

## Report of the Head of Planning & Enforcement Services

**Address** FORMER ALLOTMENT SITE BURNS CLOSE HAYES

**Development:** Redevelopment of former allotment site to accommodate a residential development of 79 dwellings (13 x 2 storey houses, 1 x 2 storey flatted block containing 24 dwellings, 1 x 2 storey flatted block containing 28 dwellings, and 1 x 2 storey block containing 14 supported housing units), associated landscaping, boundary treatment, parking and access arrangements.

**LBH Ref Nos:** 68069/APP/2011/2309

**Drawing Nos:** Design and Access Statement 2011/D81/S/P Version 2.0  
Floor Risk Assessment Report EPG-7335-PP-02 Revision 1.3  
Energy Assessment Revision 1  
Transport Statement Revision C  
Reptile Mitigation Statement 03.10.11  
Feasibility Study Local Air Quality 0711revC  
2011/D81/S/P/01 Rev B  
2011/D81/S/P/02 Rev B  
2011/D81/P/04 Rev A  
2011/D81/P/05 Rev A  
2011/D81/P/06 Rev A  
2011/D81/P/07 Rev A  
2011/D81/P/08 Rev B  
2011/D81/P/09 Rev B  
2011/D81/P/10 Rev A  
2011/D81/S/P/11 Rev C  
2011/D81/S/P/12 Rev B  
2011/D81/S/P/13 Rev A  
2011/D81/S/P/14 Rev B  
2011/D81/S/P/15 Rev B  
2011/D81/S/P/16 Rev A  
2011/D81/S/P/03 Rev D

**Date Plans Received:** 23/09/2011      **Date(s) of Amendment(s):** 28/09/2011  
**Date Application Valid:** 28/09/2011      04/11/2011

### 1. SUMMARY

The application seeks planning permission to redevelop the former allotment site for residential purposes, including 13 x two-storey houses, 2 x two-storey flatted blocks, and a supported housing unit containing 14 one-bedroom flats, together with associated car parking and landscaping. In total, 79 units are proposed.

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

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

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

## **2. RECOMMENDATION**

That delegated powers be given to the Head of Planning, Consumer Protection, Sport and Green Spaces to grant planning permission, subject to the following:

1. That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

i) A s278 shall be entered into to cover any and all highways works need as a result of this application.

ii) At least 17.7% (by unit) of the scheme is to be delivered as affordable housing.

iii) A contribution in the sum of £267,427.00 based upon occupancy of the residential units.

iv) A contribution in the sum of £30,107.46 based upon occupancy of the residential units.

v) A contribution in the sum of £3186.42 equal to £23 per person.

vi) A contribution in the sum of £20,000.00 towards community facilities within the locality.

vii) A contribution in the sum of £52,889.53 towards training schemes will be sought as a result of this application given its nature and scale (£2,500 for every £1 million build cost + number of units/160 x £71,675). The Council's preference is for an in-kind scheme to be delivered on site during the construction phase and we welcome dialogue to discuss this further.

viii) The submission of a Travel Plan including the implementation of a traffic management scheme in Burns Close

ix) Project Management and Monitoring: a contribution in the sum of £18,680.52 towards project management and monitoring (5% of the total cash contributions secured from this proposal).

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

3. That the officers be authorised to negotiate the terms of the proposed Statement.

4. That if the Statement of Intent is not finalised within a period of 6 months from the date of this resolution, or any other period deemed appropriate by the Head of Planning, Consumer Protection, Sport and Green Spaces, that the application may be referred back to the Committee for determination.

5. That subject to the above, the application be deferred for determination by the Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers.

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

**1            SP01            Council Application Standard Paragraph**

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

**2            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            TL1            Existing Trees - Survey**

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

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

**REASON**

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

**5            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.

### **6 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).

### **7 TL5 Landscaping Scheme**

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).

### **8 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).

### **9 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).

**10 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 6 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).

**11 NONSC Play Area**

No development shall commence until details of the provision of the local zone play area on the site have been submitted to, and approved by, the Local Planning Authority. The timing of the provision of the approved play area shall be agreed with the Local Planning Authority prior to the commencement of the development and implemented in accordance with the agreed details and timetable.

**REASON**

To ensure the provision of adequate play space on the site in accordance with Policy R1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

**12 NONSC Drainage**

The construction of the surface and foul water drainage system shall be carried out in accordance with details that have been submitted to and agreed by the Local Planning Authority prior to the commencement of the development and implemented in accordance with the agreed details.

**REASON**

To prevent pollution of the water environment and to prevent increased risk of flooding in compliance with policy 5.12 of the London Plan (July 2011).

**13 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 5.13 of 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), policies 5.12 and 5.13 of the London Plan (July 2011) and PPS25.

#### **14 NONSC Flood Risk**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off to greenfield run-off rates for all storm events up to and including the 1 in 100 year storm event, with an allowance for climate change.
2. Provision of on site surface water storage to accommodate all events up to and including the critical duration 1 in 100 year storm event, with an allowance for climate change.
3. Surface water storage to be achieved using sustainable drainage techniques including green roofs, detention basin(s), swales and permeable paving.

#### REASON

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that sufficient storage of surface flood water is provided.
3. To ensure surface water flood storage is achieved with appropriate sustainable drainage techniques.

in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 5.12 and 5.13 of the London Plan (July 2011), and PPS25.

#### **15 SUS4 Code for Sustainable Homes**

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

#### **16 SUS2 Energy Efficiency**

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 25% of the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

#### REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with London Plan (July 2011) Policies 5.1, 5.3, 5.4, 5.5, 5.7, 5.9 and 5.10

#### **17 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).

#### **18 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

#### **19 M3 Boundary treatment**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing by the Local Planning Authority. 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).

#### **20 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).

#### **21 OM6 Refuse Collection Area**

Dustbins and enclosed refuse collection areas, details of which shall be submitted to and approved by the Local Planning Authority, shall be sited a maximum distance of 23 metres (10 metres where palladins are employed) from an adopted highway, and 25



metres from any dwelling unit.

#### REASON

To comply with the Hillingdon Design & Accessibility Statement (HDAS) Supplementary Planning Document: "Residential Layouts" (May 2006) and for the convenience of residents in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **22 H1 Traffic Arrangements**

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

#### REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

### **23 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures including the children's play area 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, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime' and the Council's SPG on Community Safety By Design.

### **24 NONSC Porous Surface**

The car parking and manoeuvring areas shall be constructed using a porous surface, unless otherwise agreed in writing by the Local Planning Authority.

#### REASON

To limit surface water runoff in order to ensure the proposed development does not cause a flooding problem in accordance with Policy OE7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 5.12 of the London Plan (July 2011).

