

## Report of the Head of Planning & Enforcement Services

**Address** 39 HIGH STREET YIEWSLEY

**Development:** Erection of a mixed-use development consisting of a single retail unit and a 46-bedroom care home together with pedestrian/vehicular access, car parking, landscaping, servicing and ancillary areas.

**LBH Ref Nos:** 24485/APP/2010/1443

**Drawing Nos:** SK-01 (Proposed Ground Floor Layout)  
SK-02 (Proposed First Floor Layout)  
SK-00 (Proposed Basement Plan)  
SK-03 (Proposed Second Floor Layout)  
SK-04 (Proposed Third Floor Layout)  
SK-05 (Proposed Fourth Floor Layout)  
SK-06 (Proposed Roof Plan)  
SK-07 (Elevations - Sheet 1 of 2)  
SK-08 (Elevations - Sheet 2 of 2)  
SK-09 (Site Survey Plan)  
SK-010 (Site Layout & Location Plan)  
SK-11 (Proposed Coloured Site Plan and Details)  
Sketch view from the east - Care home and bridge ramp (The High Street)  
Sketch view from the south - Canal elevation  
Sketch view from the south west - Care home canal side lounge  
Sketch view from the west - Care home pedestrian access and vehicular access  
Sketch view from the south west - Tow path  
Sketch view (arial) from the west - Care home and canal  
North montage - The High Street  
South west montage - The Grand Union Canal  
South east montage - The bridge/High Street  
Design & Access Statement prepared by DWA Architects Ltd  
Transport Statement prepared by David Tucker Associates  
Travel Plan Statement prepared by David Tucker Associates  
Air Quality Assessment prepared by AQC  
BS4142:1997 Noise Impact Survey and Assessment prepared by Sound Solution  
PPG24 Environmental Noise Impact Survey and Assessment prepared by Sound Solution  
Pre-Construction Energy Report prepared by MDA Ltd - Revision B dated 31/08/10

**Date Plans Received:** 21/06/2010                      **Date(s) of Amendment(s):** 21/06/2010

**Date Application Valid:** 21/06/2010

### 1. **SUMMARY**

This application seeks full planning permission for the erection of a part three, part four, part five-storey (including basement) mixed use building comprising a small retail unit and 46-bedroom residential care home, with associated access, landscaping, car parking, and ancillary areas. It should be noted that whilst the basement floor would be below ground level when viewed from the High Street, it would be accessed at street

level from St Stephen's Road.

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

The application has been submitted following the withdrawal of a previous scheme, and seeks to address concerns raised by officers mainly relating to the building's design, scale and massing, its impact on the adjacent canal and planning obligations.

Several amendments have been made to the design of the scheme, including the setting back of the building from the High Street at its lower levels, the introduction of two inset terraces at third floor level, the reduction in the size of the top floor, a reduction in the height of the corner of the building adjacent to the canal bridge and High Street, and use of a more neutral colour palette.

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

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

The proposal is considered to comply with relevant planning policies and, as such, approval is recommended subject to conditions and the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 as amended to secure contributions towards highway, town centre, public realm improvements, healthcare facilities and the provision of construction training in the borough.

## **2. RECOMMENDATION**

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

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

**(i) A 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a bond quantum of £20,000, or alternative performance monitoring clauses as set out in the TfL Work Place Travel Plan Guidance.**

**(ii) A contribution of £9,966.82 towards health care provision in this part of the borough.**

**(iii) A contribution of £25,000 towards public realm/town centre improvements, including enhancements to the canal.**

**(iv) A contribution of £5,000 towards the advancement and implementation of British Waterways' Waterspace Strategy.**

**(v) A contribution of £25,000 towards air quality monitoring.**

**(vi) A contribution of £2,500 for every £1 million build cost towards construction training initiatives in the borough.**

**(vii) A contribution equal to 5% of the total cash contributions to enable the**

management and monitoring of the S106 agreement.

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

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

**D. That, if the S106 agreement is not completed by the application expiry on 20/09/2010 that, under the discretion of the Head of Planning and Enforcement, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.**

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

**1 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 OM2 Levels**

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

**REASON**

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

**4 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).

**5 NONSC Details of balustrades/railings/etc**

No development shall take place until fully detailed drawings of all balustrades, railings, fences, gates, brick string course, fenestration and door types have been submitted to and agreed 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).

**6 M3 Boundary treatment - details**

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

**REASON**

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

**7 MCD10 Refuse Facilities**

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

**REASON**

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

**8 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works 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,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),

- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

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

### **9 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).

### **10 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance of the ground floor areas, for a minimum period of 5 years, and landscape maintenance of the roof terraces, for the lifetime of the development, 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).

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

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

#### REASON

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

**12 DIS2 Access to Buildings for People with Disabilities**

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

**REASON**

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

**13 DIS4 Signposting for People with Disabilities**

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

**REASON**

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

**14 NONSC Details of lifts**

Prior to commencement of development full details of 1no. 13 person standard lift and 1no. person fire rated lift for assisting horizontal evacuation shall be submitted to and approved in writing by the Local Planning Authority.

**REASON**

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

**15 H10 Parking/Turning/Loading Arrangements - Commercial Devs.**

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

**REASON**

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**16 NONSC Parking Management Strategy**

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

**REASON**

To ensure the efficient operation of the parking facilities, especially at peak demand periods, in accordance with Policies AM2 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**17 NONSC Delivery and Servicing Plan**

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

**REASON**

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

**18 H14 Cycle Storage - details to be submitted**

Prior to the commencement of the development, details of covered and secure cycle storage provision for at least 12 bicycles (for use by staff and visitors) shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed in accordance with the agreed details prior to the first occupation of the building hereby permitted and thereafter shall be permanently retained and maintained for so long as the development remains in existence. The cycle parking should be regularly monitored and additional storage provided if demand dictates.

**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 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 10 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).

#### **20 NONSC Contamination**

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

#### REASON

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

#### **21 NONSC Noise mitigation measures**

Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. This scheme shall include acoustic ventilators in windows to ventilate the rooms without being opened and secondary or triple glazing in the windows of the elevations facing onto High Street Yiewsley and St Stephen's Road, with standard openable thermal glazing provided elsewhere. The approved scheme shall be provided prior to the occupation of any of the residential units, and thereafter be permanently maintained and retained as such. All works shall be carried out in manner consistent with the recommendations of the report titled 'PPG 24 Environmental Noise Impact Survey and Assessment' prepared by Sound Solution Acoustic Consultancy Ltd dated 05/01/09. The term 'habitable rooms' means any rooms within a residential unit other than dedicated kitchens, bathrooms, utility rooms, storerooms and cupboards.

#### REASON

To ensure that the amenities of occupiers are not prejudiced by road traffic and mixed use noise in the immediate surroundings in accordance with Policies OE1 and OE5 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

#### **22 NONSC Noise**

The rating level of the noise emitted from the plant and equipment hereby approved shall be at least 5dB lower than the existing background noise level. The noise levels shall be determined at the nearest residential premises in accordance with British Standard 4142, method for rating industrial noise affecting mixed residential and industrial areas.

#### REASON

To protect the amenity of the surrounding area in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **23 NONSC Hours of use of retail unit**

The retail premises shall not be used outside the hours of 0700 and 2300, on any day.



