looked at the impact on the new development at six receptor locations based on ADMS-Roads v.2.3 dispersion modelling for 2012, using projected traffic data for 2012. The report suggest that the new development will generate fewer vehicle movements than the previous use (not permitted uses based on Transport Statement), without being specific about the reasons, and therefore the assessment of the impact of the development on surrounding receptors was not considered. It also appears the cumulative impacts of committed developments were not taken into consideration in the assessment. The report concludes the background nitrogen dioxide levels calculated for the area will remain a little below the European Union limit value in 2012, with the levels at the six receptor locations falling well below this, as they are located at least 50 metres away from Church Road. PM10 levels are also calculated to be below the annual mean limit. The report could have been more thorough in its assessment, however given the projections there is no requirement for s106 for air quality

Energy Proposals

The Renewable Energy Statement indicates the use of biomass community heating would be too expensive to use and maintain at the proposed development. It was also indicated there was a lack of space at the development site for such an option. Air source heat pumps were put forward as a feasible option. As the current planning application does not include a proposal for biomass heating, no conditions are suggested.

Construction and Demolition

The air quality assessment considers the impact on the surrounding area of the development works (demolition/construction) at the site to be moderate. It states significant dust-soiling could occur within a distance of 50 metres, and a number of receptors, including 24 houses, a block of flats and a day nursery have been identified within this distance. PM10 impacts from development activities

could impact up to 15 metres from the site, and could potentially impact six houses and the day nursery. These potential impacts need to be considered within a construction management plan, submitted to the LPA for approval prior to any works commencing. The plan should follow the risk assessment approach as outlined in the GLA Best Practice guide and ensure all appropriate mitigation measures are employed to protect existing sensitive receptors, including a dust monitoring regime due to the proximity of the site to sensitive receptors. A condition is recommended to address this.

SECTION 106 OFFICER See section 7.20 of the report.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is currently occupied by a club house and bowling green, accordingly the proposed development would result in the loss of these facilities.

Part of the club house and land is currently being utilised as a children's day nursery, which falls within use class D1 (Non-residential institutions) and does not appear to benefit from planning permission. The current presence of this facility on site is therefore not considered relevant to consideration of the principle of the current proposal.

PPG17 defines bowling greens as 'Outdoor sports provision' and the lawful uses on site are considered to fall within class D2 (Assembly and Leisure) of the Use Classes Order.

London Plan Policy 3A.18 Protection and Enhancement of Social Infrastructure and Community Facilities seeks to resist the net loss of such facilities and increase provision.

PPG17 and its companion guide set out a number of issues which need to be addressed in relation to proposals which would involve the loss of such sites including:

- * Community wide consultation on proposals; and
- * a local supply & demand analysis.

The applicant has undertaken an independent consultation exercise on the application (this is in addition to the Council's own consultation) consisting of the dispatch of letters requesting comments to 350 residents and relevant groups and a public consultation event held at the Social Club. Only 8 people attended the consultation event and only 2 letters of were received. The comments of these letters included:

- * Suggestions for alternative uses including supervised social club for teenagers, public park, remain a sports facility or a facility for older persons;
- * The need to ensure the site is secured and prevent it being utilised by unsupervised youths; and
- * A view that it would be preferable for the site to be developed for housing than remain an unsupervised area.

In relation to the Council's own consultation only 8 comments were received and of these only 1 raised concern in relation to the loss of sports facilities.

Given the significant number of people consulted, the limited response to the consultations is considered to indicate that, while neighbouring residents may have concerns about other aspects of the scheme, the loss of the sports and recreation use on this site is not a contentious issue within the local community. In addition it demonstrates that there are some problems with anti-social behaviour due to the unsupervised nature of the site at the moment, furthermore there would be some support for a proposal which would address these issues.

The applicant has also undertaken a detailed open space assessment which provides a detailed assessment of all relevant open space and sports facilities within 3.2km of the site. The Assessment concludes that there is adequate provision to meet the needs of the population.

It is worth noting that Sport England has raised no objection to the loss of facilities at 143 Church Road, this is on the basis that capacity enhancements (necessary to cope with additional future populations from development schemes) within existing areas of recreational open space could be secured via planning obligations.

Policy R5 of the UDP Saved Policies (2007) seeks to protect community land and facilities and provides the main policy context. It states:

'The Local Planning Authority will not grant planning permission for proposals which involve the loss of land or buildings used (or where the last authorised use was for) a sports stadium, outdoor or indoor sports and leisure facilities, public or community meeting halls, or religious, cultural and entertainment activities, unless adequate, accessible, alternative facilities are available.'

The subtext to policy R5 sets out that consideration of such proposals will have regard to:

- a) the suitability of the potential premises to serve the recreational and leisure needs of people living within walking distance, and also within 3.2km;
- b) the availability, location and accessibility of other existing or proposed alternatives for people who use the premises;
- c) the alternative uses suitable for any existing building which is architecturally worthy of retention.

In relation to part (a) of the policy the applicant has also submitted a separate planning statement in relation to policies R4 and R5 of the UDP. Read in conjunction with the open space assessment this demonstrates that there is no need for the continued use of the site as a Bowls Club as this use is being met by the Hayes Bowl Club (adjacent Botwell Green).

Furthermore, it demonstrates that having regard to the size of the site the only alternative sports uses would be as a MUGA or tennis court facility. Sport England have commented that 'Given the circumstances we concede that this is not likely to be possible on the site. Given the absence of a locally defined needs assessment it is difficult to advocate the provision of either facility type.' In addition Officers consider that either of these uses would generate significantly more noise than the existing use which would likely be detrimental to the amenity of neighbouring occupiers.

