

Report of the Head of Planning, Trading Standards and Environmental Protection

Address:	BISHOP RAMSEY CHURCH OF ENGLAND EASTCOTE ROAD, RUISLIP
Ward:	EASTCOTE AND EAST RUISLIP
Development:	REDEVELOPMENT OF THE SITE TO PROVIDE 35 UNITS (OUTLINE APPLICATION – MEANS OF ACCESS ONLY)
LBH Ref Nos:	19731/APP/2006/1442
Drawing Nos:	As per original committee report
Date application approved at Committee	18 th December 2006
S106 Agreement	That the recommendation to enter into a further Supplemental Deed to the s106 dated 10 May 2007 and a Supplemental Agreement dated 22 April 2008, as proposed below, is approved to enable an amendment to Affordable Housing tenure to be delivered on the site.

1.0 CONSULTATIONS

1.1 Internal Consultees

Planning Obligations Officer	The Deed of Variation is considered acceptable as a change in the required tenure will enable the developer to deliver the affordable housing as per the planning committee's original decision.
Housing Officer	SCHH supports the variation to the S106 as it will provide affordable housing units for sale.

2.0 RECOMMENDATION

- a) That the s106 agreement dated 10 May 2007 and a further Supplemental Agreement dated 22 April 2008 be varied as follows:**
- b) That Clause 2 of Schedule 5 of the Main Agreement be deleted and replaced with the following:**

The Provisions relating to the Occupation of the Affordable Housing Units

Affordable Housing Units shall only be occupied by households in need of affordable housing in the London Borough of Hillingdon who meet the criteria and objectives set by the Registered Social Landlord provided that the covenant shall not be binding upon nor enforceable against:-

- (i) A mortgagee in possession or any chargee (or any receiver or manager including an administrative receiver) of the Affordable Housing Land or any part thereof exercising its power of sale**
- (ii) Any tenant of an Affordable Housing Unit exercising a statutory or voluntary right to buy or right to acquire pursuant to Part 5 of the Housing Act 1985 or Section 16 of the Housing Act 1996 or any statutory amendment modification or re-enactment thereof or exercising a statutory right to acquire an Affordable Housing Unit or through any voluntary purchase scheme promoted by the Housing Corporation or any other public body**
- (iii) Any lessee pursuant to a shared ownership lease whether or not such lessee has staircased to 100% ownership**
- (iv) The successors in title to the persons or bodies referred to in paragraphs (i) (ii) and (iii) above**
- c) That the owner and Council meet their respective costs in the preparation of the Deed of Variation and any abortive work as a result of the agreement not being completed.**
- d) That if the Deed of Variation is not finalised within a period of 6 months from the date of this committee resolution, or any other period deemed appropriate by the Head of Planning, Trading Standards and Environmental Protection, then the application may be referred back to the Committee for determination.**
- e) That subject to the above, the application be deferred for determination by the Head of Planning, Trading Standards and Environmental Protection under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**
- f) That if the application is approved, it be subject to the conditions and informatics agreed by the North Planning Committee on 8 August 2006 (detailed in the Committee report and minutes) and attached to this report.**

3.0 KEY PLANNING ISSUES

- 3.1 The current planning application was lodged on the 16th of May 2006, and was reported to the North Planning Committee on the 18th December 2006, when it was approved subject to the completion of a S106 agreement. This agreement was completed and the decision notice was released on the 16th May 2007.
- 3.3 All of the financial and in-kind obligations as contained in the s106 agreement dated 10th May 2007 and the supplemental deed provisions dated 22 August 2008 have been met.
- 3.4 This request for a variation is ensure that the mortgagee exclusion clause for the Affordable Housing Units properly mirror the exclusion clause requirements within the Council's standard nominations agreement and are thereby uniform for the lender of the RSL. At present there appears to be a drafting error in the existing s106 agreement dated 10 May 2007. The variation therefore seeks to correct this.
- 3.5 Accordingly, approval is recommended, subject to the conditions and informatives contained within the report heard by the North Planning Committee on 18th December 2006.

OBSERVATIONS OF 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'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

Reference Documents

- (a) North Planning Committee Agenda 18th December 2006. Report for application reference 19731/APP/2006/1442.
- (b) North Planning Committee Minutes 18th December 2006.

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APPENDIX A

PLANNING COMMITTEE – 18 DECEMBER 2006 (NORTH) REPORT OF THE DIRECTOR OF PLANNING AND COMMUNITY SERVICES

SPECIAL MEETING

A

Item No. 1	Report of the Corporate Director of Planning and Community Services
Address:	BISHOP RAMSEY CHURCH OF ENGLAND SCHOOL (LOWER SITE), EASTCOTE ROAD, RUISLIP
Development:	REDEVELOPMENT OF THE SITE TO PROVIDE 35 UNITS (OUTLINE APPLICATION - MEANS OF ACCESS ONLY)
LBH Ref Nos:	19731/APP/2006/1442
Drawing Nos:	R/1000 rev A, TF/TS/D532 rev A, reports titled 'Supporting Landscape Design Statement' and 'Arboricultural Survey' both prepared by Fabrik dated May 2006 'PPG24 Assessment' prepared by Hawksmoor/GHM Rock Townsend dated 08/05/06, 'Ecological Appraisal' prepared by 4Woods Ecology dated May 2006, 'Proposed residential development at Lower School Site' and 'Air Quality Impact Assessment' both prepared by Peter Brett Associates dated May 2006, all received 16/05/06
	SK1 received 17/10/06
Date of receipt:	16/05/06
	Date(s) of Amendment(s): 09/10/06 17/10/06

1.0 SUMMARY

- 1.1 Outline planning permission is sought to redevelop land currently occupied by the Bishop Ramsey Church of England School for residential purposes. A total of 35 units are proposed, with a residential density of 30 units per hectare. Access would be from Eastcote Road. The applicant seeks determination of means of access only, with all other matters to be reserved for future determination.
- 1.2 Adjoining owners/occupiers were consulted. A total of 431 pro-forma letters have been received in support of the proposal. A total of 38 letters (including responses from the Ruislip Residents' Association, 2 Councilors and 1 Member of Parliament) and 1 petition with 550 signatures have been received objecting to the scheme. The main concerns raised relate to the site layout and density, impacts on residential amenity and local highway conditions, and the provision of affordable housing on the site. The vast majority of these responses (including

the petition) refer to both the current application and a previous application for the upper school site (ref. 19731/APP/2006/1436), which was withdrawn prior to determination.

- 1.3 The application site is located within the 'developed area' as defined by the Unitary Development Plan. Residential development is considered acceptable within such areas and as such no objection is raised to the principle of residential development on this site. The loss of this site for education purposes is justified having regard to alternative provisions being made for existing pupils on the upper school site and the substandard nature of the existing building stock on the site.
- 1.4 The Highways Engineer has considered the proposed means of access, and has no objections to the scheme.
- 1.5 Accordingly, the application is recommended for approval, subject to the applicant entering into a Section 106 Agreement and appropriate planning conditions.