REASON

To protect the amenity of the surrounding area in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**24 NONSC Hours of deliveries and waste collection**

Deliveries and collections, including waste collections, shall be restricted to the following hours:

0700 hrs to 1800 hrs Monday to Saturday

1000 hrs to 1600 hrs on Bank/Public Holidays

and not at all on Sundays.

REASON

To protect the amenity of the surrounding area in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**25 NONSC Sound insulation**

The development shall not begin until a sound insulation scheme that specifies the provisions to be made for the control of noise transmission from the commercial use hereby approved to adjoining dwellings, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To protect the amenity of the surrounding area in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**26 NONSC Dust protection measures**

The development shall not begin until a scheme for protecting surrounding dwellings from dust emitted from the construction works, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of dust control measures and other measures as may be approved by the Local Planning Authority.

REASON

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

**27 NONSC Bird Hazard Management Plan**

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

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds. The management plan shall comply with Advice Note 8 Potential Bird Hazards from Building Design attached \* See para below for information \*

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

**REASON**

To comply with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to minimise the attractiveness of the development to birds which could endanger the safe operation of aircraft and Heathrow Airport.

**28 NONSC Scheme for the provision and management of planting**

Prior to the commencement of development, a scheme for the provision and management of planting between the boundary fence and the building shall be submitted to and agreed in writing by the local planning authority. All planting within this zone must be of native species. The development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme
- details of any footpaths, fencing and lighting.

**REASON**

Development that encroaches within 5 metres of a watercourse may have a severe impact on their ecological value. This is contrary to Planning Policy Statement 1, Planning Policy Statement 9 and to the UK Biodiversity Action Plan.

**29 NONSC Risk Assessment & Method Statement**

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

**REASON**

To ensure the safety of workers and members of the public during the construction of the development in compliance with the Construction (Design and Management) Regulations 1994 and to ensure the future safety of this part of the canal in accordance with Policy BE32 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**30 NONSC Landscaping**

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

**REASON**

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

**31 NONSC CCTV & Lighting**

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

**REASON**

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

**32 NONSC Waterborne transport**

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

**REASON**

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

**33 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) 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), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**34 SUS8 Electric Charging Points**

Before development commences, plans and details of one electric vehicle charging point, 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.

**35 NONSC Energy**

Prior to commencement of development full details of the air source heat pumps, solar hot water systems if feasible, and energy efficient measures, as detailed in the Pre-Construction Energy Report prepared by MDA, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior

to the first occupation of the building and thereafter permanently retained and maintained.

**REASON**

To provide at least 20% of the development's energy needs from on-site renewable energy sources in compliance with the requirements of Policy 4A.7 of the London Plan (2008).

**36 NONSC Grey water recycling**

Prior to commencement of development full details showing how grey water recycling facilities will be built into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved grey water recycling facilities shall be maintained and retained for the lifetime of the building.

**REASON**

In order to provide a sustainable form of development and promote water conservation in compliance with policies 4A.9, 4A.11 and 4A.14 of the London Plan (2008).

**37 NONSC Ecological Management Plan**

Prior to commencement of development an ecological management plan shall be submitted to the Local Planning Authority. This plan shall set out how the development has incorporated the aims of the Blue Ribbon Network and the London Biodiversity Action Plan targets for standing water (including canals). The plan shall clearly identify wildlife enhancement opportunities directly related to flora and fauna associated with the canal. The development shall then proceed in accordance with the approved plan.

**REASON**

To ensure compliance with the principal aims of PPS9, the London Biodiversity Action Plan and Policy 4C.3 of the London Plan.

**38 NONSC Use of retail unit**

The ground floor retail unit hereby approved shall be used within Class A1 use of the Town and Country Planning (Use Classes Order) 1987 (As Amended) and for no other purpose.

**REASON**

To ensure an appropriate form of development is provided on site, in the interests of residential amenity, in accordance with Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**39 NONSC Window treatments**

Notwithstanding the submitted plans, prior to the commencement of development, details to the treatment of windows in rooms 11, 12, 13 and 14 as shown on drawing no. SK-02, rooms 28, 29 and 30 as shown on drawing no. SK-03, and rooms 39, 41, 42, 43, 44 and 45 as shown on drawing no. SK-04, where overlooking from other rooms and/or communal areas could be an issue, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance with the approved plans.

**REASON**

To ensure the privacy of occupiers of all rooms in the development 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).

### 2 153 **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
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports

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

You are advised this permission is based on the dimensions provided on the approved

drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**4**            **12**                    **Encroachment**

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

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

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

**6**            **15**                    **Party Walls**

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

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

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

**7**            **16**                    **Property Rights/Rights of Light**

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

**8**            **111**                    **The Construction (Design and Management) Regulations  
1994**

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

7556 2100).

**9**            112                    **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

**10**           115                    **Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

**11**           119                    **Sewerage Connections, Water Pollution etc.**

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

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

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

**13**           134                    **Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability

Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

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

#### **14            146            Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

#### **15            147            Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways



Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**16**            I60                    **Cranes**

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

**17**

With regards to condition 27 you are advised that The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

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

**18**

Thames Water have advised as follows:

**Waste Comments**

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

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

**Water Comments**

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

**19**

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

## **20**

The applicant/developer is advised to contact British Waterways third party works engineer, Andy Nicholls, in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' Code of Practice for Works affecting British Waterways.

## **21**

Any development that encroaches within 5 metres of the Grand Union Canal has the potential to impact the ecological value of the site. We usually require a minimum of a 5 metre buffer zone from any watercourse, free of hardstanding, trees and lighting. This would not be practical for this development so we request that the green area between the boundary fence and the building be planted with native species. This will promote the expansion of biodiversity and may help wildlife adapt to climate change.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises an approximately 0.1 hectare roughly triangular shaped plot located on the southern corner of High Street and St Stephen's Road in Yiewsley. The site formerly housed a 2-storey brick built building which used to be a public house and had most recently been known as the UB7 Club, however, this has been demolished and the site is now vacant.

The site is bounded to the north by St Stephen's Road, beyond which is a large building occupied by Morrisons the supermarket; to the south east by Yiewsley High Street, beyond which is a health centre and the junction of High Street and Horton Road and to the south west by the Grand Union Canal beyond which is a vacant site, previously occupied by Harrier House, a three-storey office building, and larger scale buildings, including a five-storey residential block.

It should be noted that an appeal has been submitted against the Council's decision earlier this year to refuse planning permission for the redevelopment of the former Harrier House site, opposite, into a mixed use development comprising a 44 unit apart-hotel, 1,320m<sup>2</sup> of office space, and a 135m<sup>2</sup> bar/restaurant with associated access, car parking and landscaping. This is currently under consideration. The Council is also currently assessing an application for that use of the site as a 65 space public car park for a temporary period of two years.

The site is located in a relatively prominent position due to its location bounded by High Street, St Stephen's Road and the canal and emphasised by the increase in height of the land and road as it goes over the Grand Union Canal bridge.

The site falls within Yiewsley/West Drayton Town Centre and within a Secondary Shopping Area as designated in the Hillingdon Unitary Development Plan Saved Policies September 2007. It also falls within the Hayes/West Drayton Corridor. The adjacent canal is designated as a Nature Conservation Site of Metropolitan or Borough Grade I

Importance.