In relation to other community uses it is clear that the social club, despite being present has not been utilised for such purposes in a significant period of time, and there is an existing Conservative Club on the adjacent site which provides a similar type of community facility. There are also various community facilities, including a library, available nearby at Bar Hall Park and Botwell Leisure Centre. On the basis of the information available it does not appear that there is an alternative type of community facility which would be feasible, viable and appropriate on the application site. Subject to a Section 106 contribution to ensure that nearby community facilities are improved to meet the needs of the future occupiers it is not considered the site could be put to a more appropriate community use.

Part (b) of this policy is considered to be suitably addressed by the Open Space Assessment referenced above, and there are no buildings of architectural merit on site

which would be worthy of retention under part (c).

The proposal is therefore considered to comply with Policy R5 of the Saved Policies UDP.

Policy R4 of the Council's Saved Policies UDP seeks to resist the loss of land used as recreational open space (including those previously in private use), it states:

'The Local Planning authority will not normally grant planning permission for proposals which involve the loss of land use (or where the last authorised use was) for recreational open space, (including publicly accessible open space for playing fields, private or school playing fields, private or public allotments), particularly if there is (or would be) a local deficiency in accessible open space.'

The subtext to policy R4 sets out that consideration of such proposals will have regard to:

- (a) any local deficiency of accessible open space in terms of hierarchy in Table 9.1;
- (b) the suitability of the site for other types of open land uses in the light of advice from those departments providing leisure and recreational facilities, the London Council for Sport and Recreation, and other representative bodies;
- (c) the ecological, structural and other functions of the open space and the extent to which these are compatible with the proposed development; and
- (d) whether the users of the facility can be satisfactorily accommodated elsewhere in the vicinity.

In relation to parts (a) and (b) it is considered that the submitted documentation, as detailed above, demonstrates that there is sufficient existing open space provision and that there are no more suitable uses to which the site could be put.

In relation to part (c) the site is not considered to provide any of the ecological benefits or other functions which are generally met by other types of open space.

Additionally, it has been evidenced that the former use of the bowls club has been relocated to Hayes Bowls Club at Botwell Green, which is considered to be accessible at a distance of 750m from the site, this is considered to satisfy part (d) of the Policy.

The proposal is therefore considered to comply with Policy R4 of the Saved Policies UDP.

On the basis of the substantial information provided by the applicant neither Sports England nor the Council's Policy team have raised any objection to the loss of the proposed site and its redevelopment for affordable housing purposes.

It is considered that the applicant has demonstrated that there is adequate open space and recreation facilities elsewhere to meet the needs of the local community; that there is no alternative open space, recreation or community use to which the site could be realistically put; and that the loss of sports/recreation use on the site is not contentious within the local community and that the proposal has satisfied the tests to justify the loss of the existing use on this site in accordance with Policies R4 and R5 of the Saved Policies UDP, PPG17 and the PPG17 Companion Guide.

7.02 Density of the proposed development

The application site is located on Church Road in Hayes and has an area of 0.38ha and has a Public Transport Accessibility Level (PTAL) of 2. Despite being located within 800m of a Town Centre it is considered that the characteristics of the surrounding area clearly

represent a suburban context as set out within paragraph 3.23 of the London Plan.

Policy 3A.3 of the London Plan seeks for new developments to achieve the maximum possible density which is compatible with the local context and having regard to the design principles in Policy 4B.1 of the London Plan. Table 3A.2 of the London Plan recommends that a density of 35-95u/ha (dependant on size) or 150-250 hr/ha be achieved on the application site.

The proposal seeks to achieve 32 units (106 habitable rooms) on a site of 0.39 ha equating to development at a density of 82 u/ha or 271hr/ha. The units per hectare are within London Plan guidelines. Although the habitable rooms per hectare marginally exceeds London Plan guidelines this is because of the large size of the maisonettes. It is not considered that this should be considered as a negative issue as these family units are something which it is felt should be encouraged.

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

The application site does not lie within an archaeological priority area, a Conservation Area, an Area of Special Local Character or in proximity to any listed buildings.

7.04 Airport safeguarding

All relevant airport and aerodrome safeguarding authorities have been consulted on, and raise no objection to, the proposed scheme. Accordingly, it is not considered that the scheme would not have any detrimental impacts on the safe operation of aircraft.

7.05 Impact on the green belt

The application site does not lie within or in proximity to the any designated Green Belt land.

7.07 Impact on the character & appearance of the area

The application site is an irregular shape with a roughly square portion, largely situated behind Chartwell Court accessed via a relatively wide access road.

The proposal would seek to provide 2 blocks on the site.

The eastern block comprises a part 3 and part 4 storeys building with a flat roof and would be located directly to the west of Chartwell Court. The fourth storey of the building is inset from the facades to reduce the bulk and impact of this storey and the building as a whole.

The proposed height of the eastern block is such that it would not be visible above the ridge height of 3 storey Chartwell Court when viewed from Church Road, and having regard to existing buildings, landscaping (including significant trees on the sites northern boundary with Hayes football Club) and street planting within the vicinity, there would be a very limited number of glimpsed views of this block available from Church Road.

Properties on Church Road are mixed in terms of design, character and materials and while they primarily have pitched roofs there are examples of flat roofs, such as the existing social club building and neighbouring conservative club. Subject to an appropriate choice of materials it is considered that the design of the building would appropriately harmonise with its surroundings, particularly having regard to the limited and distant glimpse views of the building which would be available from Church Road.

