

## **Report of the Head of Planning & Enforcement Services**

**Address** LAND REAR OF MONTAGUE PASSAGE AND ADJACENT TO 1 AND 2  
IFFLEY CLOSE UXBRIDGE

**Development:** Erection of a two storey block of four flats with associated car parking and landscaping.

**LBH Ref Nos:** 67688/APP/2011/685

**Drawing Nos:** 10265\_PL\_025  
10265\_PL\_026  
10265\_PL\_027  
10265\_PL\_030  
10265\_PL\_031  
10265\_PL\_032  
10265\_PL\_033  
10265\_PL\_050  
10265\_PL\_051  
10265\_PL\_005  
10265\_PL\_024

**Date Plans Received:** 17/03/2011      **Date(s) of Amendment(s):**  
**Date Application Valid:** 30/03/2011

### **1. SUMMARY**

The scheme proposes to erect a two storey block of four 1 bedroom flats with associated landscaping and parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions.

### **2. RECOMMENDATION**

**APPROVAL** subject to the following:

#### **1 SP01 Council Application Standard Paragraph**

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

#### **2 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.

#### **3 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).

**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 OM2 Levels**

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

**REASON**

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

**6 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 TL2 Trees to be retained**

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

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be

planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

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

### **8 TL3 Protection of trees during site clearance and development**

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

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

#### REASON

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

### **9 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).

### **10 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

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

#### REASON

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

### **11 TL7 Maintenance of Landscaped Areas**

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

schedule.

**REASON**

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

**12            DIS5            Design to Lifetime Homes Standards & Wheelchair Standards**

Prior to the commencement of the development hereby approved, details demonstrating full compliance with all Lifetime Homes criteria shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be permanently retained.

**REASON**

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

**13            OM20            Grampian Planning Obligations**

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how improvements to education facilities in the vicinity of the site arising from the needs of the proposed development will be provided. The approved means and timescale of providing the proposed improvements shall then be implemented in accordance with the agreed scheme.

**REASON**

To ensure the development provides an appropriate contribution to the improvement of education facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Guidance.

**14            TL20            Amenity Areas (Residential Developments)**

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

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

**15            OM5            Provision of Bin Stores**

No development shall take place until details of covered and secure facilities to be provided for the screened storage of refuse bins within the site 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

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **16            OM14            Secured by Design**

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

#### REASON

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

#### **17            H7            Parking Arrangements (Residential)**

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

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan. (July 2011).

#### **18            N1            Noise-sensitive Buildings - use of specified measures**

Development shall not begin until a scheme for protecting the proposed development from rail traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such of the following measures as are agreed with the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by rail traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

#### **19            NONSC            Soils**



All soils used for soft 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 for approval by the Local Planning Authority. Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

**REASON**

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

**20 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**21 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

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

**22 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

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

through minimising emissions throughout the demolition and construction process.  
(vii) The storage of demolition/construction materials on site.

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

**REASON**

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

**23            SUS5            Sustainable Urban Drainage**

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

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with the London Plan (July 2011) 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), London Plan (July 2011) Policy 5.12 and PPS25.

**24            H11A            Visibility Splays**

Unobstructed sight lines above a height of 1 metre shall be maintained where possible on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

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

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan. (July 2011).

**26            NONSC            Non Standard Condition**

No additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**



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

**27 NONSC Non Standard Condition**

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

**REASON**

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

**28 NONSC Non Standard Condition**

Before development commences, plans, details and a construction method statement setting out the exact position of the building in relation to the boundary with Montague passage and how construction (including footings) will be undertaken without encroaching on adjoining land.

**REASON**

To ensure the development is completed within the application site and prevent encroachment into Montague Passage and to accord with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

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

**2 I53 Compulsory Informative (2)**

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
HDAS	'Residential Developments'
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

### **3            I5            Party Walls**

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

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

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

### **4            I6            Property Rights/Rights of Light**

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

### **5            I12            Notification to Building Contractors**

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

### **6            I18            Storage and Collection of Refuse**

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

**7            I19            Sewerage Connections, Water Pollution etc.**

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

**8            I20            Land Drainage**

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

**9**

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

**10           I21            Street Naming and Numbering**

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

**11**

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

**12**

In relation to Condition 14, the applicant is advised that a financial contribution of £4,906 would satisfy the requirement of the condition.