## **25 NONSC Ecological Management Plan**

No development shall take place until the applicant has submitted to and agreed in writing with the Local Planning Authority an Ecological Management Plan (EMP) for the site. This should include the following elements:

- (i) Detail how the development site will be managed to exclude reptiles in the future, including the mechanisms for securing funding to enable this ongoing management.
- (ii) Repair and maintenance of the exclusion fencing
- (iii) Vegetation spraying and clearance
- (iv) Linkage into existing off site biodiversity sites such as the Yeading Brook Meadows Site of Metropolitan Importance (SMI)
- (v) Provision of bat boxes.

The scheme shall be carried out in accordance with the approved Ecological Management Plan.

### **REASON**

To ensure the protection of European Protected Species and that the proposed development will not have unacceptable ecological effects on the locality in accordance with Policies EC1 and E5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **26 NONSC Soils**

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 and approved by the Local Planning Authority.

### **REASON**

To ensure that the occupants of the development are not subjected to any risks from land contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 5.21 of the London Plan (July 2011).

## **27 NONSC External Lighting**

Before development commences, details of the position and design of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of underground works and measures to eliminate vertical and horizontal light spillage for the car park areas, roads, areas immediately around the buildings and courtyards.

### **REASON**

To ensure

- (i) That the development presents a satisfactory appearance
- (ii) To safeguard the amenities of nearby residential properties
- (iii) To ensure that the work does not undermine landscaping proposals
- (iv) To ensure that the proposed development will not have unacceptable ecological effects on the locality, particularly with regard to bats

in accordance with Policies BE13, BE38, OE1, EC1 and E5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **28 NONSC Car parking spaces**

Notwithstanding the submitted plans, a total of 80 off street parking spaces shall be

provided within the development. Development shall not begin until details of the method of control for allocation of these parking spaces to individual properties are submitted to and approved in writing by the Local Planning Authority.

**REASON**

In order to ensure that sufficient parking is provided, in accordance with Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**29            H16            Cycle Storage**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for at least 79 cycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

**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).

**30            RPD7            Exclusion of Garages, Sheds and Out-buildings**

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 garage, shed or other out-building shall be erected within the curtilage of any dwellinghouse, unless shown on the submitted plans.

**REASON**

To protect the character and amenity of the adjoining Green Belt and area generally and to prevent over-development in accordance with policies OL5, and BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**31            TL21            Tree Protection, Building & Demolition Method Statement**

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

**REASON**

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**32            RPD1            No Additional Windows or Doors**

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 additional windows, doors or other openings shall be constructed in the walls or roof slopes of the dwellinghouses hereby approved.

**REASON**

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

**33 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 dwellinghouses 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).

**34 RPD9 Enlargement to Houses - Roof Additions/Alterations**

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 addition to or enlargement of the roof of any dwellinghouse shall be constructed.

**REASON**

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**35 NONSC Rainwater Harvesting**

Prior to commencement of the development hereby approved details demonstrating the incorporation of rainwater greywater recycling facilities into each of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be installed, 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 5.3 and 5.15 of the London Plan July 2011.

**36 NONSC Defensive Space**

No development shall commence until details of measures to ensure the provision of defensive space adjacent to ground floor habitable room windows have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved measures shall be constructed and completed before the development is occupied and shall be permanently retained and maintained for the life of the development.

**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).

**37            NONSC        No Antennas**

No antenna, masts, poles, satellite dishes or the like shall be erected atop any of the buildings here by approved.

**REASON**

To ensure that apparatus do not detract from the visual amenities of the area in accordance with Policy BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**38            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).

**39            NONSC        CCTV**

No development shall commence until a scheme for the provision of Closed Circuit Television (CCTV) on and/or around the building has been submitted to, and approved in writing by, the local planning authority and the building shall not be occupied until the approved scheme has been implemented. Thereafter the approved scheme shall be permanently retained.

**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 that the development provides a safe and secure environment in accordance with policy 7.3 of the London Plan (July 2011).

**40            SUS8            Electric Charging Points**

Before development commences, plans and details of a minimum of 20% electric vehicle charging points, 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 (July 2011) Policy 5.3

**41            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 (July 2011) Policies 3.1, 3.8 and 7.2

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

Development shall not commence until details of 8 car parking spaces for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

#### REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

#### **43            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).

#### **44            NONSC            Restriction of use**

Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking and re-enacting either of these orders with or without modification), the building on Plot 1 shall be used only for the purpose of self contained flats for supported housing use by the London Borough Of Hillingdon and its partners and for no other purpose including any other purpose within Use Class C3 of the Town and Country Planning Use Classes Order 1987.

#### REASON

To enable the Local Planning Authority to retain control over the use so as to ensure that it complies with policy BE19 and OE1 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.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units

H5	Dwellings suitable for large families
H10	Proposals for hostels or other accommodation for people in need of care
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
OL15	Protection of Countryside Conservation Areas
R1	Development proposals in or near areas deficient in recreational open space
R4	Proposals that would involve the loss of recreational open space
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
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LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.16	(2011) Protection and enhancement of social infrastructure
LPP 3.17	(2011) Health and social care facilities
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking

LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.16	(2011) Green Belt
LPP 7.18	(2011) Protecting local open space and addressing local deficiency
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland

### **3            I1            Building to Approved Drawing**

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

### **4            I11            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).

### **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            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.

#### **7            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).

#### **8            I2            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.

#### **9            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).

#### **10          I24          Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

#### **11          I3            Building Regulations - Demolition and Building Works**

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

#### **12          I34          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.

### **13            143            Keeping Highways and Pavements free from mud etc**

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

### **14            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.

## 15

The drainage proposals should be able to demonstrate that the opportunities for implementing sustainable drainage techniques have been maximised in the proposed development. There does appear to be opportunity for further improvement in this situation, which we do not consider to be unreasonable, especially given that the site is currently a Greenfield site in the form of allotments. The Agency would like to see the inclusion of SUDS providing environmental benefits on site, such as ponds or detention basins.

All forms of flooding and their impact on the natural or built environment are material planning considerations. The site should be designed to ensure that space is available on site to include the most sustainable drainage systems; it is not acceptable to preclude SUDS due to a perceived lack of space. The requirements to use SUDS on site is supported by PPS25, the policies of the London Plan (2008) and the policy recommendations of LB Hillingdon's SFRA (April 2008).

## 16

Your attention is drawn to the fact that planning permission does not override any legislation designed to protect European Protected Species, including The Conservation (Natural Habitats etc) Regulations 1994. You should contact Natural England (Tel: 020 7831 6922) if you require further information.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located to the north east of Burns Close, a residential cul-de-sac, and forms part of an area, approximately 90 metres by 280 metres, formally used as allotment gardens. The application site, which is unused and overgrown, forms the eastern part of this former allotment and has an average width of 150 metres and depth of 80 metres.