2.0 CONSULTATIONS

- 2.1 The application was advertised under Article 8 of the Town and Country Planning Act (1990) as major development. A sign was erected on the site and a public notice was placed in a local paper on 31 May 2006. 92 resident households and adjoining businesses were directly notified via letter.
- 2.2 A total of 431 pro-forma letters were received in support of the scheme, which highlighting the following benefits:
 - (i) The proposal would address the health and safety requirements of the school's pupils and staff, who are currently required to travel between sites.
 - (ii) The proposal would benefit local residents through the reduction in traffic between the two sites.
 - (iii) The scheme would provide the school with acceptable teaching accommodation.
- 2.3 A total of 34 letters of objection have been received from local residents. The issues raised are summarised below:-
 - (i) The proposal would adversely impact local residential amenity by reason of overlooking, overshadowing, loss of outlook and noise. Inadequate screening will be provided on the residential boundaries.

- (ii) The proposed development is inconsistent with the character of the area and the adjoining Conservation Area.
- (iii) The proposed density is excessive. The area of highest density shown on the indicative plan (the terraced blocks) have been squeezed into the far corner of the site. This is not acceptable.
- (iv) The proposed units as shown on the indicative plan will not be provided with adequate amenity space or on-site parking facilities. This will result in overspill parking in local roads.
- (v) The proposal would result in increased traffic volumes, exacerbating existing congestion on Eastcote Road and further compromising vehicle and pedestrian safety.
- (vi) The access provisions to the site are inadequate. The width of the internal road is too narrow and will prevent emergency and utility vehicle access.
- (vii) The existing pedestrian access from Manor Way should be retained, or potentially widened to accommodate vehicles. If the access way is left as 'dead' space, it may attract anti-social behaviours.
- (viii) There has been inadequate consideration of alternative development options, including the provision of sheltered housing for the elderly.
- (ix) The proposal will place further pressures on local educational and health care facilities.
- (x) The provision of affordable housing on this site is inappropriate.
- (xi) Affordable units should be pepper potted across the site.
- (xii) The loss of a suburban green space with wildlife/ecological qualities and an existing school site is unacceptable.
- (xiii) The proposal would adversely impact local property values.
- (xiv) The development would result in nuisance effects during the construction phase.
- (xv) The development may result in an increased potential flooding and further overload existing drainage/sewer capacity.
- (xvi) Proposed development works may compromise the stability of the application site and adjoining properties.

(xvii) The proposal does not entail any demonstrable community gain.

2.4 Councillors David Payne and Michael Cox have advised of their objection to the scheme.

2.5 Mr Nick Hurd, MP, has also advised that a number of his constituents have raised concerns with him regarding the scheme, as detailed above. However, his letter does not specify any personal concerns with the scheme.

External Consultees

Hillingdon Primary Care Trust	A contribution should be sought towards the provision of primary health care facilities. No objections raised.
Metropolitan Police	Raise concerns regarding: (i) The indicative site layout; (ii) Inadequate parking provision, resulting in overspill car parking; (iii) A sheltered housing scheme would be preferable on this site; (iv) The height of proposed houses as shown on the indicative plan, adjoining the rear gardens of adjacent properties.
Ruislip Residents' Association	
Thames Water	No objection to the scheme. The applicant is responsible for site drainage works.
Sport England	Sport England has lodged a provisional objection to the scheme. However, this matter is presently subject to dialogue between the applicant and Sport England. The outcome of this will be reported to the Committee via the addendum sheet. Sport England is not a statutory consultee on this application.

Internal Consultees

Policy & Environmental Planning Team	The residential redevelopment of the site is considered acceptable in principle, subject to suitable alternative accommodation for the school being provided at the upper school site. The following matters should also be addressed: (i) The environmental requirements of the UDP, (ii) The impacts of the scheme on the adjoining conservation area, (iii) The impacts on residential amenity, (iv) The intensification of parking/traffic
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Highways Engineer Urban Design/Conservation Officer	movements. No objections raised. Regard should be had to the provision of public open space and the need to create sense of place. Permeability through the site should be reinforced. The layout (to be determined as a reserved matter) should actively seek to reinforce the green character and provide a framework of robust green open spaces linked to the Conservation Area.
Environmental Protection Unit Trees/Landscape Officer	No objection subject to a condition regarding noise emitted by the music department. No objections subject to recommended tree retention and landscaping conditions.
Projects & Implementation Team	Planning obligations should be considered in respect of highway works, education facilities, affordable housing, heath, open space, community facilities, and project management and monitoring.
Housing Directorate	35% of all units (calculated on a habitable room basis) should be secured as affordable housing.
Education Directorate	A contribution should be sought towards the provision of primary and secondary school facilities. The contribution sought will be calculated having regard to the child yield associated with the development, which will be determined at the reserved matters stage.

3.0. RECOMMENDATION: APPROVAL - subject to the following conditions:-

That delegated power be given to the Director of Planning and Community Services to grant planning permission subject to the following:-

- (a) That the Council enter into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure:**
 - i) The provision of 35% of all units for affordable housing (to be calculated on a habitable room basis unless otherwise agreed in writing with the Council's Housing Directorate).**
 - ii) A financial contribution towards the provision of primary healthcare facilities.**
 - iii) A financial contribution towards environmental improvements**

and community facilities in the immediate vicinity, or the provision of green public green space on the site.

- iv) Highway works in accordance with the Traffic Impact Assessment
- v) The provision of recreational open space on site in accordance with the requirements of the SPG: Community facilities, or alternatively, a financial contribution towards the off site provision of recreational (formal) open space.
- v) A financial contribution equal to 5% of the value of cash contributions towards project management/administration costs relating to this agreement.
- vi) That the planning permission hereby granted for the redevelopment of the lower school site is not implemented until the redevelopment of the upper school site has been completed.

(b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

(c) If the above Section 106 agreement has not been finalised within 6 months, then the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning & Community Services.

(d) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

(e) That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers, subject to the completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers.

(f) That if the application is approved, the following conditions be attached:-

1. (OUT1) Time Limit- outline planning application	1. (OUT1) Standard
2. (OUT2) Reserved matters - submission (a, b, c, d)	2. (OUT2) Standard
3. (OUT3) Approval of Details	3. (OUT3) Standard
4. (OUT4) Reserved matters - submission and approval	4. (OUT4) Standard

<p>5. The residential density shall not exceed 30 units per hectare.</p> <p>6. (OM13) Demolition Protocol</p> <p>7. As part of the reserved matters required by condition 2, the applicant shall submit a scheme of proposed noise mitigation measures for the approval of the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.</p> <p>8. As part of the reserved matters required by condition 2, the applicant shall submit the following details for the approval of the Local Planning Authority:</p> <p>(i) The proposed phasing of works on the site, (ii) The control of nuisance effects arising from construction including dust and noise, (iii) Construction vehicle access and parking, (iv) Wheel wash facilities. The approved details shall be adhered to throughout the construction process.</p> <p>9. As part of the reserved matters required by condition 2, the applicant shall submit a sustainability scheme incorporating details of on-site energy generation and waste management. The approved measures shall be incorporated in the development and thereafter permanently maintained.</p> <p>10. As part of the reserved matters required by condition 2, the applicant shall submit plans demonstrating that all proposed units shall meet the requirements of 'Lifetime Homes' and that 10% of the total number</p>	<p>5. (MRD2) Standard</p> <p>6. (OM13) Standard</p> <p>7. To ensure residential amenity in accordance with Policy OE1 and OE5.</p> <p>8. To ensure residential amenity in accordance with Policy OE1 and OE5.</p> <p>9. To ensure compliance with Policy 4A.9 of the London Plan.</p> <p>10. To ensure compliance with Policy H9 and the requirements of the London Plan.</p>
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of units are designed to full (or capable of easy adaptation to) wheelchair standard. The approved details shall thereafter be implemented and maintained.