**13           I15            Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

### **3. CONSIDERATIONS**

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

The site is located on the northern side of Iffley Close and Montague Passage and comprises a former garage court, which was demolished approximately 8 years ago, and is used for parking on an ad-hoc basis. The site adjoins nos. 1 & 2 Iffley Close and fronts Montague Passage (an access road to garages located at the rear of residential properties on Montague Road), and by the Metropolitan Railway to the north. It has vehicular access via Iffley Close. The area is residential in character with residential properties to the west and south. The site is within the developed area as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2008).

#### **3.2 Proposed Scheme**

It is proposed to erect a two storey building comprising 4 x 1 bed flats for people with learning difficulties. A total of 12 car parking spaces are proposed, 2 of which are for the proposed development and 10 of which are being retained for local residents.

The building has been designed to meet 'Passivhaus' design principles which means that the building, through super-insulating the building, ensuring the building is extremely airtight and using mechanical ventilation with heat recovery and living units, it would not require a conventional space heating system.

#### **3.3 Relevant Planning History**

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

There is no relevant site history relating to this site.

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

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE25 Modernisation and improvement of industrial and business areas

OE1 Protection of the character and amenities of surrounding properties and the local area

OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures

HDAS 'Residential Developments'

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

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

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **20th April 2011**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

#### **EXTERNAL**

A total of 29 neighbouring properties were notified. 5 letters of objection were received. Objections were raised on the following grounds:

- i) Substandard car parking spaces for proposed dwellings.
- ii) Loss of privacy.

- iii) Increased parking problems on Iffley Close and Montague Road due to loss of parking area.
- iv) Detrimental to the character of the area.
- v) Overlooking of dwellings in Montague Road.

OFFICER COMMENT: These issues are addressed within the body of the report.

### **Internal Consultees**

#### **TREES & LANDSCAPE**

This Council site is situated to the south of the boundary with the Metropolitan line and is surrounded to the south and east by mixed housing.

There are a number of trees on, and close to, the site which, collectively, make a contribution to the character of the area.

The site is on the edge of the North Uxbridge Area of Local Character. However, there are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

A tree report (Arboricultural Method Statement) by JBA, dated May 2009, has been submitted which assesses the quality and value of five individual trees and two groups. Of these, only the off-site group of Whitebeam (G2) to the south of the site entrance are rated 'b' or fair and justifying retention. All others are rated 'C' (poor, a rating not normally considered to be a constraint on development), or 'R' (requiring removal).

The proposal is to erect a two-storey block of flats in the eastern part of the site with associated landscaping, parking for eight cars and cycle/bin storage facilities. The proposed boundary treatments include a combination of retaining and free-standing walls.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

a) The tree report recommends that a Sycamore (T4), situated in the south-east corner of the site is to be retained. However, drawing Nos.10265.PL.005 and the proposed site plan, ref. 024 indicates that all of the trees within the site will be removed.

b) The tree report provides guidance regarding protective measures to be used to protect retained trees from construction-related damage. In this case the only retained trees are off-site (G2), near the site entrance which may be vulnerable to site traffic. Final details of the protective measures should be submitted for approval prior to the commencement of work in accordance with the recommendations of the tree report.

c) On balance there is no objection to the removal of the poor quality trees within the site - provided that a high quality landscape scheme is secured which includes replacement structure (tree) planting and hedging along the northern boundary.

d) With regard to the layout, the current arrangement provides approximately 60m<sup>2</sup> of useable amenity space. This contrasts sharply with the large expanse of tarmac (labelled 'parking space') most of which appears to be superfluous maneuvering space. If this were to be reduced in area, a significant amount of additional amenity space would be available for use by residents and/or planting to the benefit of the scheme and the character of the area.

DCLG & EA guidance requires new driveways to be designed and installed in accordance with SUDS principles.

Due to the presence of shared / communal external spaces a management / maintenance plan is required to ensure that the landscape is maintained in accordance with the landscape proposals.

While there is no objection in principle, the area of the car park surface area should be reduced if



practicable. Subject to the above observations, the scheme would be acceptable with conditions TL2, TL3, TL5, TL6 and TL7.

OFFICER COMMENT: The majority issues raised in the Landscape Officer's comments will be addressed by condition. It should be noted that the level of car parking provided is dictated by a covenant on the land requiring that 6 spaces be retained.