The western block would be provided in the form of a 3 storey high staggered terrace with maisonettes on the ground floor and flats above and would be located 98m from the site's boundary with Church Road. The principle roof form is that of a mono pitched roof sloping towards Evergreen Way, however a smaller pitched roof faces towards Church Road and

would to serve to visually reduce the height of the front elevation.

Having regard to the distance of the building from Church Road and the location of surrounding buildings and landscaping, particularly during spring and summer, it is considered that only a small part of the southern side of the block would be visible from Church Road when viewed directly down the access road. A view that would be softened by the retained trees to either side of the access road and proposed/retained planting within the proposed parking area. Subject to an appropriate choice of materials, which could be secured by condition, the visual appearance of the development is considered acceptable.

The northern aspect of the western block would be visible from the end of Evergreen Way, from this vantage point the building would have a pitched roof and at 10.5m in height would be slightly taller than other properties in Evergreen Way, however given the setback of the building from the terminus of the close, it is not considered that this aspect of the development would appear significantly taller than the existing buildings.

The detailing of the rear fenestration does not seek to mimic the appearance of properties within Evergreen Way. Evergreen Way is a cul-de-sac which terminates in an area of landscaping outside the application site it is not considered that the development would visually read as part of the cul-de-sac and the variation in design would not detract from the character of Evergreen Way. In addition two new trees are proposed to be planted in this corner of the application site which would serve to further visually separate and soften the appearance of the proposed block.

The scheme also benefits from strategically positioned landscaping and additional planting along the access drive, as well as to the front of the two new blocks elements, which would serve to create a strong sense of place and appropriate setting within the development softening the parking areas and softening views of the development from Church Road.

The Council's Urban Design Officer has reviewed the scheme, which now incorporates amendments to address concerns with the previously withdrawn application, and considers that the proposal is acceptable in terms of design.

Overall, it is considered that the scheme would provide for a series of well laid out areas of open space, landscaping and built form which would create a strong sense of place within the development (and where visible from Church Road or Evergreen Way). The proposal would appropriately harmonise and integrate with the existing character and appearance of the area in accordance with Policies BE13 and BE19 of the Saved Policies UDP.

7.08 Impact on neighbours

The closest existing residential properties to the application site are those at 6a & 36 Evergreen Way to the west and at Chartwell Court to the east.

With reference to the properties on Evergeen Way it should be noted that these properties are sited at slight angles to the application site and therefore the terrace of maisonettes and flats to the rear of the site.

6a Evergreen Way is angled so that the rear elevation faces slightly towards the application site whereas 36 Evergreen Way is angled so that the rear elevation faces slightly away from the application site. The side elevations of both properties are blank

containing no windows.

The existing bowls club building is also located tight to the side boundary of the rear gardens of the properties at 6a and 36 Evergreen Way and is a mixture of two storey and single storey aspects. This means that the existing bowls club building has a highly dominant impact on these properties.

Policy BE24 the Saved Policies UDP and guidance within the adopted Hillingdon Design and Accessibility Statement (HDAS): Residential Layouts require that the design of new buildings protects the privacy of occupiers and their neighbours. Guidance within the HDAS: Residential Layouts seeks to ensure a distance of at least 21m is retained between facing habitable room windows.

In relation to nos. 6a and 36 Evergreen Way the applicant has designed the scheme to ensure the glazing of habitable room windows above ground floor level within the proposed terrace of units is at an oblique angle so that they are not within 21m of windows on neighbouring properties and there are no instances where a proposed habitable room window would give rise to overlooking of these neighbouring properties.

While the proposed windows would face the rear gardens of these neighbouring properties, the most sensitive areas of the gardens (adjacent to rear doors) would not be within 21m of the windows and the level of separation of the proposed windows from the garden is not considered uncommon. Any increase in glazing facing these gardens also needs to be balanced against the improvement to the amenity of these residents that the proposal would create through removal of the existing single/two storey structure immediately on their boundary, as this structure has an overly dominant impact on their outlook in the existing situation.

The appropriateness of the angled glazing solution also needs to be considered in the light of recent appeal decisions at 70 Station Road (APP/R5510/A/10/2120328) and Knights of Hillingdon (APP/R5510/A/09/2119085) both of which clearly indicate that the Planning Inspectorate consider innovative glazing solutions as an appropriate way to mitigate potential overlooking, so long as the solution ensure no facing habitable room windows are within 21m. The Inspector with regard to the 70 Station Road appeal considered the utilisation of glazing at oblique angles to reduce overlooking to a neighbouring property and the most sensitive part of its garden as an acceptable design solution.

Overall, it is not considered that the proposal would give rise to a level of overlooking to the occupiers of nos. 6a or 36 Evergreen Way which would be detrimental to their amenity.

In relation to the residents of Chartwell Court, the proposed western block is over 30m away and as such does not give rise to any concerns regarding overlooking.

It is noted that there are two secondary habitable room windows serving living/dining rooms at ground floor level within Chartwell Court facing the access road. The proposal would introduce a pedestrian footpath which would be separated from these windows by a landscape strip of 0.8m.

While this footpath is close to these windows it needs to be considered having regard to the existing situation were the existing use to be re-instated. In this situation pedestrian areas and vehicular areas within the access road are unidentified which means in this

existing situation not only do pedestrians have the ability to access the space immediately adjacent to the windows, but that the space immediately adjacent to the windows is utilised as car parking by a number of vehicles. In the existing situation the habitable rooms are therefore equally susceptible to persons who may look through windows, but would also be subject to noise and nuisance associated within the movement and parking of vehicles.

