



Major Applications Planning Committee

Date:	WEDNESDAY, 23 AUGUST 2017
Time:	6.00 PM
Venue:	COMMITTEE ROOM 5 - CIVIC CENTRE, HIGH

STREET, UXBRIDGE UB8

MeetingMembers of the Public andDetails:Press are welcome to attend
this meeting

1**UW**

To Councillors on the Committee

Councillor Edward Lavery (Chairman) Councillor Ian Edwards (Vice-Chairman) Councillor Jazz Dhillon Councillor Janet Duncan Councillor Henry Higgins Councillor John Morgan Councillor John Oswell Councillor Brian Stead Councillor David Yarrow

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Putting our residents first

Lloyd White Head of Democratic Services London Borough of Hillingdon, Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW www.hillingdon.gov.uk

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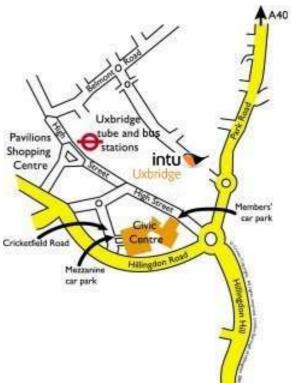
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Petitions and Councillors

Petitions - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

Ward Councillors - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

Committee Members - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers;
- 6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee <u>cannot</u> take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

Agenda

9 236 Swakeleys Road - 72634/APP/2017/769

Change of use from a group home into 5×1 -bed self-contained flats with associated parking and cycle stores.

Recommendation: Approval

10 BRIDGE HOUSE, RIVERVIEW HOUSE & WATERSIDE HOUSE, OXFORD ROAD, UXBRIDGE - 40050/APP/2017/2438 - this was added as an urgent item. Reason for urgency - to avoid a default deemed approval.

Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.

Recommendation: That delegated powers be given to the Head of Planning and Enforcement to confirm Prior Approval is not required.

Agenda Item 9

Report of the Head of Planning, Sport and Green Spaces

Address 236 SWAKELEYS ROAD ICKENHAM

Development: Change of use from a group home into 5 x 1-bed self-contained flats with associated parking and cycle stores.

LBH Ref Nos: 72634/APP/2017/769

Drawing Nos: 503/P/07 503/P/06 503/P/02 503/P/04 503/P/05 503/P/01 (as amended) 2017/P/F/SW/01

Date Plans Received:	28/02/2017	Date(s) of Amendment(s):	28/02/2017
Date Application Valid:	14/03/2017		23/06/2017 13/03/2017
			14/03/2017
			03/07/2017

1. SUMMARY

The proposed Change of Use of the building is compatible with surrounding residential development and provides 1 bedroom units that will contribute towards the residential mix within the surrounding area.

Satisfactory living conditions would be provided for future occupants and the amenities of neighbouring residents would not be compromised.

Adequate parking facilities would be provided.

2. **RECOMMENDATION**

A) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

Non-monetary contributions:

Enter into a S278/S38 for all highways works related to the provision of layby parking on Hetherington Way:

- a) Adjustment to kerb lines;
- b) Diversion of the existing pavement;
- c) Surfacing and marking out of the layby parking area;

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being

completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreement/s have not been finalised within 3 months, or such other date as agreed by the Head of Planning and Enforcement, delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of delivery of necessary offsite highway and landscaping works). The proposal therefore conflicts with the National planning Policy Framework, Policy 7.4 of the London Plan (March 2015), Policies AM7 and BE 38 of the adopted Local Plan and the Council's Planning Obligations SPG.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of 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, the following conditions be imposed subject to any changes negotiated by the Head of Planning and Enforcement prior to issuing the decision:

Delegated authority be given to the Head of Planning and Enforcement to APPROVE subject to the legal agreement.

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:-

503/P/07 503/P/06 503/P/02 503/P/04 503/P/05 503/P/01 (as amended) 2017/P/F/SW/01

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 COM21 **Sound insulation /mitigation**

The development shall not begin until a scheme for the control of noise transmission between adjoining residential units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE 1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 H8 Surfacing and marking out of access/parking/servicing areas

The development shall not be occupied until the parking areas shown on the approved plans have been drained, surfaced and marked out in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently retained and used for no other purpose.

REASON

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM 14 of the adopted Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

4 117 Communal Amenity Space

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

5 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

6 I45 Discharge of Conditions

Your attention is drawn to conditions 3 and 4 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and

advice contact - Residents Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

7 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

3. CONSIDERATIONS

3.1 Site and Locality

The site consists of a single unit within a wider two-storey complex which houses flats. The unit is distributed over both floors with the first floor level extending over 234 Swakeleys Road which is a single-storey one bedroom flat. The unit has an integral staircase which is accessed via a footpath that connects with Swakeleys Road and Hetherington Way.

The surrounding area is characterised by the Hetherington Way development of two-storey blocks of flats and terraced dwellings to the south, larger, predominately detached residential dwellings and occasional flatted development on Swakeleys Road to the north and east and large, detached dwellings on Highfield Drive to the west. Buildings are generally set back from the road and there is a strong presence of mature landscaping including trees, grass verges and small greens which combine to produce an open and verdant character and appearance to the surrounding area.

3.2 Proposed Scheme

The proposal involves the change of use of a vacant part of a building, previously used as a group home, to 5 self contained one bedroom flats. The conversion will be achieved through internal alterations and there will be no extensions to the building or external modifications.

Whilst the use as a group home is already classed as C3, a change of use application is required as the development involves the division of the group home into a number of separate units.

All flats within Hetherington Way have access to communal parking. There is no designated parking. Nonetheless the lease to the group home appears to indicate access to 2 designated parking spaces.