- 11. (TL1) Existing Trees - Survey
- 12. (TL2) Trees to be retained
- 13. (TL3) Protection of trees and plants during site clearance and development
- 14. (TL4) Landscaping Scheme (outline application)
- 15. (TL6) Landscaping Scheme - implementation
- 16. (TL7) Maintenance of Landscaped Areas
- 17. Before the development hereby permitted is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how additional or improved education facilities will be provided within a 3 miles radius of the site to accommodate the child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.
- 18. As part of the reserved matters required by condition 2, the applicant shall submit details of the treatment of the existing pedestrian access to Manor Way, including fencing, lighting, surveillance and paving. The approved details shall thereafter be implemented and maintained.
- 19. As part of the reserved matters
- 11. (TL1) Standard
- 12. (TL2) Standard
- 13. (TL3) Standard
- 14. (TL4) Standard
- 15. (TL6) Standard
- 16. (TL7) Standard
- 17. To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with policy R17 of the Hillingdon Unitary Development Plan and the Council's Supplementary Planning Guidance on Planning Obligations.
- 18. To ensure on site security and adequate pedestrian facilities in accordance with Policy BE18.
- 19. To ensure compliance with

required by condition 2, the applicant shall submit details of sustainable drainage techniques to be implemented on site. The approved details shall thereafter be implemented and maintained.

Policy OE8.

INFORMATIVES

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. The decision to grant planning permission has been taken having regard to the policies and proposals in the Unitary Development Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance: • BE4, BE13, BE18, BE19, BE20, BE21, BE22, BE23, BE24, BE38, OE1, OE2, OE5, OE8, OE12, OE13, H4, H5, H6, H8, H9, H11, R11, R17, AM2, AM3, AM7, AM8, AM9, AM14, AM15
3. (7) Design Guidance - reserved matters
4. (8) Reserved Matters
5. (9) Community Safety - Designing out crime
6. (10) Illustrative drawings
7. The applicant is strongly encouraged to consider the establishment of sheltered housing units on the site. Please contact Rebecca Stockley in the Major Applications Team, or Julie Markwell in Housing to discuss.
8. In respect of Condition No. 17, you are advised that the Council considers that one way to ensure compliance with the condition is to enter into a legal agreement with the Council to ensure the provision of additional/improved educational facilities locally, proportionate to the child yield arising from the development.
9. The Council's Urban Design Officer has advised that when developing the reserved matters scheme, the applicant should have regard to the provision of public open space and the need to create sense of place. Furthermore, permeability through the site should be reinforced while the layout should actively seek to reinforce the green character and provide a framework of robust green open spaces linked to the Conservation Area.
10. 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 to 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
- 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.
- 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.
- 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.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

11. The applicant is encouraged to maximise the opportunities for education and training of young people in the construction of the development hereby approved.
12. Details submitted in compliance with conditions 11, 12, and 13 should include trees in neighbouring gardens, close to the site boundaries.

4.0 CONSIDERATIONS

Site and Locality

- 4.1 The application site is currently occupied by the Bishop Ramsey Church of England School as one of its two campuses within Ruislip, and is referred to as the 'lower' school site. Access to the site is from Eastcote Way. While the site incorporates an access strip between 15 and 17 Manor Way, this is of an insufficient width for vehicular access.

4.2 The site, which is irregularly shaped with an area of 1.15 hectares, abuts the rear gardens of properties fronting Glenalla Road and Manor Way. The northern third of the site is occupied by a variety of school buildings, including a two storey complex and various single storey buildings surrounding a courtyard area. The applicant has advised that many of these buildings would require significant investment to bring them up to current education standards. To the south is a dedicated hard play area and an open grassed area, which together total 0.47ha. Limited vegetation is present on most boundaries.

4.3 The school has a capacity of 1250 students although the roll fluctuates dependant on the number of 6th formers. However, neither campus has the capacity to accommodate all pupils at any one time. Key stage 3 (years 7 to 9) are currently accommodated on the lower school site with all other students accommodated on the upper school site. However, pupils and staff are required to travel between the upper and lower school sites in order to access specialist facilities.

4.4 The surrounding area is strongly residential in character. Properties backing onto the site from Manor Way are typically two storey detached and semi-detached houses, and are located within the Manor Way Conservation Area. However, the Conservation Area does not extend into the application site. Properties in Glenella Way are typically occupied by bungalows, some of which have roof extensions. The length of adjoining residential gardens range between 20m and 30m.

4.5 Eastcote Road is a classified road lined on both sides by two storey detached and semi-detached houses. It provides a main route between Ruislip and Northwood and, as such, is subject to consistently heavy traffic volumes. The site has a Public Transport Accessibility Level (PTAL) of between 1 and 2, on a scale of 1 to 6 where 1 represents the lowest level of public accessibility.

Scheme

4.6 Outline planning permission is sought for the residential redevelopment of the site. A total of 35 residential units are proposed. Access would be from Eastcote Road (which benefits from 100m plus visibility in both directions).

4.7 The application originally sought determination of both siting and means of access. However, the applicant has since amended the application to remove siting as a matter for consideration. Accordingly, this application only seeks permission for the proposed means of access. All other matters (siting, design, external appearance and landscaping) are reserved for future determination.

4.8 This application forms part of a redevelopment package for the school as a whole. A separate planning application (ref. 19731/APP/2006/2811) has been submitted proposing the amalgamation of the two school campuses onto the

upper school site. The sale of the lower school site for residential development would provide the funds for the redevelopment of the upper school site. However, the operational requirements of the school would prevent the lower school site being released for development until the redevelopment of the upper school site has been completed.

- 4.9 The applicant has submitted the following technical reports in support of the application:-
 - Noise Report
- 4.10 This report concludes that vehicle movements on the adjacent Eastcote Road dominate daytime noise levels at the site. Other influences on noise levels include passing aircraft and local area noise from adjoining houses. Noise levels during the day and night time are considered to be moderate and area classified within the Noise Exposure Category B, where 'noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise'.
- 4.11 This report details the results of a tree survey carried out on site. It concludes that the principal trees are of poor structural quality with limited public visual amenity due to the site's backland position. The remaining trees are of domestic scale.
 - Arboricultural Report
- 4.12 This report includes details of a walk over survey of the site, and concludes that site is of low nature conservation value and contains little habitat of value to wildlife. The buildings on site have limited potential for bat roosts.
 - Supporting Landscape Design Statement
- 4.13 This report describes the context of the site and reiterates the conclusions of the ecological appraisal and arboricultural report.
 - Air Quality Assessment
- 4.14 This report details local baseline conditions and the results of air quality modelling. It concludes that the proposed redevelopment is likely to have negligible impact on air quality locality. Concentrations of NO2 and PM10 are predicted to be well below the National Air Quality Objectives and EU limit values at all receptors, with no significant increase between the without and with development scenarios.