### **3.2 Proposed Scheme**

This application seeks full planning permission for the erection of a part four, part five-storey (including basement) building comprising a 46 bedroom residential care home, a small retail unit, and associated parking, landscaping and access. It should be noted that although the basement would be below ground level when viewed from the High Street, it would be accessed at street level from St Stephen's Road. Each floor of the building would comprise the following:

Basement - Plant room, store rooms, meeting room, staff room, male and female WC and changing facilities, laundry, kitchen and lifts.

Ground Floor - undercroft car park (12 spaces), 88m<sup>2</sup> retail unit with small ancillary office and WC, lobby, reception, waiting room, small office and canal view lounge

First Floor - 15 en-suite bedrooms, lounge/dining room, quiet lounge, activity room, visitor lounge, office, assisted bath/shower/WC facilities, nurses station, store room, hair salon.

Second Floor - 16 en-suite bedrooms, lounge/dining room, quiet lounge, activity room, visitor lounge, office, assisted bath/shower/Wc facilities, nurses station, store room, hair salon.

Third Floor - 15 en-suite bedrooms, lounge/dining room, quiet lounge, activity room, office, assisted bath/shower/WC facilities, nurses station, store room, two small roof terraces.

Fourth Floor - Resident's roof dining room/lounge, store rooms, stair and lift access, roof terraces with planting and seating, recreational lawn.

Each bedroom would have a minimum floor area of 12m<sup>2</sup> and the layout has been arranged so that each floor of accommodation is self-sufficient. The majority of communal spaces, including the larger lounge/dining rooms on each floor would overlook the canal and a roof terrace/landscaped garden area would be provided to allow residents access to a portion of secure external space.

The building would immediately abut St Stephen's Road, but would be set back slightly from the High Street frontage by a narrow strip comprising both paving and landscaping.

12 car parking spaces, including 2 disability spaces would be provided in an undercroft car park at ground level. One large parking space for use by delivery vehicles, ambulances and taxis/dial-a-ride vehicles would also be provided in this area in addition to 12 bicycle parking spaces. Access would be via St Stephen's Road. Refuse and recycling facilities would also be provided in this area.

### **3.3 Relevant Planning History**

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

The site formerly accommodated a public house, which was demolished earlier this year. The most relevant planning history can be summarised as follows:

24485/APP/2009/167 - Demolition of existing building, erection of mixed use development consisting of a single retail unit (internal floorspace of 96.9m<sup>2</sup>) and a 49-bedroom care home together with pedestrian/vehicular access, car parking, landscaping, servicing and

ancillary areas - Withdrawn 01/05/09.

24485/APP/2009/1872 - Erection of a mixed-use development consisting of a single retail unit and a 49-bedroom care home together with pedestrian/vehicular access, car parking, landscaping, servicing and ancillary areas (involving demolition of existing building) - Withdrawn 26/11/09.

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

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 6 (Planning for Town Centres)  
Planning Policy Guidance Note 13 (Transport)  
Planning Policy Guidance Note 22 (Renewable Energy)  
Planning Policy Guidance Note 24 (Planning and Noise)  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary planning Guidance - Air Quality  
Supplementary planning Guidance - Planning Obligations  
Supplementary planning Guidance - Accessible Hillingdon

#### **UDP / LDF Designation and London Plan**

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

##### Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough.
- PT1.26 To encourage economic and urban regeneration in the Hayes/West Drayton Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.
- PT1.30 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
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE26 Town centres - design, layout and landscaping of new buildings

BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **21st July 2010**
- 5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Consultation letters were sent to 181 local owner/occupiers, the Yiewsley and West Drayton Town Centre Action Group, the Yiewsley Community Involvement Group, and site and press notices were posted. Five letters of objection, including one from the the Yiewsley and West Drayton Town Centre Action Group and one from the Yiewsley Community Involvement Group, have been received, which raise the following concerns:

- i) Insufficient parking.
- ii) Visitors would use the car park under Morrisons Supermarket, which is there for shoppers with heavy bags, etc.
- iii) This would lead to increased parking on St Stephen's Road and cause difficulty in the access to Morrisons Supermarket which is obstructed by parked cars at the best of times.
- iv) The communal/landscape areas are inadequate for the residents and visitors of the proposed care home.
- v) It is totally inappropriate for this location.
- vi) From experience there will be at least 20 employee cars on site at one time. In addition at normal times there will be 5-8 visitors cars which would double at peak times like the weekend.

Hence parking is totally inadequate.

vii) It is absolutely essential for EMI residents and those suffering from dementia to have adequate access to a garden at enclosed street level.

viii) The building is totally out of character with the iconic canal bridge and must compliment the building on the other side of the bridge, known as Harrier House, in architectural design.

ix) At a recent hearing residents were informed that Hillingdon would not consider any application of over three floors suitable and this is four plus roof terrace.

x) It was considered overdevelopment last time and is still overdevelopment now.

xi) The site is very small and the graphic representation is extremely misleading.

xii) The building covers the entire site leaving no space for landscaping.

xiii) The site is a prime gateway site located on the canal frontage so the relevant Blue Ribbon policies needs to be considered. The plan would not appear to meet any of the requirements of this legislation.

#### NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection

#### BAA SAFEGUARDING

No objection subject to a condition regarding bird hazard management and an informative regarding the use of cranes.

#### ENVIRONMENT AGENCY

No objection subject to relevant conditions and informatives.

#### THAMES WATER

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

Thames Water would advise that with regard to sewerage infrastructure no objections are raised.

#### BRITISH WATERWAYS

The amended scheme addresses the canal side environment in a similar way to the previous (withdrawn) proposal, and we consider this to be a positive approach. Most importantly, the lounges, waiting room and reception look over the waterside, with glazing that makes the most of the canal side location, providing views out over it, and a more integrated design when viewed from the canal and its towpath.

Having a low fence marking the boundary with the towpath will also help to improve the integration between the site and the canal environment. The access from the garden onto the towpath will be subject to an agreement with British Waterways Estates team, but could be open during the day for resident and visitor use, and will hopefully encourage residents to utilise this local resource.

#### Timber Screening to Car Parking:

While we tend to resist car park ventilation facing the waterway, we accept that the design could reduce the impact of this, and look forward to seeing specific detailing for this.

#### Lighting/ CCTV:

We assume that lighting and CCTV is likely to be included as part of the scheme, which will improve security along the canal side of the site and the towpath. We welcome CCTV coverage (or at least dummy cameras) of the towpath, the bridge and the area of the site around the bridge abutment to help prevent crime, to include sensitive under-bridge. However, any new lighting scheme should ensure there is minimal overspill into the canal to prevent it harming wildlife habitats, particularly bats who use the canal as a feeding corridor. Low-level bat friendly lighting should be used. The stair towers are now proposed to be fully glazed, and we would suggest that after dark these be lit with the use of motion detectors, in order to limit the disturbance to wildlife and any nearby moored boats. Lighting details could be subject to a condition.