Immediately adjoining the site to the north-east is public open space, known as the Yeading Brook Meadows, which forms part of the Green Belt. It also forms part of a countryside conservation area, an area of environmental opportunity, a nature reserve and a Site of Importance for Nature Conservation of Grade I Importance as identified by the Unitary Development Plan. To the south west of the site are residential properties and their garages, fronting Burns Close, and Grange Park Junior School. To the west is the newly erected children's respite home and retained allotment area. To the east lie residential properties fronting Marvell Avenue, while to the south lie residential properties and their garages fronting Melrose Close.

The long north-east boundary is defined by an off-site field hedgerow, interspersed with trees. The centre of the site is currently grassland devoid of trees or shrubs. The application site forms part of the 'developed area' as identified in the Unitary Development Plan.

#### 3.2 Proposed Scheme

Planning permission is sought for the redevelopment of the site to provide 79 residential units. This would be comprised of 6 x 2-bed dwellings, 7 x 3-bed dwellings, 26 x 1-bed flats, 26 x 2-bed flats, and 14 x 1-bed flats in a supported housing block. The dwellings



would two-storeys in height and would be a mixture of detached, semi detached and terraced properties, and the flats would be in 2 x two-storey blocks. The supported housing block would also be two-storeys in height. Permission is also sought for parking, external works, a local play area and enabling works to the public highway and local footpaths.

80 car parking spaces are proposed across the site, with 6 provided for the supported housing unit, 52 proposed for the flatted development on Plot B and 28 proposed for the 13 dwellings. Access to the development would be taken from Burns Close. The plans also show a 214sqm local area play zone together with communal and private amenity space.

### **3.3 Relevant Planning History**

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

REFERENCE: 59853/APP/2008/2326

LAND AT BELMORE ALLOTMENT SITE, BURNS CLOSE, HAYES

Residential development of 39 houses, formation of 'Local Area Playzone', alterations to public highway to create new access road and external works (Outline application).

Committee Resolved to Approve 22-10-2008

REFERENCE: 59853/APP/2004/2815

LAND AT BELMORE ALLOTMENT SITE, BURNS CLOSE, HAYES

Erection of a four-bed single-storey respite care home for children, with associated access, car parking and landscaping.

Approved 27-09-2005

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

Hillingdon Unitary Development Plan Saved Polices September 2007

HDAS SPD: New Residential Layouts: July 2006

Accessible Hillingdon SPD: January 2010

Planning Obligations SPD: July 2008; and Revised Chapter 4, Education Facilities: September 2010.

The London Plan (July 2011)

Planning Policy Statement 1: Delivery Sustainable Development

Planning Policy Guidance 2: Green Belts

Planning Policy Statement 3: Housing

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Guidance 13: Transport

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 23: Planning and Pollution Control

Planning Policy Guidance 24: Planning and Noise

Planning Policy Statement 25: Development and Flood Risk

#### **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:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments.

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

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

BE20 Daylight and sunlight considerations.

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

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

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

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

EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves

EC2 Nature conservation considerations and ecological assessments

EC5 Retention of ecological features and creation of new habitats

H4 Mix of housing units

H5 Dwellings suitable for large families

H10 Proposals for hostels or other accommodation for people in need of care

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

OE5 Siting of noise-sensitive developments

OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
OL15	Protection of Countryside Conservation Areas
R1	Development proposals in or near areas deficient in recreational open space
R4	Proposals that would involve the loss of recreational open space
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
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LPP 3.1	(2011) Ensuring equal life chances for all
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LPP 3.7	(2011) Large residential developments
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LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
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LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.21	(2011) Trees and woodland

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

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

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

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to 141 local owner/occupiers on 29/09/2011. The application was also advertised by way of site and press notices. Six letters of objection have been received. Objections were raised on the following grounds:

- i) Increase in traffic.
- ii) Parking and traffic congestion.
- iii) School parking and traffic.
- iv) Nuisance and inconvenience.
- v) Impact on property values.
- vi) Impact on infrastructure.
- vii) Increased run-off and flooding.
- viii) Loss of privacy.
- ix) Loss of view.
- x) Loss of open space.
- xi) Impact on wildlife.

### **EXTERNAL CONSULTTEES**

#### **ENVIRONMENT AGENCY:**

We are very pleased that the surface water drainage scheme has been revised to include green roofs on all of the proposed outbuildings. The surface water drainage scheme for this site is an exemplar SuDS scheme which will provide substantial biodiversity and water quality benefits.

It is particularly pleasing that rainwater harvesting, green roofs and ponds have been included as these are at the very top of the SuDS hierarchy outlined in the London Plan.

Based on the revised FRA we request the following conditions to be placed on any permission granted on this site:

#### Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off to greenfield run-off rates for all storm events up to and including the 1 in 100 year storm event, with an allowance for climate change.
2. Provision of on site surface water storage to accommodate all events up to and including the critical duration 1 in 100 year storm event, with an allowance for climate change.
3. Surface water storage to be achieved using sustainable drainage techniques including green roofs, detention basin(s), swales and permeable paving.

#### Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that sufficient storage of surface flood water is provided.
3. To ensure surface water flood storage is achieved with appropriate sustainable drainage techniques.

#### NATS SAFEGUARDING:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

#### Internal Consultees

##### ENVIRONMENTAL PROTECTION UNIT:

##### Noise Impact

The former allotment development site indicates ambient noise levels for road traffic of 0 - 49.9dBA (night) according to DEFRA's Noise Mapping.

It is therefore fair to say that the site will be in NEC A of PPG 24. The corresponding advice of development in this category is as follows:

- Noise need not to be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level.

Given the location of the proposed site however, any residual ambient noise migrating from the A4020 Uxbridge Road, measured approximately 350 metres is likely to be screened by the existing residential properties around the application site. No noise assessment has been undertaken as part of the development proposal. I agree that noise need not to be considered as part of the scheme, therefore a sound insulation scheme has not been requested. However, it is expected that the glazing configuration of residential development needs to meet the relevant building regulation standards.

The applicant should provide a construction environmental management plan as part of the mitigation scheme against the environmental impact attributable to construction and enabling works associated with the development:

Condition 1 - Construction, Environmental Management Plan

Before the development hereby approved commences, an Environmental Management Plan (EMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The EMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority.

The EMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with and distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Construction of the development shall be carried out in accordance with the approved EMP unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

#### Construction Site Informative

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works 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 works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use 'best practicable means' as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

#### SUSTAINABILITY OFFICER:

The Environment Agency has accepted the surface water drainage strategy presented in Version 1.3 of the Flood Risk Assessment. This sets out a series of options in which to attenuate the run-off.

We would normally condition the drainage strategy for more details to be considered through a pre commencement condition worded similarly to the one requested by the EA. This refers to permeable paving, although it needs to be established through on site testing to see if it would actually work. All connections to offsite watercourses or sewers would be acceptable if there was sufficient on site attenuation this addresses the last two questions.