- Transport Assessment

4.15 This report advises that the site benefits from a medium level of accessibility by all modes of transport. It concludes that the proposed development would generate 21 two ways trips in the AM peak and 14 two way trips in the PM peak.

4.16 The junctions of Ridgeway/Eastcote Road and Kings College Road/Windmill Hill/Eastcote Road roundabout will operate above theoretical capacity by 2009 with or without development. The Hume Way/Eastcote Road junction is predicted to exceed theoretical capacity by 2009 (AM peak) with development, due to additional school traffic resulting from the amalgamation of the Bishop Ramsey Church of England School onto the upper school site. For the same reason, the junction of Pinn Way/Manor Way/Eastcote Road is predicted to operate more effectively and will not exceed its theoretical capacity in future years with development scenarios for 2009 and 2024.

Planning History

4.17 The site has an extensive planning history. However, all previous applications were for works in relation to the existing school and are not considered to be relevant to the current application.

UDP Designation

4.18 The application site is located within the 'Developed Area' as designed by the Unitary Development Plan. The site also abuts the Manor Way Conservation Area to the west.

Planning Policies and Standards

4.19 The following UDP polices are considered relevant to the application:-

Part 1 Policies:

- Pt1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- Pt1.10 To seek to ensure that new development will not adversely affect the amenity and character of the Borough's residential areas.
- Pt1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- Pt1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- Pt1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- Pt1.33 To promote the construction of new roads or the widening of existing

roads only where they would: improve safety; promote pedestrian movement, cycling or public transport, or the improvement of the environment; reduce local congestion in a cost effective way; or are required to accommodate traffic likely to be generated by new development.

Pt1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

BUILT ENVIRONMENT

BE4 New development within or on the fringes of conservation areas

BE19 New development within residential areas - complementing and improving amenity and character of the area

BE38 Retention of topographical and landscape features, and provision of new planting and landscaping in developments proposals

OTHER ENVIRONMENTAL CONSIDERATIONS

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

OE2 Assessment of environmental impact of proposed development

OE5 Siting of noise-sensitive developments

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

OE12 Energy conservation and new development

OE13 Recycling facilities in major developments and other appropriate sites

HOUSING

H6 Considerations influencing appropriate density in residential development

H8 Change of use from non-residential to residential

H9 Provision for people with disabilities in new residential developments

H11 Provision of affordable housing

RECREATION, LEISURE AND COMMUNITY FACILITIES

R1 Development proposals in or near areas deficient in recreational open space

R4 Proposals that would involve the loss of recreational open space

R11 Proposals that involve the loss of land or buildings used for education, social, community and health services

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

ACCESSIBILITY AND MOVEMENT

AM2 Development proposals - assessment of traffic generation, impact on

congestion and public transport availability and capacity
AM3 Proposals for new roads or widening of existing roads
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
AM14 New development and car parking standards
AM15 Provision of reserved parking spaces for disabled persons

Other relevant documents include:

- (a) The London Plan
- (b) Circular 6/98 Planning and Affordable Housing
- (c) Planning Policy Statement 1 - Delivering Sustainable Development
- (d) Planning Policy Statement 3 - Housing
- (e) Planning Policy Guidance 13 - Transport
- (f) Planning Policy Guidance 17 - Planning for open space, sport and recreation
- (g) Planning Policy Statement 22 - Renewable Energy
- (h) Revised Parking Policies and Standards (2001)
- (i) Supplementary Planning Document - Design and Accessibility Statement
- (j) Supplementary Planning Guidance - Air Quality
- (k) Supplementary Planning Guidance - Community Safety by Design
- (l) Supplementary Planning Guidance - Planning Obligations

Main Planning Issues

4.20 The main issues are considered to be:

- (i) The principle of redevelopment
- (ii) Residential density and impacts on local character
- (iii) Impacts on residential amenity
- (iv) Traffic, and access
- (v) Other matters
- (vi) Planning Obligations

- (i) The principle of redevelopment

4.21 Policy R11 states that proposals involving the loss of land or buildings last used for education purposes will be assessed having regard to:

- (i) Any reasonable possibility that refusal of permission would lead to the retention and continued use of the existing facilities;
- (ii) Adequate accessible provision is available to meet the foreseeable needs of the existing and potential uses of the site being displaced;

(iii) The proposed alternative use accords with the other policies of the Plan and contributes to its objectives.

4.22 The site is currently occupied by the Bishop Ramsey Church of England School. The site (the 'lower' school) is one of two campuses that are used. The 'upper' school is located approximately 0.8 miles to the west of the site, via Warrender Way, Old Hatch Way and Manor Way (over 10 minutes walking time).

4.23 The applicant has advised that there are significant logistical problems trying to operate two campuses, not least ensuring the safety of pupils travelling between the two sites. The applicant has submitted a separate planning application (ref. 19731/APP/2006/2811), which seeks to redevelop the upper school site thus enabling the amalgamation of the two school sites. Planning application ref. 19731/APP/2006/2811 has been recommended for approval.

4.24 The applicant has, subject to the approval of planning application ref. 19731/APP/2006/2811, demonstrated that adequate accessible provision is available to meet the foreseeable needs of the existing and potential users of the site being displaced. The applicant has advised that the operational requirements of the school would prevent the release of the lower school site for redevelopment until the upper school site had been completed. This would be secured in a Section 106 Agreement.

4.25 Should planning application ref. 19731/APP/2006/2811 be granted, it is very unlikely that the lower school site and the facilities and buildings contained therein would be retained for educational purposes. The applicant has advised that a large proportion of building stock located on the lower school site is substandard for current teaching requirements. 67% of general teaching accommodation at the lower school comprises temporary huts while the remainder is poor condition with time expired buildings. The state of on-site teaching accommodation on site was highlighted as being of serious concern in a 2001 Ofsted report which, in their view, does not support good learning.

4.26 Significant rebuilding work, approaching wholesale redevelopment, would be required to upgrade the site to an acceptable standard for ongoing educational purposes.

4.27 The site is located within a Developed Area as designated by the UDP. Residential activities are considered appropriate within Developed Areas and, as such, no in principle objection is raised to the proposal. The introduction of residential development on this site would also assist meeting local and national housing objectives, as set out by PPS3: Housing.

4.28 The proposal is therefore considered to meet the tests of Policy R11 and no objection is raised to the residential redevelopment of the site. However, it is possible that planning application ref. 19731/APP/2006/2811 could be refused.

Should this occur, the applicant will be unable to demonstrate that the proposal meets the tests of Policy R11, as pupils presently accommodated on the lower school site could not be accommodated on the upper school site. In this instance, an in-principle objection to the scheme could be sustained.