#### EPU - CONTAMINATED LAND

As a more sensitive end use is being introduced, where there are likely to be areas of soft landscaping, this material will need to be tested for contamination to determine if it is suitable for use. On this basis I would advise attaching the following condition and informative on any permission that may be given if a standard contaminated land condition is considered too onerous for a development of this scale.

Condition to minimise risk of contamination from garden and landscaped area

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

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

#### REASON

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

#### CONTAMINATION INFORMATIVE

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### REASON

You are advised this development is on a former car park based on Ordnance Survey data. We have no information on ground conditions. There is a possibility of some contaminating materials being present below the hard standing. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate remediation and restoration of the site once works are complete to minimise risk to the future occupants of the site. The suitability of building materials and building techniques may also need to be considered under the Building Regulations.

#### EPU - NOISE

I refer to your request for comment on the above application.

I do not wish to object to this application.

Noise sources

Rail noise

The site is affected by noise from rail traffic to the west of the site serving Uxbridge station.

Signal Box plant noise

A site visit showed the external noise climate is impacted by condenser units on this adjacent building located to the west of the site.

#### Adjacent non-residential use

There is parking space for 1 vehicle to the north of the development site, on further enquiry this is used by Securitas and forms access to the signal box and a BT facility located there.

Since the proposed development benefits from the application of Passivhaus design principles the internal noise climate will be governed by the following elements;

- triple glazing which will reduce sound transmission from external sources
- mechanical ventilation and heat recovery requires that fresh incoming air is pre-heated and windows are designed to remain closed to ensure correct operation of the system

Based on the proposal that the development is built to these standards I would be satisfied that the internal noise levels will be satisfactory. I would therefore recommend a condition be applied to ensure that adequate noise control measures are in place to protect future occupants indoors and outdoors;

#### Condition 1

N1 Development shall not begin until a scheme for protecting the proposed development from rail traffic and other noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

Reason: To safeguard the amenity of surrounding areas.

Please also add the construction informative:

#### Construction Site Informative

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

- (i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No such work should be carried out on Sundays and Bank Holidays. All noise generated during such works should be controlled in compliance with British Standard 5228;
- (ii) Measures should be taken to eliminate the release of dust and odours caused by the works that may create a public health nuisance.
- (iii) No bonfires on the site should be allowed to take place at any time.

#### URBAN DESIGN & CONSERVATION

This is a former garage site, now cleared, under the Council ownership. The site lies at the edge of the North Uxbridge Area of Special Local Character. The area is characterised by mixed housing, modern council housing along Iffley Close, and semi-detached 1920-30s cottages along Montague Road.

The scheme proposes a two storey block of four one bedroom flats with a shared amenity space

and parking. The site also includes some parking spaces for the flats along Iffley Close.

There are no objections in principle to the schemes overall layout, scale and design. The footprint of the proposed building is set behind from the houses on Iffley Close, and would as such have no impact on the character and appearance of the area of special local character.

In design terms, the proposed building is modern in appearance, whilst in keeping with the mixed local context of the area. The articulation of the windows provides an interesting feature to the appearance of the building, whilst not detracting from its appearance.

Further details of the proposed seam zinc roof would be required and should be conditioned. The guttering detail is also unclear and a cross-section showing the same should be submitted.

Given that the footprint of the building is only 2m away from the parking, it is also suggested that the parking layout could be improved by changing the bay closest to the flat to a disabled bay. This would improve any noise/amenity issues.

Acceptable in principle. Further details re roof material and cross-sections required. Minor amendment to parking layout suggested.

#### EDUCATION

Based on the erection 4 x 3 room flats the contribution sought is £4906.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a conservation area or Area of Special Local Character. As such, there is no objection in principle to the redevelopment of the site for residential purposes.

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

The site has a Public Transport Accessibility Level (PTAL) of 4. The London Plan (2011) range for sites with a PTAL of 4-6 in an urban area is 200-700 habitable rooms per hectare and 70-260 units per hectare. As such, based on a total site area of 755m<sup>2</sup> the site would have a density of 53 units per hectare and 158 habitable rooms per hectare. Given the small scale nature of the development and the site constraints this is considered to be an appropriate density given the circumstances.

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

The site is not in an area of architectural importance or a heritage area.

### **7.04 Airport safeguarding**

The proposed development is considered to have no impact on airport safeguarding.

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

The site does not lie within or close to the green belt.