The proposal, would only enable parking to occur on the opposite side of the access road, thereby reducing the impact of noise arising from parking vehicles on these occupiers. In relation to privacy, while the footpath is close to the windows it is not considered to represent a significant alteration to the level of access which can be gained to the windows in the existing situation. Further, given that the windows in question are secondary glazing to rooms, the occupiers of these units could reasonably secure privacy without loss of light through the use of curtains.

On balance it is not considered that the development would result in an unacceptable level of overlooking to neighbouring occupiers.

The HDAS: Residential Layouts and Policy BE20 of the UDP seek to ensure that all new developments maintain appropriate provision of daylight and sunlight to neighbouring properties and avoid overshadowing.

Policy BE21 of the UDP and guidance within HDAS: Residential Layouts requires that proposals for new buildings would not result in a significant loss of residential amenity by reason of their, siting, bulk or proximity. It goes on to say that where a two or more storey building abuts a garden a minimum separation of 15m will be required to avoid possible overdomination.

The proposed development is located to the west of Chartwell Court with a separation distance of 19m (across the existing garages) to the boundary of its amenity space and 30m to the its rear facade from the proposed eastern block. Accordingly, it is not considered that the proposal would have a detrimental impact on the occupiers of Chartwell Court by way of dominance or loss of daylight/sunlight.

In relation to the proposed terrace of units to the west of the site this has been staggered to achieve a set back of 15m from the flank elevations of nos. 6a and 36 Evergreen Way in accordance with the recommendations of the HDAS: Residential Layouts and the proposed separation distance represents a significant increase from the existing situation which has a two-storey building hard against the boundary for the entire depth of the garden of no.6a and for approximately half the depth of the garden of no. 36 (with a tall single storey building against the boundary for the remainder of the depth).

Having regard to the existing situation, it is considered that the proposal would result in a significant reduction in the level of dominant built form and loss of light to the gardens of nos. 6a and 36 Evergreen Way. The propsal would therefore a significant improvement to the amenity of the existing occupiers in this regard.

In summary, it is considered that the proposed development would have a satisfactory relationship with, and maintain an appropriate level of residential amenity to, neighbouring residential properties.

7.09 Living conditions for future occupiers

Overall, the scheme is considered to comply with all relevant guidance within the HDAS -

Residential Occupiers with regard to providing appropriate living conditions for future occupiers. While there is a small shortfall in communal amenity space of 5.9 sq.m, this is considered to be mitigated by the overprovision of private amenity space for some units and the proximity of the site to recreation facilities at Barra Hall Park and Botwell Green. These consideredations are discussed in greater detail below.

Issues relating to the potential impact of noise on the future occupiers have been addressed in the Noise and Air Quality Issues section below.

Policy BE24 the Saved Policies UDP and guidance within the adopted HDAS: Residential Layouts require that the design of new buildings protects the privacy of occupiers and their neighbours. Policy BE20 seeks to ensure that all residential developments achieve an adequate level of daylight and sunlight.

The application was deferred from the Central and South Planning Committee on the 13/07/2010 in order to obtain further information in regarding the relationship between certain windows on site. A full comment on these particular relationships is provided within the Deferred Details section of this report. However, overall the design and layout of buildings, balconies and roof top amenity space within the scheme is such that it is not considered there are any instances of overlooking to habitable windows internal to the scheme which would be a cause of concern with regard to privacy. Furthermore, all habitable rooms within the development benefit from a clear glazed window and the buildings are set out such that it is considered the proposed units would receive appropriate levels of daylight.

The HDAS: Residential Layouts seeks to ensure that an appropriate living environment is ensured for future occupiers through the provision of adequate internal floorspace within residential units. As such, for one-bedroom, two-bedroom, three-bedroom and four-bedroom maisonettes it seeks a minimum internal floorspace provision of 50sq.m, 63sq.m, 79sq.m and 90sq.m respectively.

Within the proposed scheme the only one bedroom units is greater than 50sq.m, the smallest two-bedroom unit is 63 sq.m, the smallest three-bedroom unit 88 sq.m and the smallest four-bedroom maisonette 109 sq.m with 21 of the units exceeding the minimum recommended floorspace requirements by between 9% and 21%. All of the proposed units therefore have an internal floorspace provision in full compliance with the requirements of the HDAS: Residential Layouts.

The HDAS: Residential Layouts sets out recommendations for minimum levels of private and communal external amenity space to accord with Policy BE23 of the Saved Policies UDP. For flatted developments communal provision equating to 20sq.m is sought for one-bedroom units, 25sq.m is sought for two-bedroom units and 30sq.m is sought for three-bedroom units.

The 8 maisonettes (Units 1M-8M) within the scheme are each serviced by private amenity areas of between 53sq.m and 99sq.m, which is considered to significantly exceed the 30sq.m of communal space recommended by the HDAS in terms of size, type and quality.

Units 1 and 5 in the block of flats also benefit from large private amenity areas of approximately 35 sq.m and 6 sq.m, respectively. Which would satisfy the amenity space requirements for unit 1 and partially for unit 5.

The communal amenity space required to service the remaining 22 two-bedroom units

and the additional space required to service unit 5 would therefore require 570 sq.m of communal amenity space to comply with the recommendations within the HDAS: Residential Layouts.