- 4.29 Policy R4 of the UDP states that planning permission will not be granted for proposals that involve the loss of land used as recreational open space, including school playing fields.
- 4.30 The southern portion of the site contains hard and soft play areas, with a combined area of 0.47ha. These areas are not publicly accessible and are used exclusively by the school. Accordingly, these areas are not considered to have any 'public value' which, according to PPG17 'Planning for Open Space, Sport and Recreation', is the defining feature of open space. Furthermore these areas, by virtue of their size and use, are not considered to form 'playing fields' or 'playing pitches' as defined by Sport England's Planning Policy Statement: 'A Sporting Future for the Playing Fields of England'. This has been confirmed by Sport England.
- 4.32 Notwithstanding this, Sport England have objected jointly to this and the upper school application, although they have advised that their response is as a non-statutory consultee with respect to the lower school application. This is on the basis that the proposal for the upper school site does not include any additional on-site sports facilities for community use. In their view, additional and improved sports facilities should be provided to compensate for the loss of the lower school site.
- 4.33 This application, while inextricably tied to the redevelopment of the upper school site, should be considered on its own merits. It is considered inappropriate to object to a proposal on the basis that it results in the loss of land which, according to relevant policy, does not constitute a playing pitch, playing field or open space, on the basis that additional playing pitches, playing fields or open space is not provided on a separate site.
- 4.34 Accordingly, despite the comments of Sport England, the proposed redevelopment of the site is considered acceptable, as it would not result in the loss of recreational open space or playing fields. No objection is raised in terms of Policy R4.
 - (ii) Residential density and impacts on local character
- 4.35 Policy H6 of the Hillingdon UDP states that the density of development depends on a balance between the full and effective use of available housing land and the building's compatibility with surrounding development. As a guide, new housing is expected to be in the range of 100-200 habitable rooms per hectare (h.r.p.h). Applications with densities above 150 h.r.p.h need to demonstrate that the layout

and design of the schemes are of a quality that produce good environmental conditions and that harmonise with the surroundings.

- 4.36 The London Plan is the most up to date development plan and therefore policies contained within this plan carry greater weight than UDP policies where they are not in general conformity. Policy 4B.3 of the London Plan advises that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context and the site's public transport accessibility. The London Plan provides a density matrix to establish a strategic framework for appropriate densities at different locations.
- 4.37 The subject site has a Public Transport Accessibility Level (PTAL) score of between 1 and 2. The London Plan density guidelines state that development proposals within a suburban setting with a PTAL of 1 to 2 should achieve a density of between 30-50 uph and 150-200 hrph.
- 4.38 The application proposes a total of 35 residential units, with a density of 30 units per hectare. The unit density is consistent with that anticipated by the London Plan, and indeed is the minimum recommended by PPG3 'Housing' for new developments.
- 4.39 Details of unit sizes and types have not been submitted as part of this outline application. However, to achieve a density of 150 hrph (the minimum recommended by the London Plan) the average unit would need to have 4 bedrooms. This further demonstrates that the scheme proposes a very low density of development, especially when considered within the context of national policy guidance. A lower density could not be supported having regard to the requirements of PPG3 and the need to promote sustainable development.
- 4.40 Notwithstanding this, the proposed density is considered acceptable, having regard to the spacious, low density character of surrounding residential areas. The site area involved would enable appropriate setbacks to be maintained from adjoining residential properties while providing a satisfactory level of on-site residential amenity.
- 4.41 In this respect, the proposal demonstrates compliance with Policy BE19 of the UDP, which states that Local Planning Authorities will seek to ensure that new development complements or improves the amenities and character of an area, and Policy BE4, which states that development on the fringes of Conservation Areas should preserve or enhance those features which contribute to their special character. The Council's Policy and Environmental Planning Team have raised no objections to the density proposed.
- 4.42 The applicant has submitted an indicative site plan, demonstrating how 35 detached, semi-detached and terraced houses could be accommodated on site. The Council's Urban Design Officer and objectors have raised concerns over the proposed layout, and in particular a pocket of terraced houses shown located to

the rear of the site.

4.43 The submitted plan is indicative only. The layout of the proposed development, and the impact of design and appearance on local character will be considered at the reserved matters stage. Notwithstanding this, the comments of the Council Urban Design Officer will be conveyed to the applicant via an informative.

(iii) Residential Amenity

4.44 The Unitary Development Plan seeks to control the effects of new development on existing residential amenity. While any development will result in some effects on surrounding properties by virtue of the status quo being altered, the scale of a development proposal is not directly indicative of significant adverse effects.

4.45 The application has been submitted in outline, with siting, design, external appearance and landscaping reserved for future consideration. The Council will assess any impacts on residential amenity arising from these matters, including overlooking, overshadowing or loss of outlook, when presented with a reserved matters application. Other matters, such as boundary treatment and the provision of on-site amenity space, will also be considered at the reserved matters stage.

4.46 Although the applicant has submitted an indicative layout, this plan only establishes that the principle of housing at the density proposed is acceptable on the site. Informatives 3, 4 and 9 are proposed to guide the applicant with respect to issues the Council would wish to see addressed when submitting layout details at reserved matters stage.

4.47 Policy OE1 seeks to protect the amenity of existing residents, while Policy OE5 seeks to protect new, noise sensitive developments.

4.48 The applicant has submitted a noise report as part of this application, demonstrating that the site falls within Noise Exposure Category (NEC) B. Accordingly, the amenity of future occupiers can be assured by appropriate noise mitigation measures, as proposed by the noise report and secured by condition.

4.49 Noise created by the development would be consistent with surrounding residential activities. Noise arising from traffic movements associated with the development, and the impact of this on residential amenity, will be heavily influenced by the siting of buildings and the internal access road. Both of these matters will be addressed as part of the reserved matters.

4.50 Nevertheless, it is evident from the details submitted in support of this application that the main point of vehicular and pedestrian access to the site will be located between 50 and 54 Eastcote Road. Semi-detached houses occupy both properties.

4.51 The applicant has submitted a transport assessment, which details existing and anticipated traffic flow. Presently, traffic flows associated with the site are light, with 27 (two way) movements in the AM peak (0730-0930) and 15 (two way) in the PM peak (1430-1830). However, traffic volumes along Eastcote Road are significantly higher, with 1965 (two way) movements immediately east of the Ridgeway and 1482 (two way) movements east of Manor Way in the AM peak, and 1716 and 1316 respectively for the PM peak. The applicant's acoustic report has confirmed that vehicle movements along Eastcote Road dominate noise levels in the area.

4.52 The transport assessment suggests that the development would generate 21 two way trips in the AM peak (0800-0900 hours) and 14 two way trips in the PM peak (1700-1800 hours). Taking into account the 'narrower' peak hours used, the development would create an additional 8 two way movements in the AM peak and 11 two way movements in the PM peak. However, the transport assessment is based on a private residential development of 60 units, whereas only 35 units are proposed. Accordingly, a significant buffer has been built into the applicant's assessment, and it is likely that the actual number of traffic movements to and from the site will be less than that specified. Traffic flows may be further reduced if the site is developed for sheltered housing.