Version 1.3 of the FRA has already developed an approach that is suitable to the EA, albeit further details are required.

The current site plans conflict slightly with the drainage approach - this is particularly important as I don't know how much of the landscape and amenity area has been calculated in the overall provision, but some of it is now required for storage of surface water run-off.

The condition suggested by the EA (needs to be reworded to meet 11/95) also requires permeable



paving. This also appears to address part of the question.

#### ACCESS OFFICER:

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

The following access observations are provided:

#### House Type B (3B/5P)

- i) Level access should be confirmed.
- ii) The entrance level WC should provide 700mm to one side of the toilet pan with 1100mm in front of the door opposite.
- iii) Floor gulley drainage should be provided within the entrance level WC.
- iv) The upstairs bathroom should provide the same specification as detailed in point (ii) above.
- v) The plan should be revised to incorporate a future through floor lift and should show potential for a future opening or void of 1000mm x 1500mm.

#### House Type C (3B/5P Wheelchair.)

- i) The entrance level WC shown on plan should incorporate floor gulley drainage and should be annotated as such.
- ii) The first floor bathroom adjacent to bedroom one should be amended to provide an arm's reach facility to the said bedroom.

#### Flats and Blocks of Flats.

- i) To support the 'Secured by Design' agenda, accessible car parking bays should not be marked. Car parking spaces should be allocated to a specific unit, allowing a disabled occupant to choose whether the bay is marked.

REASON: Bays that are not allocated would not guarantee an accessible bay to a disabled resident. Similarly, a disabled person may not necessarily occupy an accessible home allocated a 'disabled parking' space. Marking bays as 'disabled parking' could lead to targeted hate crime against a disabled person.

- ii) From the internal face of the front door, all wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.
- iii) At least one bathroom within each dwelling should, as a minimum, be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
- iv) To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.
- v) All dwellings with a first floor should indicate the location of a future 'through the ceiling' wheelchair lift.

Conclusion: Matters raised can be addressed via condition.

#### HIGHWAYS AND TRANSPORTATION:

The site has a PTAL value of 1. A total of 74 car parking spaces have been proposed. The parking is to be provided with a mixture of allocated and communal parking. The level of parking proposed is considered to be acceptable.

The proposed internal road layout is also considered to be acceptable.

The operation of the Balmoral Drive/Burns Close/Gledwood Drive junction has been tested with the additional development traffic and was found to operate well within its capacity. The likely trip generation during peak hours can be accommodated on the adjacent highway network, and the development traffic would not have any significant impact on the operation of the assessed junction.

The access to the development via Burns Close is currently restricted by uncontrolled on street parking together with indiscriminate parking on bends. The previous proposal to address an existing problem by introducing waiting restrictions on bends (double yellow lines) together with formalised footway/carriageway parking with passing bays should be carried over to this application and would ensure unimpeded access for refuse and emergency service vehicles.

The section 106 agreement should include the delivery of the above works, together with the site access junction with Burns Close. The detailed design of these measures are to be submitted to the LPA for approval and the works are to be carried out prior to the commencement of the development with the developer/applicant meeting the full costs of these works including the costs related with traffic management orders and public consultation.

#### LANDSCAPE OFFICER:

##### Context:

The site is occupied by former Council-owned allotments which is now a vacant area of open grassland. The tree-lined boundary to the north-east backs on to an area of designated Green Belt. The rear gardens of houses in Marvell Close back on to the south-east boundary and those of Melrose Close line the south-west boundary. A recently built local authority managed respite home is situated to the north-west.

The site is generally devoid of trees except for those which are sited along the boundaries, many of which are off-site in rear gardens and on the Green Belt edge.

There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

##### Proposals:

The proposal is to redevelop the site for residential use including houses and flats. Access to the site will be via Burns Close, and the existing entrance to the service road for the respite centre. The Design & Access Statement refers to the provision of external communal / public amenity space which will feature hard and soft landscaping and private gardens for householders.

##### Considerations:

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.

- i) The layout drawing indicates that all of the buildings will be set well in from the boundaries. Therefore, no trees or other significant landscape features should be affected by the development.
- ii) The layout drawing indicates the circulation arrangements and the disposition of the public and private external spaces, with indicative tree planting (existing and proposed). It is noted that the drawing fails to indicate the off-site boundary tree planting to the north-east which affects the setting of the site and contributes positively to the setting of the site.
- iii) Plot A has a particularly thin and weak landscaped strip along the frontage. This should be wide enough to support structure planting in the form of trees and hedges. The shared amenity spaces should be landscaped - designed and detailed to be both attractive to, and useable by, residents.
- iv) The layout of plots 1-13 provide space and opportunity for tree planting at regular intervals along

the road frontage which will contribute to the street-scene and soften the appearance of the off-street parking bays.

v) The frontage treatment of the southern block (1) and the eastern block (2) are less than satisfactory with a proliferation of uninterrupted car spaces and few opportunities for tree planting or other soft landscape enhancement. The east and west ends of block 1 are dominated by bin and bike storage facilities which, together with the need to access these facilities has limited the scope for landscape mitigation.

vi) The entrance to the site would benefit from additional structure (tree planting) which might be incorporated around the edges of the play area.

vii) The large hammer-head arrangement on the southern boundary (between block 1 and 2) is unfortunate. Hard on the southern boundary, it offers no opportunity for screening from the rear gardens of the existing houses to the south. If possible the southern edge of the road should be shifted to the north in order to permit planting along this boundary.

viii) Little landscape detail has been provided at this stage. However, the proposed site plan does refer to the basic fence types with chain-link annotated around the play area. There are many better products available (in terms of security, durability and appearance). Chain-link is not considered an acceptable product in this location.

ix) DCLG / EA guidance requires new driveways to be permeable, to meet SUDS requirements.

x) While the trees around the site edges are not considered to be at risk from the footprint of the development, a survey including an arboricultural implications assessment and protective measures should be submitted prior to the commencement of development. All site operations including, construction access, location of site huts, storage of materials and topsoil stripping should be excluded from the root protection areas of trees.

xi) Landscape details should include a method statement for topsoil stripping, storage and handling.

xii) Finally a landscape management / maintenance plan should be submitted to ensure that the public and communal landscaped spaces are established and maintained in accordance with good practice.

#### Recommendations:

No objection, subject to the above considerations and conditions TL1, TL2, TL3, TL5, TL6 and TL7.

#### URBAN DESIGN AND CONSERVATION:

Background: This is a dense, tight knit development, reached via a Council estate of terraced houses, and with public open space to the north east, at the back of the site. The scheme has been amended to show a better housing layout, involving bigger gaps between the groups, more landscaping to the front, enhanced parking provision, improved designs of front elevations and attractive internal layouts.