The level of communal amenity space servicing units 1-24 (main amenity area north 429 sq.m) and 1-19 (third floor amenity deck 101.0 sq.m) equates to a total of 530 sq.m of communal amenity space and a number of units also benefit from private balconies. Excluding inset balconies which have been counted towards internal floorspace in accordance with the HDAS: Residential Layouts the remaining balcony amenity provision totals 14.6 sq.m and it is considered this can be deducted from the communal amenity space requirements.

It should be noted that officers have excluded an amenity area adjacent to the parking which is about 50sq.m which would provide visual amenity.

The level of communal amenity space would therefore fall 35.4 sq.m below the recommendations set out within the HDAS: Residential Layouts. This shortfall is not considered to be significant, especially when considered against the overprovision of private amenity space for 9 of the units and the proximity of a high level of public open space and recreational facilities at Barra Hall Park within 380m walking distance.

The layout of the proposed amenity space is considered acceptable, and it is noted that the amenity area would contain a Local Area of Play which would accommodate children under 5 in accordance with the Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation. The proposed children's play area would be in a location which would be subject to natural surveillance arising from a number of the proposed units and access control could be secured by condition.

Overall, it is considered that the proposal would achieve an appropriate residential environment and living conditions for future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

TRAFFIC IMPACT, ACCESS ARRANGEMENTS AND GENERAL HIGHWAY/PEDESTRIAN SAFETY

The application is supported by a transport statement which indicates that the proposed development will not give rise to any significant increase to traffic generation along Church Road, above the lawful use of the site. It concludes that the development would result in a reduction in traffic generation when compared to that arising from the unauthorised nursery currently operating on the site.

The proposal would be serviced by the existing access from Church Road, and given the findings with regard to traffic generation this is considered acceptable in regard to pedestrian and highways safety.

The Council's Highways Engineer has reviewed the Transport Statement and access proposals and considers the development acceptable in terms of traffic generation and vehicular access.

PROPOSED CAR PARKING & INTERNAL LAYOUT

In terms of the internal highways and parking layout of the development 36 parking spaces (4 of which are disabled standard) are proposed and would be located principally along the southern edge of the access road and around a courtyard feature between the two blocks. The parking layout would enable vehicles to appropriately manoeuvre in and

out of the spaces.

The Council's adopted parking standards require a maximum of 1.5 spaces for units with curtilage parking, whereas the London Plan standards require 1 space per unit for flatted developments. The level of parking proposed is sufficient to ensure the provision of 1 space for each of the two-bedroom units and 1.5 spaces for each of the three and four bedroom maisonettes.

The site is also in proximity to the Town Centre (approximately 480m away) which provides both shops and recreational facilities and existing parking restrictions are in place along Church Road.

The proposal would comply with the Council's adopted parking standards and no objection is therefore raised in relation to car parking provision.

A pedestrian footpath is provided to northern side of the access road and the courtyard would provide adequate turning space for a refuse vehicle to enter and manoeuvre within the site.

The Council's Highways Engineer raises no objection to the proposed level of car parking, and considers that the proposed internal layout will provide a safe environment for both vehicles and pedestrians.

LOSS OF CAR PARKING

It is noted from site visits that residents of Chartwell Court have become accustomed to parking within the access drive of the Sports Club and objections have been received from neighbouring occupiers in relation to the potential loss of this parking.

In relation to this issue, it is important to recognise that when planning permission for Chartwell Court was granted (PP: 4327/Y/81/0653 (outline) and 4327/AB/81/1965 (reserved matters)) the only parking provision shown to serve the units were the 18 garage spaces and this level of parking was considered adequate. The proposal does not impact on access to these 18 spaces.

The level of parking maintained for Chartwell Court would therefore remain in accordance with the original intentions and requirements in 1981 and the retention of 1 space for each unit within Chartwell Court would also comply with current parking standards.

It should be noted that the landowner could remove unauthorised parking on their land.

Accordingly, the proposal is not considered to give rise to any concerns in this regards.

CYCLE PARKING

The Council's Cycle Parking Standards require the provision of 1 cycle parking space for dwellings with up to 2 bedrooms and 2 cycle parking spaces for dwellings with more than 2 bedrooms.

An integral cycle store with a capacity of 20 cycles would be provided within the eastern block to service the occupiers of the 20 two-bedroom units within this block.

In addition 3 external cycle storage areas (with capacity for 22 cycles) would be located around the courtyard and would serve the 6 three-bedroom and 2 four-bedroom maisonettes and 4 two-bedroom flats within the western block.

The level of cycle storage demonstrated therefore equates to 1 space for each two-bedroom unit and 2 spaces for each three/four bedroom unit in accordance with the Council's standards, with 2 spare spaces. In addition, each of the 8 maisonette units has an internal storage space within the hallway at ground floor level which could accommodate a cycle and benefits from a private garden area within which storage could take place.

Accordingly, the scheme would provide sufficient cycle storage provision for future occupiers.

HIGHWAYS CONCLUSION

Overall, the proposal does not give rise to any concerns relating to traffic generation, highway safety, car parking or cycle parking and would comply with the provisions of Policies AM2, AM7, AM9 AM14 and AM15 of the Saved Policies UDP.

7.11 Urban design, access and security

URBAN DESIGN AND ACCESS

Issues relating to design and access are addressed elsewhere within this report.

SECURITY

It is apparent from some of the comments received that the application site in its current situation is left open at night and is not subject to any natural surveillance or used in the evening. This has caused concerns raised by neighbouring residents in relation to antisocial behaviour and loitering. The proposal to introduce residential accommodation to the site would improve natural surveillance and reduce such problems in the future.