4.53 Accordingly, impacts of the development on residential amenity arising from peak hour traffic movements are therefore not considered to warrant refusal of the application, having regard to the existing traffic movements associated with the site, and the relatively insignificant amenity impact of these movements within the context of Eastcote Road.

4.54 However, existing traffic movements to and from the site are typically contained within the school day, and do not extend into the late evening or weekends. The development would result in traffic movements throughout the week.

4.55 There are no primary habitable room windows on the flank elevations of either 50 or 54 Eastcote Road. Accordingly, these units are partially protected from noise and light intrusion. In addition, a dense line of vegetation demarcates the side boundary of 54 Eastcote Road. This would assist in maintaining strong visual separation between the access and this adjoining property, while maintaining privacy. The retention of this vegetation can be ensured by condition. Appropriate boundary treatment along the boundary with 50 Eastcote Road can be assured at the reserved matters stage.

4.56 Noise and other nuisance activities (such as dust) generated by construction activities would be time limited, and could be controlled by way of condition at the reserved matters stage and relevant nuisance legislation.

4.57 The Council's Environmental Protection Unit has raised no objections to the proposal, subject to a recommended condition.

(iv) Traffic and access

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

4.59 The applicant has submitted a transport assessment, which considers the impact of the proposal on the surrounding road network. It takes into account committed development (the residential redevelopment of RAF Eastcote) and the potential redevelopment of the Bishop Ramsey upper school site. As such, it is considered to adequately consider the cumulative impacts of this proposal with other possible developments in the locality.

4.60 As discussed above, the transport assessment suggests that the development would generate 21 two way trips in the AM peak (0800-0900 hours) and 14 two way trips in the PM peak (1700-1800 hours). This is based on a private residential development of 60 units, whereas only 35 units are proposed. As previously stated, a significant buffer has therefore been built into the applicant's assessment. The site is also relatively accessible by a range of transport modes, including bus and tube, and is located within easy walking distance of the Ruislip Manor town centre.

4.61 Notwithstanding this, the traffic generated by the site is not considered to be excessive or significant, when considered in the context of existing traffic flows along Eastcote Road. The assessment considers the impact of the development on the operation of both the site access and key junctions within the locality until 2024. It concludes that the site access operates well in all years and in all scenarios. While some of the local junctions are predicted to operate above theoretical capacity in the intermediate to distant future (ie, at 2024), this is not attributable to the proposed development. The Council's Highways Engineer has raised no objection to the transport assessment in this regard and accordingly the proposal is considered acceptable in terms of Policies AM2 and AM7.

4.62 Objectors have raised concerns regarding the adequacy of the proposed access. The Highways Engineer has confirmed that appropriate sightlines are available from the proposed access to ensure the safety of traffic egressing from the site. Furthermore, the width of the access (19m) is sufficient to accommodate emergency and utility vehicle access.

4.63 Objectors have suggested that the existing pedestrian access from Manor Way should be retained or, alternatively, widened to accommodate vehicles. It is not considered viable to require the widening of this access to accommodate vehicles, as it would involve obtaining privately owned land from adjoining residential properties. However, it may be possible to incorporate the existing pedestrian access into the site layout in a manner which enhances on-site permeability. Certainly, this has been encouraged by the Council's Urban Design Officer and is conveyed by a recommended informative.

4.64 The London Plan seeks to minimise on-site parking in order to encourage the use of more sustainable non-car modes. In this regard, public transport accessibility is suggested as the most appropriate means of determining the level of car parking provision. Table A4.2 of the London Plan (Maximum Residential car parking standards) suggests that for detached and semi-detached houses between 1.5 and 2 car parking spaces should be provided per unit, and between 1 and 1.5 spaces for terraced houses. These are presented as maximums and generally accord with the Council's standards, which recommend a maximum of 2 car parking spaces where curtilage car parking is proposed.

4.65 On site vehicular and bicycle parking provision will be determined at the reserved matters stage. However, the development would not result in overspill car parking subject to adequate on-site provision in accordance with guidance. The indicative site plan illustrates that sufficient car parking could be provided on site. No objections have been raised by the Highways Engineer in this regard.

4.66 Accordingly, no objections are raised in terms of Policies AM2, AM7, AM14 and AM15.

(v) Other Matters

4.67 The Council's Policy and Environmental Planning Team have advised that consideration should be given to the ecological values of the site when considering this application. Objectors have also raised the loss of suburban green space as a reason for concern.

4.68 The site is located within the Developed Area and is surrounded on all sides by residential development. It is not located within or adjacent to a Nature Conservation Site nor is it subject to a Tree Protection Order. It is comprises mostly buildings and hard standing with small areas of species poor amenity grassland, managed for use by the school.

4.69 The applicant has submitted an ecological appraisal which summarises a site 'walk over' survey. The survey concluded that the site contains no habitats or features of nature conservation values. In addition, no evidence of any legally protected species were found at the site. The potential for legally protected or notable species to be found at the site is considered to be very low. In particular, the potential for bat roosts is considered to be low due to the lack of access points.

4.70 The site is therefore not considered to have any special wildlife or ecological values and no objection is raised in terms of Policy EC2.

4.71 Policy 4A.9 of the London Plan advises that boroughs should require major developments to show how the development would generate a proportion of the site's electricity or heat needs from renewable sources, wherever feasible.

Sustainability measures, to be incorporated in the built fabric of the proposed dwellings, could be addressed at the reserved matters stage and secured by condition.

- 4.72 Policy OE13 relates to the provision of satisfactory recycling and waste disposal provisions as part of new developments. The Council's Waste Strategy Manager has advised that provision should be made on each plot for the storage of waste. This matter could be addressed at the reserved matters stage and secured by condition.
- 4.73 Policy H9 of the Unitary Development Plan and Policy 3A.4 of the London Plan requires that 10% of the total number of units be designed to full (or capable of easy adaptation to) wheelchair standard. This provision could be secured by way of a condition were the application considered acceptable and secured by condition.

(vi) Planning Obligations

- 4.74 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'.
- 4.75 The application was submitted prior to 24th May and the adoption of the Council's 'SPD: Affordable Housing'. Accordingly, the applicant has agreed to a 35% of all units being provided as affordable housing. This is in accordance with the Council's policy in force at the time the application was submitted. The Council's Housing Directorate has raised no objections to this subject to the affordable housing provision being calculated on a habitable room basis. The unit mix and type will be agreed with the Housing Directorate as part of reserved matters.
- 4.77 Objectors have raised concerns regarding the provision of affordable housing on the application site. The requirement for affordable housing stems from national and London Plan guidance, and is supported by Council policy. However, the applicant may elect to provide affordable sheltered housing on the site. This would simultaneously address the requirements for both sheltered and affordable housing locally and local resident's concerns. The applicant has indicated a willingness to look into this as an option. This matter is the subject of a recommended informative.
- 4.79 Objectors have queried the position of affordable housing shown on the indicative site layout, requesting that they be 'pepper potted' throughout the site. It is an operational requirement of registered social landlords (RSL's) that affordable housing units are grouped together to enable more efficient

management.