#### Off Site Works:

The development would bring more people to the area who would benefit from the waterside location and surroundings, thus putting more pressure on local open spaces, including the canal and its towpath. It is therefore considered that the proposed development presents an opportunity to contribute to environmental improvements to the local canal environment. We have been in discussion with Officers and Councillors at the Council regarding a water space strategy that we are preparing for the Grand Union Canal within the borough, which highlights opportunities for improvement of this asset, and would therefore seek a contribution towards the implementation of this and its recommendations towards canal side improvements in the area.

#### Waterborne Freight Transport:

In the interest of sustainable development and to satisfy Blue Ribbon Network Policy 3C.25 & Policy 4C.8 of the Consolidated London Plan, BW would like to see the development utilise its waterside location for waterborne transport. British Waterways is promoting the use of canals for freight transport and with TfL jointly commissioned Peter Brett Associates to investigate the feasibility of freight by water in West London. This work revealed that in certain circumstances (depending on distance and number of locks required to travel through) there is a sound economic case (and environmental and social case) for considering freight by water as a viable alternative to road transport. Clearly, this offers benefits including reduced lorry miles, reduced congestion, reduced carbon emission and reduced number of HGV related accidents.

The construction cycle for the development could potentially be serviced from the canal. Construction waste can be removed by water and building materials and plant can be delivered by water. During occupation there may also be an opportunities for domestic and commercial waste and recyclables to be transported from the site to a Waste Transfer Station by water, as demonstrated by LB of Hackney's Waste by Water initiative, and we note that the refuse is located close to the waterway facing elevation, potentially allowing this to be utilised in the future.

If the Council is minded to grant planning permission, it is requested that a contribution is made towards canal side improvements identified as part of a Water space Strategy, and relevant conditions (relating to the submission of a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water, landscaping, lighting and CCTV, and submission of a feasibility study to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables), and informatives also be attached to the decision notice.

#### **Internal Consultees**

URBAN DESIGN OFFICER

- Urban Design Context

The application site is situated in the town centre of West Drayton, by the Grand Union Canal, opposite Bentinck Road, an area where several recent re-development schemes have emerged as part of a large scale townscape regeneration. The triangular site, which is bounded by the High Street, St Stephens Road and the Grand Union Canal, is strategically located, visually exposed and forms a key component in the street scene. The empty site, which has been cleared of the previous dilapidated building, has currently a negative impact on the character and appearance of the town centre and the setting of the canal.

From an urban design point of view the regeneration of this centrally located and strategic site is strongly supported. Improvements of the Grand Union Canal frontage to enhance the townscape character and to increase accessibility to quality amenity space are key objectives for town centre regeneration schemes in the area. The canal is an important landscape element which possesses great potential for further enhancement for the benefit of recreation, visual amenity and sustainability in the area. The proposed regeneration scheme includes the enhancement of accessibility, functionality and character of the public realm along the Grand Union Canal and the High Street in accordance with established policies of the Unitary Development Plan and the London Plan, and thereby contributes to the quality and amenity of the wider townscape in accordance with previous urban design advice.

#### - Scale, Height and Massing

The revised scheme is considered to fully address all previous urban design concerns, such as building scale, height and massing, as well as the relationship to the canal and the High Street/St Stephens Road. The project is considered to actively enhance the adjacent public realm directly and strategically.

The south-west corner of the building has been set back at the junction of the High Street and the canal, as the height steps down towards the main street. The proposed roof terrace makes efficient use of space, and could potentially add additional greenery and variation to the street scene. Along the canal a higher degree of transparent materials and the fully glazed projecting stair towers in combination with the orientation of social areas towards the waterfront promote a better interaction between interior and exterior areas.

The cantilevered design with the integration of soft landscaped areas along the High Street, as the integration of bollards, lighting and quality railings create a purposeful defensible space between the facade and the pedestrian walkway. The combination of crisp white render, brickwork and elements of exposed timber is considered to be a suitable composition of traditional materials in a contemporary manner. The articulation of the elevation with contrasting coloured render panels along the High Street and in St Stephens Road results in a well balanced and interesting building design which is considered to break up the scale and massing and creates an element of interest in the streetscape.

The prominent corner of the High Street and St Stephens Road has been successfully articulated as a bright and accessible corner feature in white render with a strong element of glazing, and timber panels for texture and warmth.

The detailed design, material, finish and colour of the proposed boundary treatment, metal fence, as well as railings, bollards, signage and lighting are equally important for a high quality end result in this prominent position, and should be controlled by condition.

Details of building materials, hard landscaping, balustrades, railings, fences, gates, brick string course, fenestration and door type sections should be required by way of condition.

HIGHWAY ENGINEER



The site has a PTAL of 3.

#### Trip Generation

Six sites from the TRICS database were selected to estimate the traffic generation from the site's previous use as a pub. Similarly twelve sites were selected to estimate the trips generated by the proposed development. Peak hour for the pub is from 20.00 to 21.00 hrs and 14.00 to 15.00 for the proposed nursing home.

The two way trip generation for the pub during the network peak (17.00 to 18.00 hrs) is 32 vehicles and for the proposed use is 7 vehicles. During the same peak the two way flows in the High Street are approximately 1320 vehicles. As such, no objections are raised on trip generation.

#### Car Parking

Twelve on site parking spaces have been provided, including 2 disabled bays.

Two parking spaces have been provided for the modest retail unit in compliance with the London Plan standards.

The Transport Statement, based on the sample sites from TRICS, provides a summary of hourly trip rates and the corresponding parking accumulation. The maximum demand is for 7 spaces and this occurs between 10.00 and 15.00 hrs. At least 7 spaces should be allocated for visitors. No objections are raised to the level of parking provision.

The applicant has demonstrated that vehicles up to 6.0 metres in length (includes vans and two axle lorries) can access the car park for deliveries etc.

The cycle parking provision, for a non-food retail, would be 4, leaving 8 spaces for the nursing home. Considering the staffing levels this is considered to be low. Space needs to be identified within the car park for additional cycle spaces.

The Travel Plan Statement is considered to be acceptable.

#### TREES/LANDSCAPE OFFICER

The site occupies a prominent corner plot, at the junction of Yiewsley High Street and the Grand Union canal on the southern boundary. The east boundary is defined by the High Street which rises by approximately 2.75 metres to the south as it approaches the canal bridge. St Stephen's Road forms the northern boundary.

The site is generally flat and the former pub which occupied the site has been demolished.

An Arboricultural Report by Honey Brothers has been submitted to BS 5837:2005 which confirms that there are no significant trees on the site which might have constrained development. There are no other significant landscape features on the site, although the Grand Union Canal and its towpath immediately off-site is an important feature whose presence contrasts with the urban/town centre character of the area.

The proposal is an amended scheme to provide a mixed-use development consisting of a single retail unit at ground floor level and a 46 bedroom care home together with external landscaping. It is understood that the revised scheme has been the subject of pre-application discussions, although this has not involved landscape input. It is noted that most of the plans are still dated June 2008 - with no reference to revision numbers and no revisions (content) scheduled for ease of comparison.

The Design & Access Statement describes the landscape objectives in section 4.2.5 (External areas). The design brief notes that the home is mainly for elderly and infirm people who, generally,

prefer not to venture into large garden spaces. Consequently the proposed landscaped spaces are small and secure.