There are no objections on design grounds.

Recommendation: Acceptable

#### WASTE:

a) I would estimate the waste arising from the development would therefore be accommodated in a total of 13 bulk bins; the 19 shown on the plan are sufficient. Initially all bulk bins on site would be for residual waste; then some of these could be exchanged for recycling at a latter date, or an additional recycling bins added.

b) The bin enclosures must be built to ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections.

c) Arrangements should be made for the cleansing of the bin stores with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor should be 100 mm thick to withstand the weight of the bulk bins. Ideally the walls of the bin storage areas should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) The gate / door of the bin stores need to be made of metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150 mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

e) The collectors should not have to cart a 1,100 litre 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 storage area 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 road ways must be able to withstand the load of a 26 tonne refuse collection vehicle, and wide enough to allow the vehicle to manoeuvre safely.

#### General Points

j) The value of the construction project will 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 work begins.

k) 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.

#### MAJOR PROJECTS AND IMPLEMENTATION:

Would like to advise of the likely heads of terms should the application be recommended for approval.

#### Proposal:

##### Market

6 x 2 bed houses (4 hbrms incl kitchens (3 hbrms excl. kitchens))

7 x 3 bed houses (5 hbrms incl kitchens (4hbrms excl. kitchens))

26 x 1 bed flats (3hbrms kitchen/living)

26 x 2 bed flats (4hbrms kitchen/living)

##### Affordable

14 x 1 bed flats (3hbrms kitchen/living)

Total Population 138.54

No residential existing on-site

#### Proposed Heads of Terms:

1. Transport and transport related issues: In line with the SPD on Transport it is likely that a contribution towards public transport may be sought and there may be the need for a s38/s278 agreement to be entered into to cover any and all highways works need as a result of this

application.

2. Affordable Housing: the applicant has provided a FVA to demonstrate that 17.7% of the scheme can be delivered as affordable housing.

3. Education: In line with the SPD on Education a contribution will be sought.

4. Health: In line with the SPD for Health a contribution is likely to be sought if a bid is received by the local PCT. In line with the formula contained within the SPD a contribution in the sum of  $\text{£}216.67 \times 138.54 = \text{£}30,017.46$  is required.

5. Recreational Open Space: in line with the SPD and given the proximity of the site abutting an area of open space, then an open space contribution may be sought if a bid is received by Green Spaces.

6. Libraries Contribution: In line with the SPD a libraries contribution will be sought in the sum of  $\text{£}3,186.42$  equal to  $\text{£}23$  per person arising from this development.

7. Community Facilities: In line with the SPD if a need is demonstrated then a contribution in the sum of  $\text{£}20,000$  towards community facilities within the locality is likely to be sought.

8. Construction Training: In line with the SPD it is likely that a financial contribution towards training schemes will be sought as a result of this application given its nature and scale. The SPD requires a contribution equal to  $\text{£}2,500$  for every  $\text{£}1$  million build cost + number of units/160 x  $\text{£}71,675$  could be sought for construction training initiatives. I note that the Council's preference is for an in-kind scheme to be delivered on site during the construction phase and we welcome dialogue to discuss this further.

9. Project Management and Monitoring: In line with the SPD a contribution towards project management and monitoring is sought equal to 5% of the total cash contributions secured from this proposal.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area, as identified in the Council's adopted Unitary Development Plan (UDP). Whilst general policies are supportive of residential accommodation in principle, this is subject to compliance with a number of detailed criteria, involving the consideration of the loss of any existing use of the site.

In terms of the loss of the existing use, 75% of the Belmore Allotment Space has already been identified and agreed by Cabinet as being surplus to requirements in accordance with the Council's Allotment Strategy. Part of the allotment space (approximately 20%) has already been used for the children's respite care home and therefore about 80% of this space remains surplus to requirements. It is important to note the principle for redeveloping the site was established in permission 59853/APP/2008/2326.

National policy guidance does not advocate an objection in principle to the loss of allotment sites to alternative uses. The preferred approach is stated within PPG 17 at paragraph 10 which states, for open space, 'surplus to requirements' should include consideration of all the functions that open space can perform. Not all open space, sport and recreational land and buildings are of equal merit and some may be available for alternative uses".

Similarly, the London Plan does not prevent the release of allotments for other uses but clarifies that as London becomes more intensively built the value of these spaces will increase.

The Unitary Development Plan (Saved Policies September 2007) raises an objection in principle to the loss of allotment space, or land last used as allotments, particularly where there is or would be a deficiency of accessible open space.

The supporting text to Policy R4 requires that any assessment should have regard to: (a)



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

While a local surplus of open space is not justification alone to satisfy the provisions of Policy R4, in the absence of the allotments being returned to a viable use, given the surplus of publicly owned allotments in the Borough (and no request from Green Spaces or other bodies as regards the suitability of the site for other open land uses), it is considered that no objections can be raised to the loss of the remaining surplus allotment space. It is considered that the proposal accords with policy R4 and its accompanying text of the Unitary Development Plan.

Members of the Planning Sub-Committee resolved on 22/10/2008 to grant, subject to conditions and a S106 Legal Agreement, Planning Permission ref: 59853/APP/2008/2326 for the redevelopment of the Belmore Allotment site for the Residential development of 39 houses, formation of 'Local Area Playzone', alterations to public highway to create new access road and external. This resolution was based on the above advice, which provides justification for the loss of the allotment space. It is considered that the principle of the redevelopment of this site has been established and is considered acceptable.

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

Density guidelines are provided by the London Plan. These guidelines take into account public transport accessibility, the character of the area and type of housing proposed. The site has a PTAL score of 1b and is considered to be a suburban setting. Taking this into account, the London Plan density guideline is 150-200 hr/ha or 50-75 units per hectare (u/ha), within a suburban setting with a low PTAL.

The current scheme proposes 79 units, and would have a total of 217 habitable rooms. This would provide a residential density for the development of approximately 67 units per hectare (u/ha) and 183 habitable rooms per hectare (hrph). As such, the proposed scheme would be within the guidelines set out in Table 3.2 (density matrix) of the London Plan.

In addition, it is noted that density is only one measurement of the acceptability of a living environment created, however it is considered that site specific issues (dealt with elsewhere in the report), including design, environmental conditions for future occupiers and impact on neighbouring properties have been satisfactorily addressed. There is therefore no objection to the density proposed.

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

The site is not located within a Conservation Area, Area of Special Local Character or Archaeological Priority Area, and there are no Listed Buildings on the site. As such, it is considered that the scheme would not impact on the heritage of the borough.

#### **7.04 Airport safeguarding**

NATS Safeguarding has reviewed the application and raises no objection to the application from an airport safeguarding perspective. As such, it is considered that the proposal would not impact on the safe operation of any airport.