- 4.80 Obligations are also proposed in respect of healthcare, community facilities, open space, education and project management and monitoring. Despite this application being tied to the redevelopment of the upper school site, it is considered appropriate to secure an education contribution in this instance as the education demand created by development may not be accommodated at Bishop Ramsey School by reason of religious affiliation. Obligations in respect of affordable housing, healthcare, community services, and open space will be secured by a Section 106 Agreement. However, the education contribution will be secured by a Grampian condition.
- 4.82 The formula used to calculate education contributions takes into account many factors, including the number of units proposed, the unit size, number and size of affordable housing units, anticipated child yield and existing local capacity. The unit size and number of affordable units proposed have yet to be determined. In addition, the applicant may choose to consider developing the site for sheltered housing, which would in effect have a 'zero' child yield.
- 4.83 Accordingly, it is not considered appropriate in this instance to require the applicant to enter into a Section 106 Agreement which would almost certainly require variation at a later stage. The inclusion of a Grampian condition will enable the Council to maintain control over the contribution (the value of which will be determined by a standard formula) while acknowledging that the contribution cannot be fixed at this time. The Council's Section 106 Officer has raised no objections to this proposed approach.
- 4.84 These agreed planning gains will ensure that any additional pressures on local facilities arising from the development will be mitigated. Accordingly, no objection is raised in terms of Policy R17.

5.0 Comments on Public Consultations

- 5.1 The main issues raised by adjoining residents, namely the principle of development, the loss of open space and existing educational facilities, the density of development and the provision of affordable housing, have been dealt with in the main body of the report.
- 5.2 The following additional comments are made in respect of those matters not addressed in the main body of the report.
- 5.3 There has been inadequate consideration of alternative development options, including the provision of sheltered housing for the elderly. *Officer comments:* Residential development is considered acceptable on this site subject to other matters being appropriately addressed. This may include sheltered housing. This matter is addressed by an informative, recommending that the applicant consider the introduction of sheltered housing on the application site.

- 5.4 The proposal would adversely impact local property values. *Officer comments:* This is not a planning consideration.
- 5.5 The development may result in an increased potential flooding and further overload existing drainage/sewer capacity. *Officer comments:* The site is not located within a flood risk area. Thames Water have not raised any objection to the scheme, advising that it is the developers responsibility to make proper provision for drainage.
- 5.6 Proposed development works may compromise the stability of the application site and adjoining properties. *Officer comments:* Development works would be subject to standard Building Regulation procedures to ensure that stability is not compromised.
- 5.7 The proposal does not entail any demonstrable community gain. *Officer comments:* Issue of planning permission is not dependant on demonstrating that the proposal would result in community gain. All applications are assessed on their own merits. Notwithstanding this, the applicant has agreed to various planning obligations to off set any impacts on the community.
- 5.8 If the existing pedestrian access way is left as 'dead' space, it may attract anti-social behavior. *Officer comments:* Anti-social behavior can be controlled, in part, by good design. A condition is recommended requiring the submission of full details on the treatment of this area as part of the reserved matters application.

6.0 Observations of the Borough Solicitor

- 6.1 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.
- 6.2 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).
- 6.3 Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.
- 6.4 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.

- 6.5 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'.

7.0 Observations of the Director of Finance

- 7.1 The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

8.0 CONCLUSION

- 8.1 The application seeks outline planning permission for the redevelopment of the Bishop Ramsey Church of England School lower site for residential purposes. The application is limited to determination of means of access only. All other matters (siting, design, external appearance and landscaping) have been reserved.
- 8.2 The applicant has demonstrated that the loss of this educational site would not impact the provision of local educational facilities. Residential development is considered acceptable within Developed Areas. The density proposed is considered acceptable for this suburban site, and would ensure that the development integrates with the surrounding area. In addition, the proposed accesses are considered acceptable.
- 8.3 Accordingly, the proposal is recommended for approval.

Reference Documents:

- (a) The London Plan
- (b) Circular 6/98 Planning and Affordable Housing
- (c) Planning Policy Statement 1 - Delivering Sustainable Development
- (d) Planning Policy Statement 3 - Housing
- (e) Planning Policy Guidance 13 - Transport
- (f) Planning Policy Guidance 17 - Planning for open space, sport and recreation
- (g) Planning Policy Statement 22 - Renewable Energy
- (h) Unitary Development Plan
- (i) Revised Parking Policies and Standards (2001)
- (j) Supplementary Planning Document - Design and Accessibility Statement
- (k) Supplementary Planning Guidance - Air Quality
- (l) Supplementary Planning Guidance - Community Safety by Design
- (m) Supplementary Planning Guidance - Planning Obligations

Contact Officer: REBECCA STOCKLEY

Telephone No: 01895 250 525

APPENDIX B

NORTH PLANNING COMMITTEE

Meeting held at the Civic Centre on Tuesday 18th December 2006 at 7.00pm

Councillor Bruce Baker (Chairman)
Councillor Michael White (Vice-Chairman)

Councillors:	Ian Oakley Michael Markham	Norman Nunn-Price David Allam
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Apologies: Apologies had been received from Councillor Allan Kauffman and Councillor Brian Crowe attended in his place.

Advisory Members	<table style="width: 100%;"><tr><td style="width: 50%;">*</td><td style="width: 50%;">Michael Hirst Chris Groom Clive Pigram</td><td style="width: 50%;">Canal Locks Conservation Panel Eastcote Conservation Panel Ruislip Conservation Panel</td></tr><tr><td style="width: 50%;">+</td><td style="width: 50%;">John Ross/Michael Dent</td><td style="width: 50%;">Harefield Village Conservation Panel</td></tr><tr><td style="width: 50%;">*</td><td style="width: 50%;">Pamela Jeffreys</td><td style="width: 50%;">Ickenham Conservation Panel</td></tr></table>	*	Michael Hirst Chris Groom Clive Pigram	Canal Locks Conservation Panel Eastcote Conservation Panel Ruislip Conservation Panel	+	John Ross/Michael Dent	Harefield Village Conservation Panel	*	Pamela Jeffreys	Ickenham Conservation Panel
*	Michael Hirst Chris Groom Clive Pigram	Canal Locks Conservation Panel Eastcote Conservation Panel Ruislip Conservation Panel								
+	John Ross/Michael Dent	Harefield Village Conservation Panel								
*	Pamela Jeffreys	Ickenham Conservation Panel								

* Denotes apologies received
+ Denotes other member absent

Also Present: Councillor Michael Cox and Councillor David Payne.

1. BUSINESS TO BE CONSIDERED IN PUBLIC

The Committee agreed that all its business would be conducted in public.

2. DECLARATION OF INTERESTS

Councillor Norman Nunn-Price declared a Personal and non-prejudicial interest because he is a member of the School Organisation Committee. He remained in the meeting and took part in the decision of the applications.

Councillor Brian Crowe declared a personal and non-prejudicial interest because he is the Chairman of the Education & Children's Services Policy Overview & Scrutiny Committee. He remained in the meeting and took part in the decision of the applications.

Councillor David Payne declared interests in the applications. He declared a personal interest as a Governor of Bishop Ramey School, a non-prejudicial interest as a member of the School Organisation Committee. Council David Payne addressed the meeting as a Ward Councillor.