In relation to the proposed scheme the Metropolitan Police Crime Prevention Design Adviser has reviewed the scheme and raises no objection subject to the following issues being addressed by conditions:

- i) CCTV surveillance of parking along the access road;
- ii) Defensible space for ground floor units adjacent to communal amenity space;
- iii) More detailed information on the design of refuse and recycling stores;
- iv) Ensuring the detail design meets Secured By Design standards.
- v) All other aspects of building/lighting design to comply with Secured by Design objectives; and
- vi) access control to the amenity areas and children's play space.

Amended plans have been received which demonstrate the provision of access controlled boundary treatments for the communal amenity space, childrens play space and to the side of the the eastern block have been provided. As have details of defensible space adjacent to ground floor units. These are discussed in more detail within the Deferred Details section of the report.

The applicant has also provided a justification for why the site cannot be subject to access control by way of a vehicular access gate which is addressed further within the Deferred Details section of this report. Officers remain of the view that CCTV coverage of the access road/parking area in addition to the level of boundary treatment provided will ensure an appropriate level of security for the site and this view is in accordance with the comments of the Metropolitan Police Crime Prevention Design Advisor.

Subject to the imposition of appropriate conditions, which would be reasonable and necessary, the scheme would provide for an adequate layout in terms of security and

would serve to reduce some of the existing issues arising from the open and unused nature of the site.

7.12 Disabled access

Policy 3A.5 of the London Plan requires that all residential units within new developments meet Lifetime Homes Standards and that 10% of the units be designed so that they are easily adaptable for wheelchair users. The HDAS: Accessible Hillingdon sets out the same standards and provides additional guidance.

The submitted scheme confirms that all of the proposed units have been designed to comply with Lifetime Homes standards. In addition the eastern block contains a Part M compliant lift which is shown to service all floors and 3 of the ground floor units within this block have been designed so that they are are easily adaptable for wheelchair users. Given that all of the adaptable units are located within the ground floor of this block it is not considered that a second lift is necessary in this instance.

The Council's Access Officer has reviewed the proposal and raises no objections, subject to conditions to ensure that the proposed lift services all floors and that the Lifetime Homes and wheelchair units are appropriately implemented on site.

Overall, the application is considered satisfactory in terms of disabled access.

7.13 Provision of affordable & special needs housing

The London Plan Policy 3A.9 seeks for 50 per cent of housing provision should be affordable and, within that, the London wide objective of 70 per cent social housing and 30 per cent intermediate provision. The Council's Planning Obligations SPD provides further guidance on affordable housing requirements.

The application seeks the provision of a 100% affordable housing, which is significantly above the policy requirements. The proposed mix of affordable housing types is approximately 59% intermediate housing and 41% socially rented housing by unit numbers, or 47% intermediate housing and 53% socially rented housing by habitable room.

While this mix differs from the London wide target, the Council's Housing Team have indicated that they consider the proposed housing mix to be acceptable.

Subject to a S106 agreement to ensure an appropriate level of affordable housing is actually delivered on site the proposal is considered to be acceptable.

The application does not propose any special needs housing.

7.14 Trees, landscaping and Ecology

TREES & LANDSCAPING

The application is supported by a tree survey and arboricultural assessment which assesses the existing trees and tree groups. Of the 8 trees and 2 tree groups on or near the site the report concludes that of these 5 are category B (fair and worthy of retention), 2 are category C (poor and not normally a constraint to development, and 1 is category R (of such poor quality removal is recommended). The site is not located within a Conservation Area and none of the trees are subject to Tree Protection Orders.

The report recommends the felling of some off-site trees due to their poor condition, which would need the consent of the relevant landowners. However, these trees do not offer a physical constraint to the development and while their removal may be beneficial the ability, or otherwise, to fell these trees is not considered to represent a constraint to the

development.

The report also recommends the removal and replacement of trees within the group along the northern boundary of the site, which are category C and should not normally represent a constraint to development. The removal of some of these trees, in particular the 3 closest to the eastern block, and replacement with appropriate alternatives would enhance the quality of the proposed communal amenity space in this location and is therefore support. (While undetermined at current it should also be noted that removal or management of these particular trees would likely be necessary were the residential redevelopment of the neighbouring Hayes Football Club site to be granted). Subject to a condition to ensure that the exact tree removals and replacements are agreed by the Local Planning Authority there is no objection to this aspect of the proposal.

The most significant trees on, or close to, the site are a London Plane, 2 Norway Maples, a Lime and a Walnut. The report indicated the provision of tree protection measures to protect these trees during the demolition and development process.

The Council's Trees and Landscape Officer raises no objection to the scheme; either with regard to the proposed tree removals, retentions or replacements, or the quality of the landscaping proposed for the development.

In relation to the proposed landscaping of the site, the application demonstrates the provision of private gardens to the rear of the western block and a communal amenity space to the north of the eastern block.

The planting of 7 trees, alongside other lower level landscaping, strategically sited around the access road, parking area and block frontages would serve to break up the areas of hard standing and soften the built form creating an attractive setting. The Council's Trees and Landscape Officer has reviewed the proposals and considers that all of the areas of planting demonstrated on the most recent plans would be feasible in terms of implementation and long term maintenance, subject to appropriate conditions.

A palette of hard surfacing materials is also proposed in order to provide visual distinction between different function areas and provide visual interest and further belts of landscaping are proposed between the two blocks would serve to enhance the landscape environment within the development and visually separate and soften the built form.

A Local Area of Play would also be provided to the north of the site, within an area subject to natural surveillance, to enhance opportunities for young children to play.