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

The proposed dwellings are of a domestic height and massing, in keeping with the character and scale of the surrounding buildings and the area in general. The proposed external appearance of the buildings is considered to be a positive, modern and

environmentally friendly interpretation of traditional vernacular. The scheme is not considered to have a detrimental impact on the streetscape.

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

The site adjoins properties to the west and is in proximity to dwellings to the south on Montague Road.

The distance to the dwellings with facing windows to the south is approximately 34m. The distance to the flank wall of nos. 1 & 2 Iffley Close is also 34 metres. Both these distances far exceed the minimum distances as set out in HDAS Residential Layouts preventing any significant overlooking, loss of outlook or privacy.

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

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

##### **Unit Size**

The Council's HDAS Residential Layouts SPD states that a 1 bedroom flat, should have a minimum floor area of 50sq metres. The proposal is for 4 x 1 bed flats each with a floor area of 51sq metres which accords with the Council's minimum standard and is as such considered acceptable.

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

##### **Amenity Space**

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 1 bedroom flat is 20sq metres of shared amenity space per flat. The proposed amenity space provision is 20sq metres of space for one ground floor flat and 60sq metres of shared amenity space for the remaining three flats.

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

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport.

The site formerly housed lock up garages, which were demolished at least 8 years ago. It is now used for car parking by local residents, although this is on an ad-hoc basis as there is no formal allocation or marking out of parking spaces. The applicant is to provide 10 car parking spaces on site for local residents and 2 for the proposed development (the council's parking standards require 1 space per 4 flats and a wardens space so there is a maximum allowance of 2 parking spaces).

In terms of the car parking, the Council's Legal Officer has looked through all the legal documentation, including title deeds, for properties on Iffley Close and has confirmed that the Council is required to retain 7 car parking spaces for existing Iffley Close residents. The proposal makes provision for 10 car parking spaces for existing residents. As such there is in fact a net gain of parking spaces over what legally needs to be provided on site. Whilst it is acknowledged that 15 cars park on this site regularly, with slightly higher number of vehicles parking there on the site on some days, the majority of this is indiscriminate parking.

The proposed layout indicates secured and covered storage for four bicycles, which accords with standards.

It is therefore considered that the re-provision of 6 spaces plus 3 spaces for the proposed scheme would not have a significant impact on traffic and pedestrian flow in the immediate area. The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

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

Conditions are recommended to ensure the scheme accords with secure by Design Standards.

In terms of Urban Design the scheme is considered acceptable. Please see section 7.07. for further discussion.

Pedestrian and access arrangements are considered to be acceptable.

#### **7.12 Disabled access**

The Council's Access Officer raised no concerns. The proposed development has been designed to meet Lifetime Homes standards in accordance with Policy 3.8 of the London Plan (July 2011) and guidance within the Hillingdon Design and Accessibility Statement Residential Layouts and Accessible Hillingdon Supplementary Planning Documents. The development is not of a scale which would warrant the provision of wheelchair adaptable units.

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

Given that the proposal is for a four units on a small site this is not relevant in this case.

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

The application site does not have any trees on it at present, as such the proposal does not have any implications with regard to tree retention or removal. Conditions are recommended to ensure future landscaping arrangements are acceptable. The Council's Trees and Landscape Officer has raised no objections to the proposal which would achieve appropriate outcomes in terms of policy BE38.

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

The proposals indicate refuse storage area in the car park. This is considered to provide an adequate level of refuse storage space for each house. It is located an acceptable distance from the carriageway and from the proposed building. A condition is recommended to ensure refuse facilities are provided.

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

The building has been designed to meet 'Passivhaus' design principles which means that the building, through super-insulating the building, ensuring the building is extremely airtight and using mechanical ventilation with heat recovery and living units, it would not require a conventional space heating system.

Furthermore a condition will be added requiring that the development be built to level 4 of the Code for Sustainable Homes.

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

The site does not lie within a flood zone and as such there are no flooding issues on this site.

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

It is not considered that the provision of a residential unit on this site will lead to significant noise or air quality issues. The site is located to the south of the rail line and has been designed to prevent noise affecting future residents. The Council's Environmental Protection Unit have considered the applicant's noise mitigation proposals which are considered acceptable. As such the scheme is considered acceptable in this regard.

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

None.

#### **7.20 Planning obligations**

The education department has advised that the scheme would give rise to, in line with the Planning Obligation SPD, a contribution of £4,906 is required in order to meet the education needs of the proposed development. This will be secured by way of a condition.

#### **7.21 Expediency of enforcement action**

None.