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

Policy OL5 is relevant to this development given the close proximity of the site to land designated as Green Belt. Under the terms of the policy the intensification of a site in or



conspicuous from the Green Belt may collectively injure the visual amenities of the countryside. The buildings would be set back from the northern Green Belt site boundary by at least 11 metres. It is considered that, given the two storey height of the buildings, with an estimated maximum ridge height of 8 metres, the proposed buildings would not adversely affect the openness of adjoining Green Belt land, subject to suitable design and landscaping, in accordance with policy OL5 of the UDP.

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

Policies BE13, BE19, and BE21 seek to ensure that new development complements or improves the character and amenity of the area. Policy BE38 seeks the retention of topographical and landscape features, and provision of new planting and landscaping in developments proposals. London Plan policy 7.1 sets out a series of overarching design principles for development in London, and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant.

The application site itself has no particular designation, forming part of the 'developed area'. However, adjoining open land to the north forms part of the Green Belt and a countryside conservation area. It has also been identified as an area of environmental opportunity, a nature reserve and a Site of Importance for Nature Conservation of Grade I Importance.

The Urban Design Officer raises no objections to the scale, height and massing of the proposed buildings. It is considered that the proposed buildings at two stories would not appear unduly prominent within the street scene and would be compatible with the scale of surrounding residential development and the adjoining children's care home. No objections are raised to the siting of the play area.

The external design of the buildings and proposed building materials, such as facing bricks, render, and tiled roofs maintain a balanced and appropriate design response with regard to the scale and context of the site. It is considered that a condition should be imposed on any permission requiring the submission of external materials details, as well as drawings, (including colour schemes), providing details of balconies, porches, fenestration and doors, together with boundary walls and railings, prior to the commencement of works.

Subject to compliance with this condition, it is considered that the scheme is compliant with Policies BE13, BE19 and BE21 of the UDP, relevant London Plan policies and design guidance.

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

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

The layout of the proposed buildings will not infringe the 21m distance between habitable room windows as required by the Council's Residential Layout Design Guide. Furthermore the orientation of the proposed would not result in significant loss of light to neighbouring properties. In this case, the proposed buildings would be over 27 metres away from the rear of properties to in Marvell Avenue. In terms of the relationship with properties in Burns Close to the south, a distance of approximately 16 metres is maintained while an average distance of 30 metres is maintained between properties in Melrose Close. It is

therefore considered that the proposal would not result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with policy BE21 of the UDP.

In relation to outlook, policy BE21 requires new residential developments to be designed to protect the outlook of adjoining residents. The 'Residential Layouts' design guide advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings. This distance is achieved across the site. With regard to privacy, the site layout indicates that adequate separation distances would be provided between the proposed buildings and neighbouring residential properties in accordance with the guidelines in the HDAS 'Residential Layouts' Supplementary Planning Document and policy BE24 of the UDP.

It is not considered that there would be a material loss of daylight or sunlight to neighbouring properties, as the proposed buildings would be sited a sufficient distance away from adjoining properties. It is also considered given its layout that there will be a good level of day lighting for the proposed development. The proposed development is therefore considered to be consistent with policies BE20, BE21 and BE24 of the UDP.

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

##### **AMENITY SPACE**

Policy BE23 of the Unitary Development Plan Saved Policies states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting.

Policy R1 states that where development is proposed in or near an area deficient in recreational open space, the Local Planning Authority may require developers to provide publicly accessible recreational open space, including children's play space, appropriate to the scale and type of development to serve an area of identified deficiency.

The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires residential developments to provide the following amenity space:

- a) 1-bed flat - 20sqm of shared amenity space.
- b) 2-bed flat - 25sqm of shared amenity space.
- c) 2-bed house - 60sqm of private amenity space.
- d) 3-bed house - 60sqm of private amenity space.

Based on these amenity requirements, the amenity space requirements for the proposed development results in the following:

- a) 40 x 1-bed flats    40x20 = 800sqm.
- b) 26 x 2-bed flats    26x25 = 650sqm.
- c) 6 x 2-bed houses    6x60 = 360sqm.
- d) 7 x 3-bed houses    7x60 = 420sqm.

The scheme results in a requirement of 2230sqm of amenity space, of which 1450sqm is required to service the 1 and 2 bed flats, and 780sqm of private amenity space is required to service the 2 and 3-bed houses.

The proposed scheme provides a quantum of amenity space totalling 3584sqm, of which 1650sqm is communal amenity space for the 1 and 2 bed flats, 303sqm is provided for the supported housing block, 214sqm is provided as local play space, and 1417sqm is private amenity space. Private amenity space is provided for both the dwellings and a number of the ground floor flats. The private amenity space provided for the dwellings exceeds the minimum requirement for gardens. As such the total amenity space across the site exceeds the requirements, and provides adequate provision for future residents across the site. Defensible space is also provided to all ground floor habitable room windows.

## INTERNAL LAYOUT

In terms of internal space standards and the quality of accommodation provided, the Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided in the London Plan 2011 on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standards for residential units are:

- 1-bed 2-person flat - 50sqm
- 2-bed 4-person flat - 70sqm
- 2-bed 4-person house - 83sqm
- 3-bed 5-person house - 96sqm

The floor space information provided by the applicant indicates that all the proposed units within the development achieve and in many cases exceed HDAS recommended floor space standards for all of the units.

The applicant has confirmed that Lifetime Home standards will be met for all the units, and this will be secured via a condition on any grant of permission. In addition, 8 of the units (10%) will be designed to full wheelchair accessible standards.

Overall, it is considered that the amended proposals meet with the aims and objectives of the Council's HDAS SPD and would provide a high quality living environment for all of the proposed units, in accordance with Policies BE20, BE23, BE24, OE1 and O5 of the UDP, HDAS 'Residential Layouts' and 'Accessible Hillingdon' and the provisions of the London Plan.

## OUTLOOK

In terms of outlook for future residents, Policy BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

In this regard, it is considered that the proposed site layout would continue to provide a high standard of amenity for future occupiers. The layout provides space around the flatted blocks and dwellings, and ensures that there is adequate separation between the buildings and surrounding car parking spaces serving these buildings. This will result in a satisfactory outlook from the proposed units in these buildings and reduce the potential for nuisance and disturbance to the future occupiers. As such, the development is considered to be consistent with relevant design guidance and policies BE21 and OE1 of the UDP.

All of the units would benefit from an acceptable level of outlook, privacy and light, in

compliance with the Council's standards given in The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts'.