The Council's Trees and Landscape Officer has reviewed the proposals in detail and, subject to conditions, raises no objections to the scheme either with regard to existing tree retention/removal and replacements of the landscape quality of the proposed development.

Overall it is considered that, subject to conditions, the development would achieve a high quality landscape layout which would serve to soften the visual appearance of the areas of hard standing, protect the amenity of the wider area and enhance the amenity of future occupiers in accordance with Policy BE38 of the Saved Policies UDP.

ECOLOGY

The application site is not located within, or in proximity to, any designated nature conservation areas. Nevertheless, the applicant has submitted a Habitat & Protected

Species Assessment. The assessment concludes that there are no habitats of ecological importance and is no evidence of any protected species on site.

The Council's Sustainability Officer has reviewed the submission and raises no concerns with regard to the impact of the proposed development.

7.15 Sustainable waste management

Policy 4A.22 of the London Plan requires that all new developments make adequate provision for the storage of waste and recycling.

The eight maisonettes proposed within the western block have both substantial internal floor areas and private rear gardens, as such they would be able to operate their refuse and recycling storage in the same manner as an individual dwelling and are not considered to require access to communal bin provision. The Council's Waste Strategy Team has confirmed that this approach is acceptable.

The proposed flats would required communal waste storage and the Waste Strategy Team have advised that a provision of six 1100 litre bins (for waste and recycling) would adequately service the development.

In relation to communal refuse/recycling storage eight 1100 litre bins would be provided, 3 within a storage area on the southern boundary of the site adjacent unit 8m (the details of which would be secured by condition) and 5 within an integrated bin store at the base of the eastern block. The overall provision is considered acceptable and while residents would generally utilise their closest facilities, both stores would be available to residents should they be required.

The refuse/recycling stores are considered to be reasonably located within the development for use by future occupiers and provision is made to enable a refuse vehicle to manoeuvre within an acceptable distance for collection.

Overall, subject to conditions to ensure appropriate design and implementation it is considered that the development would provide adequate refuse and recycling facilities in accordance with Policy 4A.22 of the London Plan.

7.16 Renewable energy / Sustainability

Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan require all developments to make the fullest contribution to achieving sustainable design and reducing carbon dioxide emissions. Specifically with reference to Major Developments, developments are required to identify energy efficiency savings and the provision of 20% reduction in the buildings carbon dioxide emissions through renewable technology.

The applicant has submitted an energy assessment to accompany the application which demonstrates that the development would incorporate efficiency measures to reduce carbon dioxide emissions by 12.5% and the utilisation of Air Source Heat Pumps to provide 20.5% of the developments energy needs by renewable means.

Subject to a condition to secure the implementation of these measures and accordance with level 3 of the Code for Sustainable Homes (which would also ensure compliance with water efficiency policies) it is considered that the application would comply with policy requirements relating to sustainability and renewable energy.

7.17 Flooding or Drainage Issues

The application site does not lie within an area at risk from flooding and subject to a condition requiring the utilisation of sustainable drainage techniques it is not considered

that the proposal would have any detrimental impacts in relation to flooding or drainage issues.

7.18 Noise or Air Quality Issues

NOISE

The proposal is for residential development and therefore would not itself generate significant levels of noise.

The Council's Environmental Protection Unit have reviewed the proposal, which is a significant distance from Church Road and within a residential area, and do not consider that the proposed residential units would be subject to an unacceptable level of road noise. However, due to it's proximity to Hayes Football Ground and the potential for such uses to generate noise at certain times have recommended the imposition of a condition requiring noise mitigation measures be incorporated into the fabric of the buildings.

It is noted that a planning application is currently under consideration for the residential redevelopment of the Hayes Football Ground, however this is yet to be determined and the acceptability of the scheme should not be pre-determined. Furthermore, were the residential redevelopment of Hayes Football Ground to be approved this would not guarantee that the permission would be implemented and the sports use removed. Accordingly, it is considered that the suggested conditions would be necessary should in relation to the current proposal.

The proposal would not give rise to a level of noise detrimental to existing occupiers and subject to a condition would provide an appropriate noise environment for future occupiers. The proposal would therefore comply with Policies OE1, OE3 and OE5 of the Saved Policies UDP with respect to noise.

AIR QUALITY

The application site is supported by an Air Quality Assessment, which concludes that the proposal will not have any detrimental impacts on the air quality within the area and that the future residents would not be subject to an unacceptable level of airborne pollutants.

The Council's Environmental Protection Unit have reviewed the document and raise no objection to the scheme on the basis of air quality.

7.19 Comments on Public Consultations

Issues (ii), (iii), (iv), (v), (vi), (vii), (ix) and (xi) are addressed in detail within the body of the report.

(i) Inadequate parking for the proposed development and for Chartwell Court. In relation to the adequacy of parking for the proposed development the proposed scheme would be served by adequate parking spaces to serve the development in accordance with the Council's adopted parking standards.

In relation to parking for Chartwell Court, the concern arises from the fact that the residents of Chartwell Court have become used to parking on the access road serving the Social Club. However, when planning permission for Chartwell Court was granted (PP: 4327/Y/81/0653 (outline) and 4327/AB/81/1965 (reserved matters)) the only parking provision shown to serve the units were the 18 garage spaces and this level of parking was considered adequate. The proposal does not impact on access to these spaces.

In addition, confirmation has been received from the Solicitor of the London Diocesan Fund, the freeholder of the land, confirming that the residents of Chartwell Court have no legal right to park in this location. It is considered that the landowner would be within their right to enforce unauthorised parking on their land and the proposal would have no impact on the existing parking situation above that which would occur if they were to exercise this right.