The garden spaces include a secluded and secure roof garden on the roof of the fourth floor and a small and narrow strip of garden space parallel with the canal. This will be separated from the towpath by a 1.5 metre steel fence, whose appearance will be softened with planting. Depending on the type of screen planting and the time it takes to establish, this garden area is likely to be open to views from the towpath and the canal users. On a more positive note the views of the canal and canal-related activity from the building may provide a welcome outlook for staff and residents of the care home. A landscape concept drawing is provided.

Saved policy BE32 seeks to enhance the role of the canal as a wildlife corridor and secure environmental improvements appropriate to waterside areas. The planting design and plant selection should take this into account. Some degree of intervisibility between the building and the canal is also desirable.

Saved policy BE38 seeks landscape enhancement in association with new development. In this case areas have been set aside to provide amenity space for residents together with limited areas of hard and soft landscaping, including ground level planted areas on the High Street and St Stephen's Road frontages. Detailed proposals will require further refinement and detailing if the landscape quality is to enhance the experience of the staff and resident's experience and complement the setting of the building.

An important part of the landscape relies on podium/roof gardens which will require some expertise if they are to provide the scale of planting indicated on the elevation drawings.

The urban nature of the planted areas and institutional use will also demand high quality maintenance to ensure that the landscape is established and maintained in accordance with the design aims. It is recommended that the demands of this site will require the input of a landscape architect with expertise in roof gardens.

No objections are raised subject to conditions TL5, TL6 and TL7 (to include the specialist design and maintenance specifications required for intensive green roofs).

#### ACCESS OFFICER

No objections subject to appropriate conditions to ensure an adequate level of accessibility is achieved.

#### S106 OFFICER

Proposed heads of terms:

- (i) A 10-year Green Travel Plan to be prepared in accordance with TfL's guidance and to include a bond quantum of £20,000, or alternative performance monitoring clauses as set out in the TfL Work Place Travel Plan Guidance.
- (ii) A contribution of £9,966.82 towards health care provision in this part of the borough, based on one person per room.
- (iii) A contribution of £25,000 towards public realm/town centre improvements, including enhancements to the canal.
- (iv) A contribution of £5,000 towards the advancement and implementation of British Waterways' Waterspace Strategy.
- (v) A contribution of £25,000 towards air quality monitoring.
- (vi) A contribution of £2,500 for every £1 million build cost towards construction training initiatives in the borough.
- (vii) A contribution equal to 5% of the total cash contributions to enable the management and

monitoring of the S106 agreement.

## ENVIRONMENTAL PROTECTION UNIT (EPU)

### NOISE

Noise (PPG24 assessment):

The Acoustic Report (reference AVB/2839/E entitled 'PPG24 Environmental Noise Impact Survey and Assessment' produced by Sound Solution Acoustic Consultancy Ltd dated 5th January 2009) confirms that the overall site falls within Noise Exposure Category C of PPG24.

PPG 24 states that for sites falling within Noise Exposure Category C, planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

Road Traffic Noise:

The daytime equivalent continuous noise level (LAeq) was found to be 68dB, placing it in Category C. Additionally, the night-time noise LAeq was found to be 62dB, which also places the site in Category C. A series of measures are suggested in the Acoustic Report to ensure the noise levels in habitable rooms satisfy the requirements set out in the Borough's Noise SPD.

Overall site:

Habitable rooms facing a noise source can be given some protection by an external balcony, reducing the received noise level by approximately 5dB(A). The balcony front and sides should be imperforate and as tall as possible. Where stacked vertically, the underside of each balcony above should have a sound-absorbing finish, such as sprayed vermiculite.

Roof-top amenity:

A 1.5m high barrier would be provided along the perimeter of the roof terrace to ensure the external living areas meet the requirements of the Borough's Noise SPD.

Use of retail premises:

Mixed use developments require adequate protection be afforded to occupiers of the residential dwellings to ensure protection of amenity. Should planning permission be granted appropriate conditions should be applied to protect the amenity of the area.

Summary:

Based on the results of the noise assessment it is considered that the requirements of the Borough's Noise SPD can be met using a combination of noise mitigation measures. Accordingly, no objections are raised on grounds of noise, subject to appropriate conditions to ensure the amenity of future and surrounding occupiers is safeguarded.

## AIR QUALITY

Air Quality Assessment:

The site is within the southern half of the Borough and therefore is located in the declared AQMA.

The Air Quality Assessment report is considered to be acceptable and no objections are raised subject to conditions requiring control of site generated dust.

## CONTAMINATION

The former use appears to have been a pub. There is a small possibility of contamination in made ground below the building, or hard standing at the site. In the instance a standard contaminated land condition would be too onerous for what is proposed based on the previous use. However, a condition to minimise the risk of contamination from garden and landscaped areas is

recommended.

#### WASTE STRATEGY

- a) The use of 1,100 litre bulk bins are recommended to safely and hygienically contain the waste arising
- b) Some of the bins should be allocated to capture waste for recycling.
- c) The dimensions of any bin chamber / compound should ensure there is at least 150 mm clearance in between the above bulk bins and the walls of the bin chamber.
- d) The walls and floors of the bin chamber / compound should have a surface that is smooth and that can be washed down. The material used for the floor should be 100 mm thick to withstand the weight of the bins. Ideally the walls of the chamber should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.
- e) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).
- f) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the path is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.
- g) The value of the construction project is likely to be in excess of £300,000, so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building works begin.
- h) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.
- i) A separate commercial waste collection agreement would be required for the retail unit.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The application site falls within Yiewlsey and West Drayton Town Centre and is designated as a Secondary Shopping Area in the Unitary Development Plan Saved Policies September 2007. This is an area which is peripheral to the primary centre and in which shopping and service uses are more mixed. However, Class A1 shops should still be the majority use.

Policy S12 identifies the following uses as being acceptable within secondary shopping areas:

- \*Class A1 shops
- \*Banks and building societies
- \*Class A3 food and drink uses
- \*Other A2 financial and professional services
- \*Launderettes and coin-operated dry cleaners
- \*Community service offices, including doctor's surgeries
- \*Amusement centres

Permission will be granted for these uses where it can be demonstrated that:

- \* the remaining retail facilities are adequate to accord with the character and function of the shopping centre and to provide for the needs of modern retailing including consumer interests;
- \* The proposed use will not result in a separation of class A1 uses or a concentration of non-retail uses which might harm the viability or vitality of the town centre.

In providing for the uses set out in policy S12, the Council will need to be satisfied that:

\* The proposed use provides a substantial element of its services to visiting members of the public; and

\* The use is appropriate to the role and function of the shopping centre.

The supporting text to this policy suggests that at least 50% of the frontage within Secondary Shopping Areas should be Class A1 use. Whilst there is a general presumption supporting the replacement of existing retail uses within the secondary shopping area, the former use of the site was as a public house/night club and there were no retail uses on the site. Nevertheless, a small retail unit, fronting the High Street, is proposed as part of this application. Whilst the proposed care home does not fall within a use typically deemed acceptable within a Secondary Shopping Area, town centres also play a wider role in promoting other employment generating uses which in themselves can promote associated economic benefits to the town centre and surrounding area.

Policy H10 of the UDP supports the change of use or redevelopment of sites to provide accommodation for people in need of care, providing sites are conveniently located for local shops, services and public transport facilities; comply with the Council's Car Parking Standards; and have regard to supplementary planning guidance.