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

The application proposes a total of 74 parking spaces, including 8 spaces for people with a disability (10%). The Council's standards allow for a maximum provision of 1.5 spaces per dwelling. The car parking is provided via a mixture of allocated and communal parking. The Highway Engineer considers that given the site's low Public Transport Accessibility Level (PTAL) score (1b), and the mix of unit types and sizes proposed, the amount of car parking proposed is considered acceptable. In addition, secure storage for bicycles in each of the dwellings is proposed in individual gardens and within the flatted blocks. It is recommended that this be secured via condition on any permission. As such, it is considered that the application complies with UDP policies AM9, AM14 and AM15.

The operation the Balmoral Drive/Burns Close/Gledwood Drive junction has been tested in the applicant's Transport Statement, and includes the likely additional development traffic.

This concludes that the trip generation from the development can be accommodated on the adjacent highway network. The Council's Highway Engineer therefore considers that the likely traffic from the proposed development can be accommodated satisfactorily within the local highway network.

The access to the development via Burns Close is currently restricted by uncontrolled on street parking together with indiscriminate parking on bends. It is understood that this has resulted in problems with refuse and emergency vehicles accessing the northern part of Burns Close. It is proposed to address the existing problem and provide unimpeded vehicular access to the site by introducing waiting restrictions on bends (double yellow lines) together with formalised footway/carriageway parking with passing bays.

These works, together with the site access junction improvements at Burns Close are to be secured by way of a S106 legal agreement and the detailed design of these measures are to be submitted to the Local Planning Authority for approval and the works are to be carried out prior to the commencement of the development. The developer/applicant is to meet the full costs of these works including the costs related with traffic management orders and public consultation. Subject to the implementation of these measures it is considered that adequate vehicular access to the site can be provided, in compliance with Policy AM7 of the UDP.

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

Urban design and access matters are addressed in other sections of this report. The security of the development can be controlled via the imposition of a condition on any grant of permission requiring the scheme comply with the requirements of Secured by Design. Such a condition is recommended on any permission.

#### **7.12 Disabled access**

Policies 3.1 and 7.2 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards, and for 10% of the units to be easily adaptable for wheelchair users.

The Council's Access Officer has reviewed the application in detail and considers that the proposal would represent a development which, subject to a condition requiring further details, complies with Lifetime Homes Standards and would provide a wheelchair unit with two potential access routes. Accordingly, the proposal complies with policies 3.1 and 7.2 of the London Plan and guidance within HDAS - Accessible Hillingdon.

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

The Council's Planning Obligations SPD (July 2008), seeks to secure a minimum of 50% affordable housing on new build schemes that contain 10 units or more. This should then be split in 70% social rented and 30% shared ownership / intermediate housing.

London Plan Policy 3.12 states the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11; affordable housing targets adopted in line with Policy 3.11; the need to encourage rather than restrain residential development(Policy 3.3); the need to promote mixed and; balanced communities (Policy 3.9); the size and type of affordable housing needed in particular locations; and the specific circumstances of individual sites.

The level of affordable housing offered by the applicant is 17.7% in terms of units in the form of a supported housing block on Plot A, which has been justified by a Financial Viability Appraisal, which shows that the current level of affordable housing is likely to be at a level to maintain the viability of the scheme. The tenure proposed is for 100% social rented housing, which is considered acceptable in this instance, as it is provided within a supported housing block. This will be secured by way of the S106 Agreement. In addition a condition is recommended requiring that the building on Plot A be used solely for supported housing and for no other use with use class C3.

As discussed above, all units will be to Lifetime Homes standard, with 10% of units to wheelchair accessible standard.

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

The application site does not have any trees near the proposed development location at present, as such the proposal does not have any implications with regard to tree retention or removal. However, it is considered that trees around the boundary of the site, including those off-site, will need to be protected via condition. Additional conditions are also recommended to ensure future landscaping arrangements are acceptable. The Council's Trees and Landscape Officer has raised no objections to the proposal, subject to conditions, which would achieve appropriate outcomes in terms of policy BE38.

Policy EC1 states that the Council will not permit development which would be unacceptably detrimental to sites of Borough (Grade I) Importance for Nature Conservation and where appropriate, an Ecological Assessment must be submitted.

A Protected Species Survey Report was submitted as part of the previous application. It identified that the entire application site was an optimal reptile habitat and surveys showed that there was a population of slow worms present throughout the site. Slow worms are protected such that it is an offence to kill or injure them under the Wildlife and Countryside Act 1981 (as amended). The Council has ownership of various sites in the Borough, which were considered as suitable habitats for the slow worms to be translocated to, and the slow worms were subsequently translocated to Skylark Meadow. Further trappings and surveys resulted in the site now being free from slow worms.

Damage to a reptile exclusion fence has been identified, and this is required to be repaired and the site should be managed to avoid re-colonisation. A condition requiring the submission of a Management Plan detailing how the development site will be managed for slow worms in the future, including repairing and maintenance of the exclusion fencing, and vegetation clearance/spraying, the mechanisms for securing



funding to enable this ongoing management and linkages into existing Yeading Brook Meadows Site of Metropolitan Importance, has been recommended.

It is considered that the proposal would be sufficiently remote from the adjoining Yeading Brook Meadows Site of Metropolitan Importance so as not to have a detrimental impact upon its ecological interest, through such factors as overshadowing, pollution, alteration of the water table or disturbance, particularly as the adjoining land provides public open space.

It is therefore considered that the ecological interests of the site and locality would be protected, in accordance with Policies OL3, OL5, EC1 and EC3 of the Unitary Development Plan.

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

A Waste Management Plan will be required to be developed in order to minimise the quantities of waste being disposed of through recycling and/or re-use on site. Management of construction waste would involve sorting, crushing, grading, and stockpiling on-site either to reuse these materials as a sub-base or to transport them to a suitable recycling facility. Where there is a need for remediation as a result of contamination of water, soil and/or building materials, any contaminated materials that cannot be remediated on site will be taken off site to appropriately licensed facilities. These measures can be controlled by appropriate conditions, carried over from the original planning permission.

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

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

The application is supported by an assessment which indicates that the development has been designed to achieve Level 4 of the Code for Sustainable Homes, and achieve a 22% reduction in carbon emissions. No objections are raised to the details submitted.

As such, a condition requiring the provision of 25% of the site's heat and/or energy needs from renewable technology is considered reasonable and therefore recommended, to ensure the current scheme achieves the required level of energy efficiency and carbon reduction. This is in line with policy requirements, and should be controlled via condition or S106 Legal Agreement, should permission be granted.

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

Whilst the application site is in an area of low risk (Flood Zone 1), a Flood Risk Assessment (FRA) was submitted as part of the application. The assessment demonstrated that the proposal would not have an adverse impact to neighbouring properties as it will not increase flood risk through increased surface runoff. The Environment Agency reviewed the application and raised no objection subject to a condition to ensure the development be carried out in accordance with the FRA.

Part of the FRA provides options for the attenuation of run-off from the site. The Environment Agency and the Council's Sustainability Officer consider that adequate drainage can be accommodated, however, recommend a condition regarding the submission of a drainage strategy be imposed on any grant of permission.