- (viii) Pressure on local service including Council facilities, schools and GP's. Officer Comment The impacts of the development on local infrastructure would be addressed through a suite of planning obligations as addressed in the relevant section of this report.
- (x) Construction impacts. Officer Comment Construction impacts could be adequately addressed by way of an appropriate condition requiring a construction management plan.
- (xii) Loss of nursery. Officer Comment The existing nursery facility on site (a D2 use) does not benefit from planning permission and accordingly there is no in principle objection to the removal of this facility.
- (xiii) Loss of recycling facility for Chartwell Court. Officer Comment It is noted that there are recycling facilities in the form of a 1100 litre bin affixed to the wall adjacent to the amenity space of Chartwell Court. While this is not shown retained on the plan currently under consideration, the standard depth of a eurobin is 990mm and the gap between the wall and the footpath is 1000mm. Accordingly, there is adequate scope within the development for this recycling bin to be retained within the development while being screened by landscaping to either side. A condition is recommended to ensure this outcome.

7.20 Planning obligations

The Council's Section 106 Officer has advised that, in addition to affordable housing which is addressed elsewhere within this report, the obligations set out below would be those which are typically sought for a scheme of this type:

- i) Education £146,486;
- ii) Health £15,745;
- iii) Community facilities £20,000;
- iv) Libraries £1,671;
- v) Sports and recreational facilities £25.095:
- vi) Construction training £2,500 per million of build cost;
- vii) Project management and monitoring 5% of the total cash contributions;
- viii) Affordable housing.

In total, contributions that would typically be sought for a scheme of this size would equate to £229.947.

It is worth noting that the applicant proposes to provide all of the accommodation as affordable housing (including several large 3 to 4 bedroom dwellings). This level of provision exceeds the minimum level of affordable housing required.

The applicant originally stated that the scheme would not be financially viable if made to meet £229,947 in planning obligations. A Financial Viability Assessment was submitted by the applicant to demonstrate that this is the case. While the financial appraisal indicates that the scheme could afford £173,000 in contributions the shortfall of this is a very small difference which very modest cost savings could absorb.

In this case there is only a marginal deviation between what officers consider to be necessary planning obligations and the indicated financial viability. Financial viability appraisals have built in contingency costs and officers have requested the applicant accept the full £229,947 in contributions. The applicant has agreed to this level of contributions.

7.21 Expediency of enforcement action

N/A.

7.22 Other Issues

DEVELOPMENT OF SITES IN ISOLATION

Policy BE14 of the Saved Policies UDP states that 'permission will not be granted for the redevelopment of sites in isolation if the design fails to safeguard the satisfactory redevelopment of adjoining sites which have development potential.'

In this respect it is noted that that neighbouring Hayes Football Club site (an existing sports ground) is currently subject to an application for residential redevelopment. While the outcome of the application on this neighbouring site should not be pre-judged it is considered necessary to ensure that were it to be acceptable in principle that the current proposal would not represent an undue constraint.

The outline of building locations contained within the application for redevelopment of the neighbouring site have therefore been indicated on the submitted site plan. This demonstrates that the proposed development would maintain adequate separation from potential buildings on the neighbouring site to avoid overdominance, loss of light or loss of privacy.

Accordingly, it is considered that the proposal has adequate regard to the potential redevelopment of the neighbouring site and would not represent an undue constraint on any such development.

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

This is not applicable to this application.

10. CONCLUSION

The proposal seeks the redevelopment of the site to provide a residential development comprising of 32 units within 2 blocks, associated car parking and landscaping. All of the proposed units are to be provided as affordable housing in the form of the either socially rented or intermediate units.

The application was deferred from the Central and South Planning Committee on the 13th July 2010 for clarification and amendments to address various issues as set out in the Deferred Details Section of this report. Additional information and amendments have been received which are considered to adequately address these issues.

The applicant has submitted a detailed open space assessment and policy review, which are considered to demonstrate that there are adequate open space and recreation facilities available to meet the needs of the area and that there are no feasible alternative open space or recreation uses for the site. Accordingly, no objection is raised to the principle of the development.

There would be limited views of the development from Church Road and the scheme is considered to be of a design which would appropriately harmonise with the character and appearance of the surrounding area. Furthermore, appropriate tree retention and landscaping proposals are indicated which would ensure an appropriate landscape environment within the development and surrounding area.

Adequate amenity areas would be provided, as would play provision for under 5's in the form of a Local Area of Play. Overall, the development would provide a high quality residential environment for future occupiers and it is not considered that it would give rise to any significant detrimental impacts on neighbouring occupiers.

Subject to conditions the proposed development would secure an appropriate outcome in terms of accessibility, security and sustainable design objectives.

In addition the development would make a significant contribution towards the provision of affordable housing within the borough and, subject to a legal agreement, would provide contributions to mitigate its impacts on local facilities.

Accordingly, the application is recommended for approval subject to a legal agreement and conditions.

11. Reference Documents

- (a) Planning Policy Statement 1
- (b) Planning Policy Statement 3
- (c) Planning Policy Statement 17

(d) The London Plan

(e) The London Plan SPG: Providing for Children and Young People's Play and Informal Recreation

(f) The London Plan: Interim Housing Supplementary Planning Guidance

(g) HDAS: Residential Layouts (h) HDAS: Accessible Hillingdon

(i) Supplementary Planning Guidance for Planning Obligations

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Planning Committee

Central And South

Scale

1:1,250

Date

July 2010

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