Given the policy support for the provision of care homes in accessible locations, the provision of a retail unit, which did not formerly exist at the site, and the importance of this site, which has been vacant for some time and would contribute to the wider regeneration of the Yiewsley/West Drayton Town Centre, on balance, the principle of development is considered to be acceptable, providing site specific issues can be addressed.

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

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

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

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

#### **7.04 Airport safeguarding**

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

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

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

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

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

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

The surrounding area is characterised by a mix of development ranging from more traditional rows of terraced properties with retail at ground floor and residential or office use above, to more modern and larger scale commercial and residential buildings such as the adjacent Morrisons supermarket, four-storey residential flats on the opposite side of the road, and five-storey flats on the opposite side of the canal.

The application site is situated in a prominent town centre location, surrounded by roads on two sides and the canal on the other, and its redevelopment is considered to be an important opportunity for the enhancement and long-term regeneration of Yiewsley Town Centre. The south western part of the site fronts the canal, and the south eastern part of the site fronts the High Street, with the entrances off St Stephen's Road to the north. Given its elevated position, and location adjacent to the bridge it is highly visible in both directions along the High Street and from the Horton Road junction to the east. Given the important and sensitive location, any regeneration scheme involving this site needs to demonstrate the highest level of design quality.

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

The applicant has made a number of changes to the scheme, since the previous application was withdrawn, in order to overcome concerns relating to scale, bulk and design. The scheme would now be characterised by a largely four-storey building which, due to the change in levels between the adjacent road and canal, would appear to drop down to three and two-storeys towards the canal bridge, when viewed from the High Street. In addition the fifth storey, which provides access to the roof terrace/garden, has been significantly reduced in size and set in from the edges of the building to minimise its visual impact when viewed from the street and to maximise the amount of amenity space available to residents.

The east facade, fronting the High Street would be set back from the foot way to provide additional public space and to allow for planting along this boundary. The applicant has suggested that this area could incorporate public art. In addition two inset terraces would be provided at third floor level which, it is considered, would further reduce the perceived bulk of the building when viewed from the High Street.

The building has been designed to provide modulation and articulation along its facades through the inclusion of shaped feature walls. These would help to break up the perceived mass and scale of the building. In addition a softer palette of materials, including white/ivory and charcoal render, cedar cladding, red and grey facing bricks, and glazing would be used to finish the building.

The south west elevation would be set back from the canal path by a relatively narrow landscaped garden characterised by seating and planting. It is considered that this would provide a valuable amenity space for residents whilst creating a lively frontage to the canal. At ground floor level this elevation would be characterised by a large area of glazing, which would provide an interesting outlook for residents using the ground floor lounge, and create an active frontage. The elevation would be characterised by a large cedar clad panel, and two projecting glazed stairwells. It is considered that the design changes have appropriately reduced the prominence and perceived bulk of the building when viewed from the canal and would provide an appropriate frontage. Notably, both British Waterways and the Council's Urban Design Officer are supportive of the scheme in terms of design and visual amenity.

It is considered that the proposed alterations to the building's design, and choice of materials, sufficiently reduce its perceived bulk and scale, particularly when viewed from the High Street, to overcome the previous concerns raised, whilst maintaining a contemporary design approach. Whilst viewed as a prominent landmark building, it would nevertheless be seen in context with surrounding large buildings including Morrisons

Supermarket on the opposite side of St Stephens Road, the 5-storey Union Wharf on the opposite side of the canal, and 4-storey Deen Court and Ashley Court on the opposite side of the High Street, and it is not considered that it would appear as out of keeping with the character or appearance of this part of Yiewsley, or detrimental to the visual amenities of the streetscene or Grand Union Canal.

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

The application site is located in a relatively exposed location, bounded by St. Stephen's Road, the High Street and the Grand Union Canal. Beyond St. Stephen's Road is the large Morrisons supermarket building, beyond the High Street is a health centre, and beyond the canal is a vacant site, formerly occupied by an office building, and a 5-storey flatted development. Given the distance between the site and the nearest residential properties, it is not considered that the proposed development would have any detrimental impact on the amenity of the nearest residents.

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

Policies relating to living conditions largely relate to C3 residential developments, and there are no specific guidelines relating to residential care homes. Nevertheless, it is important to ensure that suitable accommodation would be provided for future occupiers.

Policy H10 of the UDP specifies criteria for the development of care homes. The policy requires care homes to be conveniently located for local shops, services and public transport facilities and to comply with the Council's car parking standards and have regard to the Council's amenity guidelines.

The Design and Access Statement confirms that the proposed care home would cater mainly for elderly infirm patients, who are not generally very mobile. Each bedroom would have a minimum floorspace of 12m<sup>2</sup> and would have en-suite WC facilities. The applicant has confirmed that this complies with relevant National Care Standards and that, if approved, the home would be registered with the Commission for Social Care and Inspection and/or the Care Quality Commission.

An approximately 250m<sup>2</sup> roof terrace/garden would be provided. In addition, an approximately 94m<sup>2</sup> lounge/dining room, and an approximately 23.8m<sup>2</sup> quiet lounge would be provided on each floor of accommodation, directly overlooking the canal. Given the nature of the residents these internal areas, with attractive views overlooking the canal, are considered to be at least as important as external amenity areas (this being reinforced by appeal inspectors when considering similar type schemes). This level of amenity space is considered to be acceptable in this instance, where the majority of residents are likely to have limited mobility and be highly dependent on nursing staff. It is noted that both the proposed floor space standards and amenity space standards exceed the minimum registration criteria as set out by the Commission for Social Care Standards (CSCI).

The only overlooking likely to occur from surrounding uses is from the developments on the opposite side of the canal. However, no bedrooms front the canal, and given the distance of over 21m this exceeds overlooking guidelines in the Council's Supplementary Planning Guidance on Residential Layouts. As such, it is not considered that this would result in an unacceptable loss of privacy to future occupiers, or to occupiers of buildings opposite.

Bedroom windows on the first floor fronting the High Street would be a minimum of approximately 3.3m above ground level to the bottom. Therefore, whilst no overlooking would occur from passers by, a limited degree of overlooking could occur from passing

double-decker buses (approximately 4.2m high). Whilst this is not ideal, given that double-decker buses are only likely to pass the site a few times a day, and would be moving, only glimpses of the rooms would be available and, as such, it is not considered that refusal could be justified on this basis. Should approval be granted a condition requiring details of window treatment to reduce overlooking could be added.

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

It is proposed to provide a total of 12 parking spaces, 10 allocated to the care home, and two designated for the retail unit. In addition, one space would be provided for delivery vehicles, ambulances and taxis.

The London Plan seeks a maximum parking provision for retail units of 1 space per 15-75m<sup>2</sup>. The retail unit would have a floor area of 93.5m<sup>2</sup> and, as such, the provision of 2 spaces for the retail unit is considered to be acceptable.