#### **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**

**10. CONCLUSION**

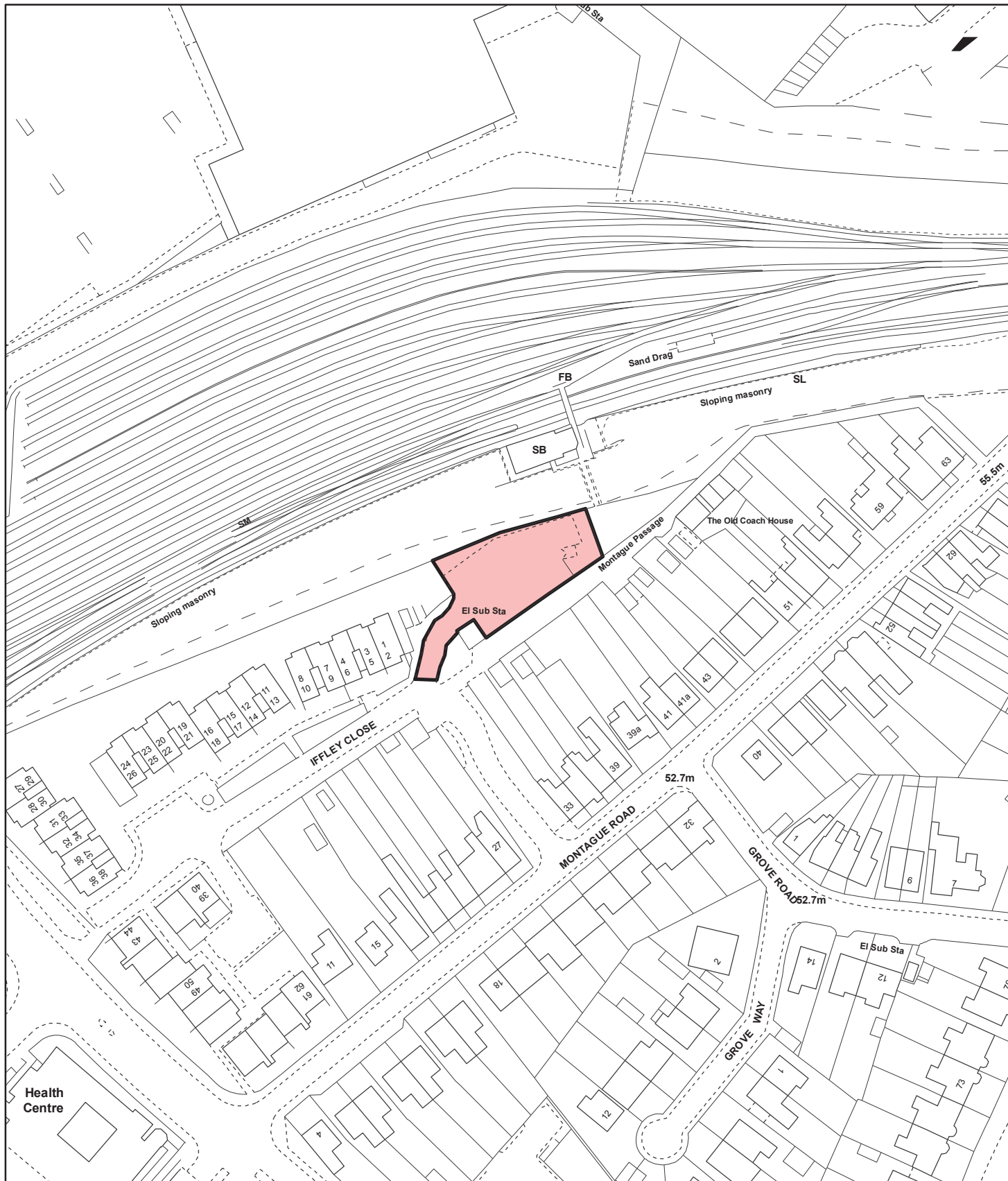
The scheme proposes to erect a two storey block of four 1 bedroom flats with associated landscaping and parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions.

**11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (July 2011)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3: Housing  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
Supplementary Planning Document - Planning Obligations

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## Notes



Site boundary

For identification purposes only.

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Site Address

**Land rear of Montague Passage  
and adjacent to 1 and 2 Iffley Close**

Planning Application Ref:

**67688/APP/2011/685**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**October  
2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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