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

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



future or neighbouring occupiers.

Given the location of the proposed site, it is considered that any residual ambient noise migrating from the A4020 Uxbridge Road is likely to be screened by the existing residential properties around the application site. No noise assessment has been undertaken as part of the development proposal, which the Council's Environmental Protection Unit considered to be acceptable. The glazing configuration of residential development would be required to meet the relevant building regulation standards.

It is considered that the scheme will have very little additional impact on noise and air quality in the area, subject to a condition on any grant of permission requiring the submission of a construction management plan to mitigate any construction nuisance.

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

The issues raised by Objectors above are addressed in the report above, with the exception of impact on property values and loss of views, which are not material planning considerations. Parking and traffic problems resulting from the school are not within the scope of this application.

#### **7.20 Planning obligations**

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

The obligations sought are as follows:

1. Transport: a s278 shall be entered into to cover any and all highways works need as a result of this application.
2. Affordable Housing: at least 17.7% (by unit) of the scheme is to be delivered as affordable housing.
3. Education: a contribution in the sum of £267,427.00 based upon occupancy of the residential units.
4. Health: a contribution in the sum of £30,107.46 based upon occupancy of the residential units.
5. Libraries Contribution: Libraries: a contribution in the sum of £3186.42 equal to £23 per person.
6. Community Facilities: a contribution in the sum of £20,000.00 towards community facilities within the locality.
7. Construction Training: a contribution in the sum of £52,889.53 towards training schemes will be sought as a result of this application given its nature and scale (£2,500 for every £1 million build cost + number of units/160 x £71,675). The Council's preference is for an in-kind scheme to be delivered on site during the construction phase and we welcome dialogue to discuss this further.
8. The submission of a Travel Plan including the implementation of a traffic management

scheme in Burns Close

9. Project Management and Monitoring: a contribution in the sum of £18,680.52 towards project management and monitoring (5% of the total cash contributions secured from this proposal).

**7.21 Expediency of enforcement action**

No Enforcement action is required in this instance.

**7.22 Other Issues**

No other issues are considered relevant to the application.

**8. Observations of the Borough Solicitor**

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

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

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

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

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

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

Not applicable.

**10. CONCLUSION**

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

**11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
HDAS SPD: New Residential Layouts: July 2006  
Accessible Hillingdon SPD: January 2010

Planning Obligations SPD: July 2008; and Revised Chapter 4, Education Facilities: September 2010.

The London Plan (July 2011)

Planning Policy Statement 1: Delivery Sustainable Development

Planning Policy Guidance 2: Green Belts

Planning Policy Statement 3: Housing

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Guidance 13: Transport

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

Planning Policy Statement 22: Renewable Energy

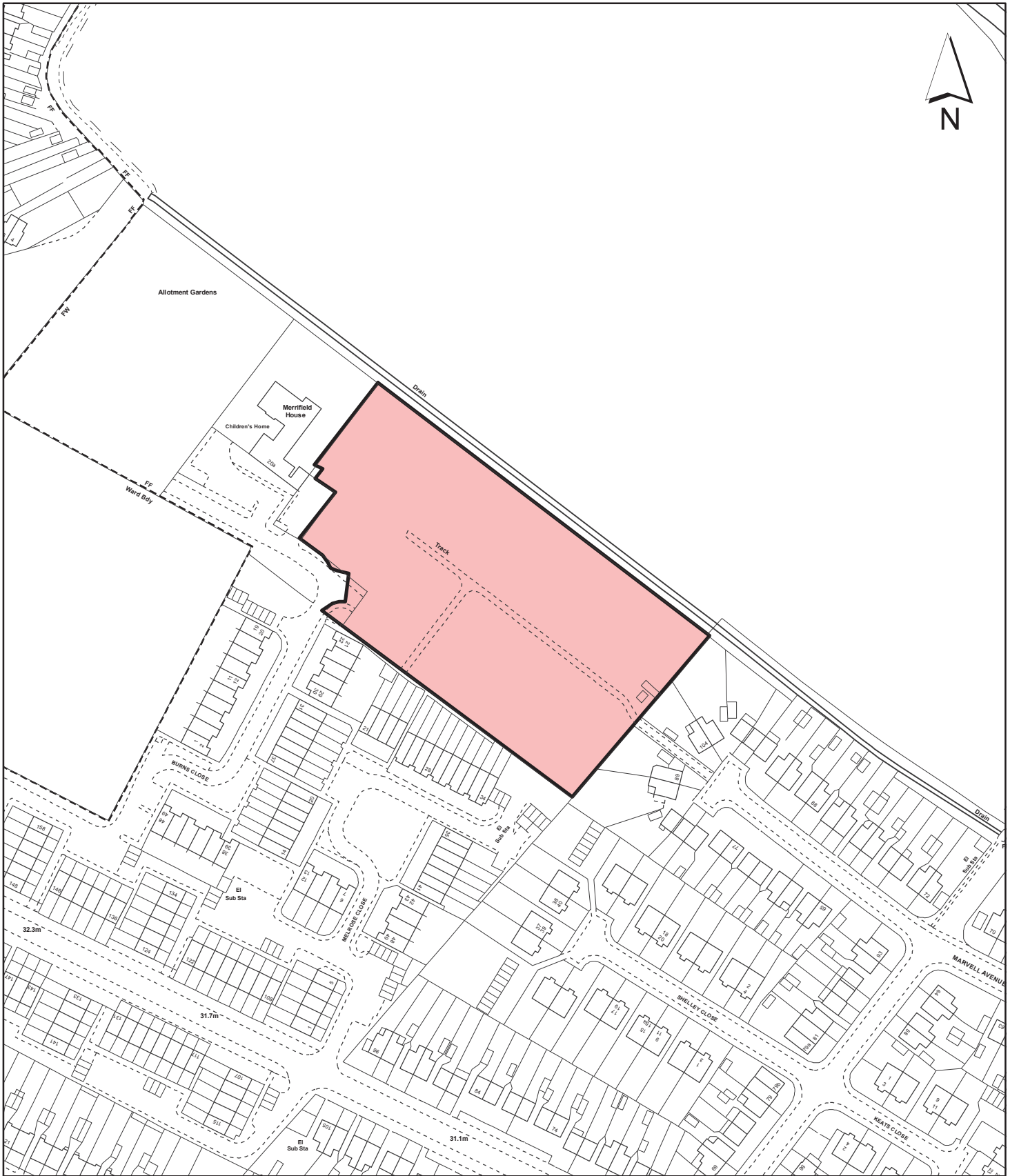
Planning Policy Statement 23: Planning and Pollution Control

Planning Policy Guidance 24: Planning and Noise

Planning Policy Statement 25: Development and Flood Risk

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