The applicant has submitted a Transport Assessment which justifies the level of parking provision for the care home. Due to the nature of the residents, the only traffic generation is likely to be from staff and visitors. It is anticipated that up to 15 staff would be on duty at the care home at any one time. However, given the site's town centre location, good transport links, and objectives set out in the travel plan, it is highly likely that many staff will travel by alternative means of transport rather than rely on private cars. Accordingly the Council's Highway Engineer has suggested that 8 spaces should be designated specifically for visitors. Should approval be granted a condition could be added requiring the applicant to submit a parking management strategy to demonstrate that the car parking at the site would be effectively controlled. The Council's Highway Engineer has raised no objections to the proposed parking provision. In addition it should be noted that due to parking restrictions on surrounding roads, the proposed development is unlikely to lead to any significant increase in on-street parking.

The plans indicate that 12 cycle parking spaces would be provided within the car park for use by both the retail unit and care home. Given the likely number of staff employed at the site, and limited parking available for them, the Council's Highway Engineer has suggested that additional cycle parking facilities should be provided. This could be required by way of condition should approval be granted.

The Council's highway Engineer raises no objection to the development in terms of the layout and design of the scheme or the impact of the traffic generated on the highway network. Whilst it is acknowledged that the surrounding road network is subject to parking issues and traffic congestion at times, it is not considered that the proposal would result in a significant increase in traffic and congestion over and above the former use of the site. Whilst it is not clear how many parking spaces the former public house/club had, aerial photos indicate that there would have been space to park several vehicles on the site. In addition, the transport assessment indicates that it would have generated significantly higher volumes of traffic than that now proposed (approximately 200 trips over a 12 hour period, albeit the majority of which would have occurred outside peak hours, compared to approximately 104 for the proposed scheme). As such, it is not considered that the proposal will result in any increase in traffic to/from the site sufficient to justify refusal.

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

- Urban Design

Matters relating to urban design have largely been addressed in part 7.6 of this report.

Several changes have been made to the scheme, including the setting back of the building from the High Street at its lower levels, the introduction of two inset terraces at



third floor level, the reduction in the size of the fifth floor, a reduction in the height of the corner of the building adjacent to the canal bridge and High Street, and use of a more neutral colour palette.

The proposed changes are considered to positively address previous concerns relating to the scale, bulk and design of the proposed building, and its impact on the Grand Union Canal. Notably, the lounges, waiting room and reception would overlook the waterside with glazing that makes the most of the canal side setting. It is considered that this would provide an active and attractive canal side frontage. British Waterways have confirmed that they are fully supportive of this aspect of the design.

With regards to the street frontages the prominent corner of the High Street and St Stephens Road has been successfully articulated as a bright and accessible corner feature in white render with a strong element of glazing, and timber panels for texture and warmth. It is considered that this successfully creates the impression of a landmark building at this relatively prominent site without appearing as overbearing or out of character with the streetscene.

The proposed building would be set slightly back from the High Street through the use of landscaping and open areas, and the height of the building adjacent to the canal bridge, has been reduced in height. This is considered to be a positive change which addresses previous concerns raised.

The scale, height, massing and design of the building is now considered to be acceptable in this location and it is not considered that the proposed building would be out of keeping with the character or appearance of the surrounding area or detrimental to the visual amenities of the streetscene. Notably the Council's urban Design Officer is now fully supportive of the proposal.

#### - Security

The development should incorporate measures to reduce the risk of crime. Should approval be granted a condition would be required to ensure the development meets the Metropolitan Police's 'Secured by Design' criteria.

### **7.12 Disabled access**

The applicant has confirmed that the home will be planned for disabled access throughout with level access to all floors, lifts with suitable door widths and full accessibility for wheelchair users. Internally it will be designed to include various colours, textures and aromas to enhance the experience of residents and the recommendations of the Royal National Institute for the Blind will be incorporated for occupiers with limited vision.

Externally a secure roof terrace/garden space will be provided. This will have a walking route where residents can be helped along by staff, with sitting areas at intervals. Various shrubs, flowers, etc would be provided to enhance the visual and residential amenity of this area.

The applicant has confirmed that the building has been designed to comply with the criteria set down in the Government's current National Standards for Care Homes and will be subject to registration with the Care Quality Commission (formerly the Commission for Social Care Inspection), an independent inspectorate responsible for inspecting the care home once it is operational.

The Design and Access Statement confirms that the building interior and exterior spaces

will be planned and detailed to take into account the needs of all users and that issues such as lighting, fittings, colours, etc will be carefully considered. The building would be fully compliant with the relevant criteria within the Disability Discrimination Act 1995 and Part M of the Building Regulations.

Notably, the Council's Access Officer has raised no objection subject to a condition requiring the provision of a 13 person standard lift and a 13 person fire rated lift for assisting horizontal evacuation. The applicant has committed to providing this in writing.

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

Not applicable to this type of development.

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

The public house/club previously located on the site has been demolished following fire damage and the site is currently vacant, with the exception of left over building material. There is very limited existing landscaping on the site.

It is notable that given the requirements of the occupiers of the care home an attractive outlook onto small secure garden spaces, rather than larger accessible spaces, is preferred. Accordingly, an accessible roof garden/terrace, which would comprise areas of seating, small grassed lawns, and shrub planting, is proposed. Limited details have been provided of this area at this stage, however, further details could be required by way of condition should approval be granted.

In addition to the roof garden, the plans indicate that small garden areas would be provided in front of the site facing the canal. These would comprise grassed areas, tree and shrub planting, flower beds and seating, and would provide a pleasant outlook and enhance the frontage of the building facing the canal.

Two small roof terraces, comprising planting, would be provided at third floor level, fronting the High Street, and small narrow strips of landscaping would also be provided at street level. Whilst these areas would need to be carefully managed and maintained, it is considered that they would contribute positively to the visual amenities of the streetscene.

In addition to the above mentioned garden areas, an extensive sedum green roof would be provided. This would have significant environmental benefits and would particularly assist with issues such as noise attenuation, reduction of heat loss from the building and drainage.

The proposed amenity space and landscaped areas are considered to be suitable in this location given the nature of the development. Notably, the Council's Trees/Landscape Officer has raised no objections subject to relevant conditions.

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

Given the type of development, the site occupiers ultimately have discretion over which waste management methods are used. The plans indicate that refuse storage areas would be provided in a secure area of the car park. Suitable space has been provided for refuse facilities and no objections have been raised by the Council's Waste Strategy Team. Full details of waste and recycling facilities would be required by way of condition should approval be granted.

#### **7.16 Renewable energy / Sustainability**

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

The applicant has submitted a Pre-Construction Energy Report with the application, which shows that a number of measures could be incorporated into the scheme to reduce its energy demand. These include careful selection of building materials, use of green roofs, grey water recycling, use of efficient glazing, lighting, etc. The report also discusses the use of various renewable technologies in order to reduce the site's carbon emissions. A 20% reduction in carbon emissions would be achieved through the use of air source heat pumps. This is considered to comply with London Plan policy, and further details would be required by way of condition should approval be granted. Whilst the report also discusses the use of solar hot water systems as being feasible, it is not clear whether the applicant intends to adopt these. Should approval be granted full details of feasible renewable technologies would be required to ensure the maximum possible reduction in carbon emissions would be achieved.

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

The site does not fall within a flood zone. However, due to the proximity of the site to the Grand Union Canal the Environment Agency was consulted and has confirmed that no objection is raised to the proposed development subject to a condition regarding the planting. As such, it is not considered that the proposed development would lead to a significant increase in the risk of flooding in the area.