3. DECISIONS ON APPLICATIONS

Decisions on applications are shown below and are based on Agenda and reports for the meeting, and an Addendum sheet circulated at the meeting.

Item No.	Address	Ward	Proposal	Application No.
1.	Bishop Ramsey Church of England School (Lower site) Eastcote Road Ruislip	Eastcote & East Ruislip	Redevelopment of the site to provide 35 units (Outline application – means of access only)	9731/APP/2006/1442

Two petition representatives addressed the Committee, the first expressed concerns about the application and the second petition representative spoke in support of the application. The applicant then spoke in support of the application.

Following discussion, the Committee requested that reserved matters be reported back to Committee for a decision.

RESOLVED

That delegated power be given to the Director of Planning and Community Services to grant planning permission subject to the following:-

- (a) **That the Council enter into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure:**
 - i) **The provision of 35% of all units for affordable housing (to be calculated on a habitable room basis unless otherwise agreed in writing with the Council's Housing Directorate).**
 - ii) **A financial contribution towards the provision of primary healthcare facilities.**
 - iii) **A financial contribution towards environmental improvements and community facilities in the immediate vicinity, or the provision of public green space on the site.**
 - iv) **Highway works in accordance with the Traffic Impact Assessment**
 - v) **The provision of recreational open space on site in accordance with the requirements of the SPG: Community facilities, or alternatively, a financial contribution towards the off site provision of recreational (formal) open space.**
 - vi) **A financial contribution equal to 5% of the value of cash contributions towards project management/administration costs relating to this agreement.**
 - vii) **That the planning permission hereby granted for the redevelopment of the lower school site is not implemented until the redevelopment of the upper school site has been completed.**

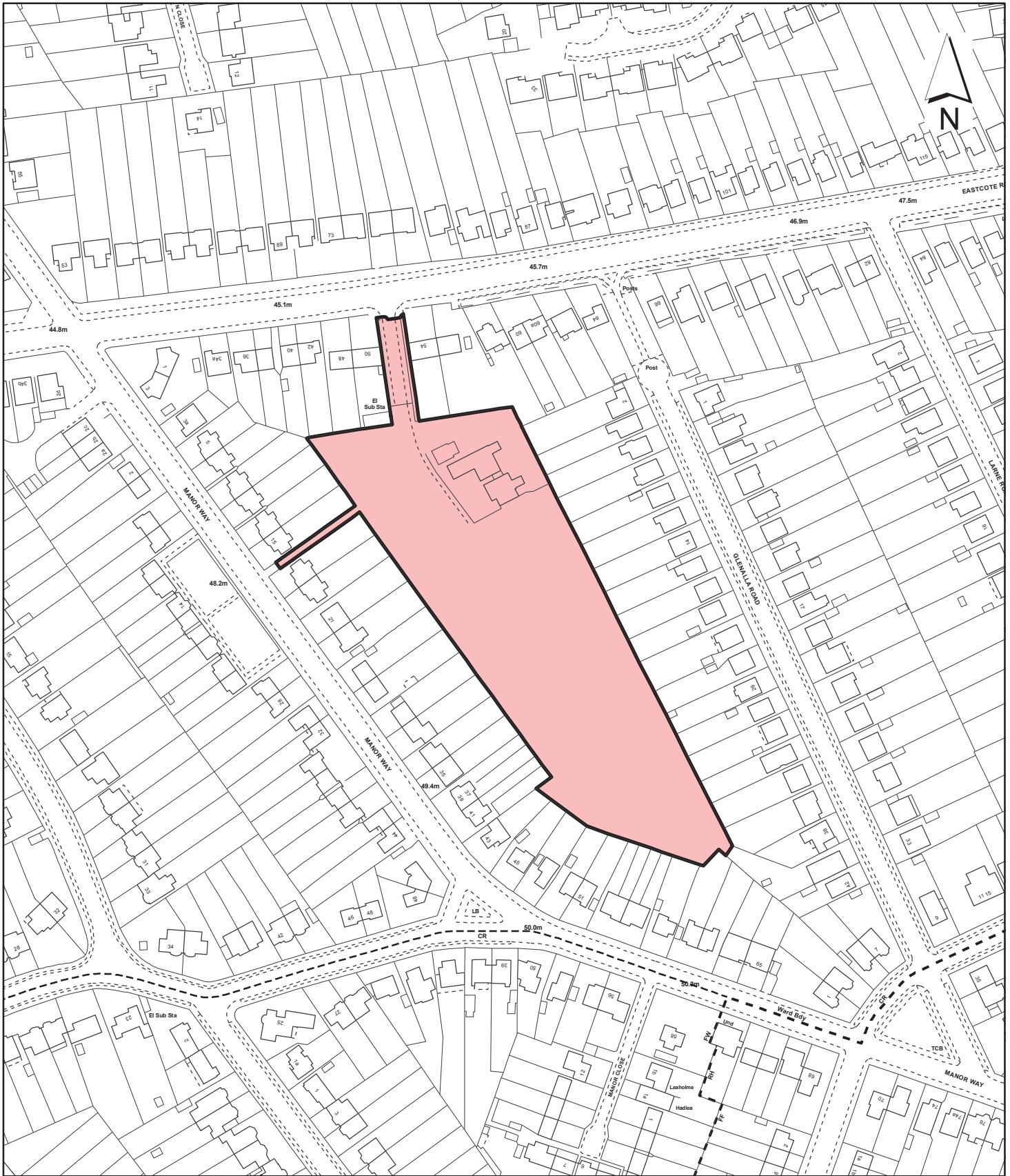
- (b) **That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.**
- (c) **If the above Section 106 agreement has not been finalised within 6 months, then the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning & Community Services.**
- (d) **That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**
- (e) **That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated power, subject the completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers.**

That the application for reserved matters when received be reported to Committee for a decision.

Item No.	Address	Ward	Proposal	Application No.
2.	Bishop Ramsey Church of England Hume Way Ruislip	Eastcote & East Ruislip	Amalgamation of upper and lower sites to create one school campus. Redevelopment of upper site including demolition and refurbishment of existing buildings, erection of new school buildings, new parking areas, access provision and playground/sports facilities.	19731/APP/2006/2811

The Committee heard from two representatives of petitioners objecting to the proposal. A Ward Councillor from a neighbouring ward spoke about the development expressing concerns about the generation of additional traffic around Hume Way, which he felt would be significant and indicated that the traffic survey was inadequate.

The Committee also heard from a representative of the petitioners who spoke in support of the development. While addressing the Committee, a Ward Councillor expressed his support for the development saying that many original concerns had been met, that although the traffic issues had not been completely resolved, putting the school on one site would generate less traffic and pupils would not have to travel between the two sites.



Notes

 Site boundary

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Site Address

**Bishop Ramsey
Church of England School
Eastcote Road, Ruislip**

**LONDON BOROUGH
OF HILLINGDON**

Planning,
Environment, Education
& Community Services
Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:

19731/APP/2006/1442

Scale

1:2,000

Planning Committee

North

Date

**August
2011**



HILLINGDON
LONDON