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

##### **NOISE**

The applicant has submitted an Environmental Noise Impact Survey and Assessment. The report identifies that the site falls within PPG24 Category C. The noise assessment incorporates recommendations for the future design of the scheme to employ appropriate noise mitigation measures such as use of suitable external wall masonry and double glazing. These recommendations can be included as conditions in the event that the scheme is approved. Officers in the Council's Environmental Protection Unit have raised no objections on grounds of noise, subject to appropriate conditions should approval be granted.

##### **AIR QUALITY**

The application site falls within an Air Quality Management Area and, accordingly, the applicant has submitted an Air Quality Assessment. This concludes that the development would have a negligible impact on local air quality. It also indicates that local air quality is likely to fall below air quality objectives for 2010 and, as such, existing air quality at the site would have a negligible impact on residents. Officers in the Council's Environmental Protection Unit have confirmed that the submitted Air Quality Assessment is acceptable and have raised no objection to the scheme on air quality grounds subject to appropriate conditions.

#### **7.19 Comments on Public Consultations**

Points (i), (ii), (iii) relate to inadequate parking and the impact this could have on the surrounding area. Issues relating to parking have been addressed in the report.

Points (iv), (vii) and (xii) raise concerns over landscaping and amenity space. These issues have been addressed in the report.

Points (v), (viii), (ix), (x) and (xi) raised concerns over the principle of the development in this location and design related issues. These have been addressed in the report.

Point (xiii) suggests that Blue Ribbon policies need to be considered. All relevant UDP and London Plan policies have been taken into considered in assessing the scheme.

## **7.20 Planning obligations**

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

The Council's S106 officer has advised that contributions should be provided towards local health care provision, town centre and public realm improvements, including enhancements to the canal, construction training, air quality, provision of a comprehensive Travel Plan, and project management and monitoring. In this instance, a S106 agreement has not been progressed with the applicant due to fundamental objections relating to design issues.

## **7.21 Expediency of enforcement action**

Not applicable.

## **7.22 Other Issues**

None.

## **8. Observations of the Borough Solicitor**

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

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

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

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

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

## **9. Observations of the Director of Finance**

Not applicable.

## **10. CONCLUSION**

No objections are raised to the principle of the development and it is considered that the

previous concerns have been fully addressed. The proposal would now be visually acceptable in this location, significantly contributing to the enhancement of this part of the Grand Union Canal and surrounding area.

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

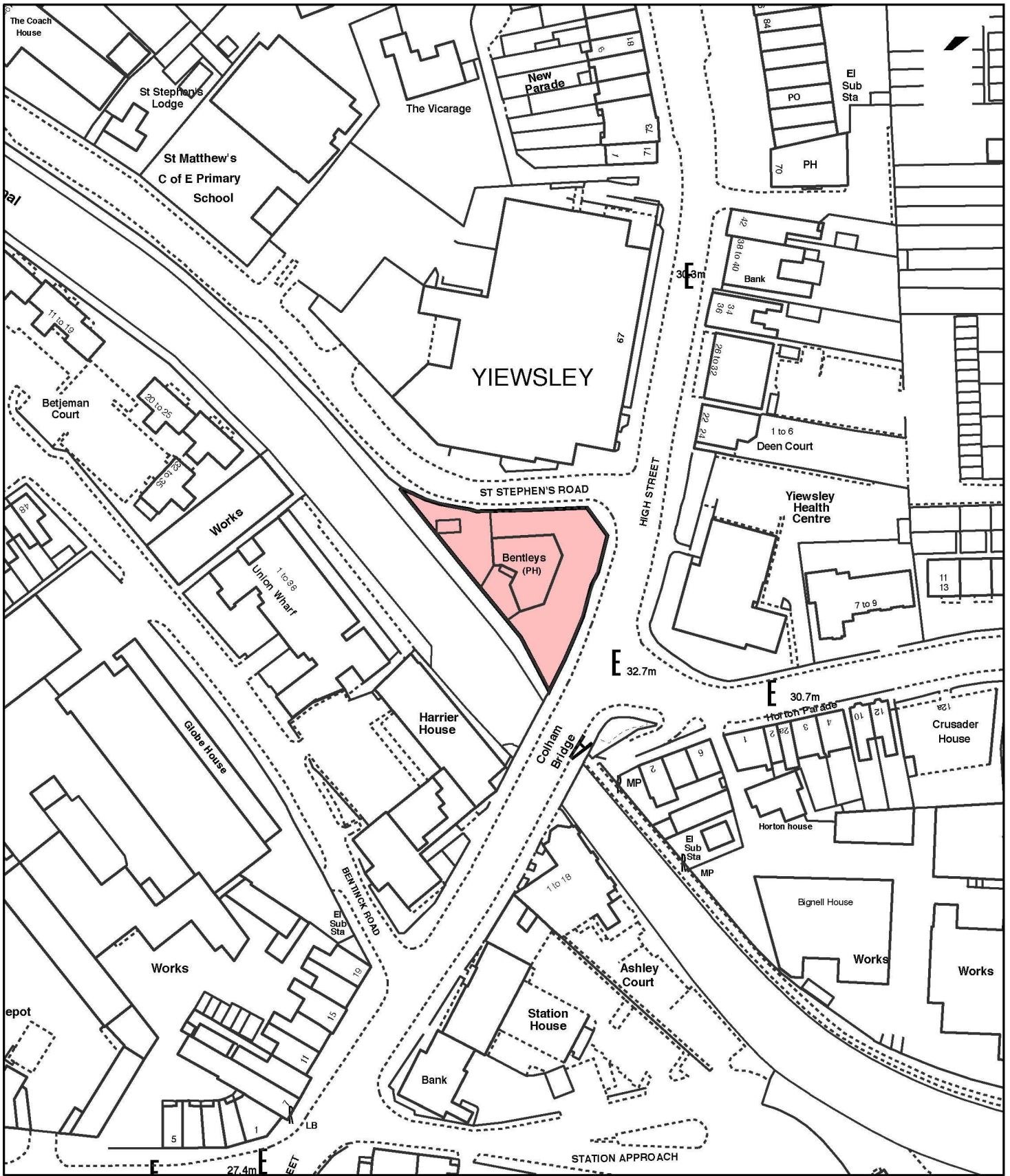
The proposal is considered to comply with relevant UDP and London Plan policies and, as such, approval is recommended.

## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 6 (Planning for Town Centres)  
Planning Policy Guidance Note 13 (Transport)  
Planning Policy Guidance Note 22 (Renewable Energy)  
Planning Policy Guidance Note 24 (Planning and Noise)  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary planning Guidance - Air Quality  
Supplementary planning Guidance - Planning Obligations  
Supplementary planning Guidance - Accessible Hillingdon

**Contact Officer:** Johanna Hart

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**Notes**

 Site boundary  
For identification purposes only.

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Site Address

**39 High Street,  
Yiewsley**

Planning Application Ref:  
**24485/APP/2010/1443**

Planning Committee  
**Central and South**

Scale  
**1:1,250**

Date  
**August 2010**

**LONDON BOROUGH  
OF HILLINGDON**  
**Planning &  
Community Services**

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