Officers are taking the view the development as proposed has access to five parking spaces for future occupants of the flats. Two of these will be accounted for by the existing off street parking serving the group home. A further three spaces will be provided within a

new layby formed to the side of Hetherington Way, close to the junction with Swakeleys Road. This will result in the loss of a portion of the grass area adjacent to 2, 6 and 8 Hetherington Way. The existing tarmac footpath will be diverted around the layby. These works will be secured by way of a legal agreement.

3.3 Relevant Planning History

Comment on Relevant Planning History

236 Swakeleys Road was constructed as part of a Council flatted development scheme, now known as Hetherington Way, under application 8380/75/589. The original dwelling at 236 Swakeleys Way was demolished as part of the development. The building was initially intended to accommodate flats but it was subsequently converted to group housing residents with learning difficulties and associated live-in support workers.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- SPD-NO Noise Supplementary Planning Document, adopted April 2006
- SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 16/03/2017 and a site notice was displayed on 23/03/2017 close to the application site.

Five letters of objection received and are summarised below:-

Objection to use of green space for parking due to loss of landscaping and highway and pedestrian safety implications.

This would be cramped development and there should be no more than 3 units created.

Includes the renovation of 234 Swakeleys Road which is not included in the description and so is misleading.

Three additional parking spaces are not enough for the development.

No details of where cycle storage will be located.

OFFICER COMMENT: Plans have been amended and the green space on Swakeleys Road will no longer be used for car parking. The number of parking spaces provided complies with the Council's adopted parking standards. Any alterations to No. 234 are internal only, the unit will remain in use as a flat and planning permission would not be required for such alterations.

ICKENHAM RESIDENTS ASSOCIATION:

No objection to the conversion to flats but there appears to be confusion over the amount of spaces that will be provided in each location.

We are totally opposed to the introduction of private parking management companies to the public streets of Ickenham

suggested by the following statement included in the Design and Access Statement, i.e. "The parking spaces will be dedicated to the flats and controlled by a Parking Management Company."

We oppose strongly, as we have in the past, any development on this important local site (D-shaped Green).

Internal Consultees

ACCESS OFFICER:

No comments to make.

LANDSCAPES OFFICER:

There is no objection to the change of use of the building. However, the provision of parking within site B sets a most undesirable precedent and is not supported. It is totally impracticable - and undesirable for safety reasons - that anyone would use these parking spaces to access site A which involves crossing a very busy road.

Moreover, it would be impossible to secure these areas for private parking without introducing removable bollards or similar street 'clutter' which will exacerbate the visual impact on this attractive open space.

HIGHWAYS:

This latest application is a revision of an application that I commented on earlier in the year. The site was previously 5x1 bed units and was converted to a group home with 2 allocated car parking spaces provided close to the site in Hetherington Way.

The latest scheme has seen 3 additional spaces are now provided off Hetherington Way which is a congested local access road. Car parking stress in the area is high with residents parking on footpaths and close to junctions.

The proposal is to revert the property back to 5 new 1 bed flats with 2 existing allocated car parking spaces as well as provide the 3 additional spaces created by converting a grass verge on Hetherington Way which is supported.

The proposed development will result in a small number of additional trips to and from the property but this is not likely to be significant. The development has 5 cycle lockers provided nearby which is also supported.

I presume the development will use the existing refuse/recycling facilities.

On the basis of the above comments I do not have significant highway concerns over the latest proposals.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within an established residential area and utilises an existing building that was previously in C3 use as a group home.

Para. 14 of the National Planning Policy Framework (NPPF) instructs Planning Authorities to maintain a presumption in favour of sustainable development. Compliance with relevant local, regional and national policies indicates sustainable development and this report will assess the proposed development on this basis.

Para. 17 recognises the conversion and re-use of existing buildings as a core planning principle.

Policy H 7 of the Local Plan states that the conversion of residential properties into more units is acceptable in principle provided this can be achieved without causing demonstrable harm to the residential amenities or character of the area or the amenity of adjoining occupiers. In addition, adequate sound insulation should be provided, car parking should meet standards adopted by the local planning authority, all units should be self contained with exclusive use of sanitary and kitchen facilities and with individual entrances, and

internal staircases are provided to serve units above ground floor level; and adequate amenity space should be provided for the benefit of residents of the proposed development.

The proposed units are all self contained with their own designated entrances and all upper floor units are served by an internal staircase. Other criteria within Policy H 7 will be assessed further within this report.

Policy H 4 of the Local Plan requires a practicable mix of housing units of different sizes and specifically encourages one and two bedroom units.

7.02 Density of the proposed development

Table 3.2 of the London Plan (2016) provides a matrix that indicates the optimum residential density level, expressed in units per hectare, for development based on the character of its surroundings (central, urban or suburban), public transport accessibility level (PTAL) on a sliding scale of 0 (poor) to 6 (excellent) and the type of units being offered (based on the amount of habitable rooms per unit).

In this instance, the site is located in a suburban setting with a low PTAL score of 1b and the proposed units would each provide 2 habitable rooms. As such, the optimum density level for the efficient use of the site falls between 50 and 75 units per hectare, or 150 - 200 habitable rooms per hectare.

The overall area of the site is approximately 182 m2 and the converted building will provide 5 residential units, thereby equating to a residential density of approximately result in a residential density of approximately 275 dwellings, or 550 habitable rooms, per hectare.

Whilst it is noted that the density figures are well in excess of those set out in the matrix, it is considered acceptable in this instance as, due to the nature of the development, the communal area surrounding the units has not been taken into consideration, as would generally be the case when calculating densities. Furthermore, the size of the proposed flats is comparable with the size of other flats housed within the the building and other surrounding buildings. Para 1.3.52 of the London Plan Housing SPG (2016) states that local or site specific features may be given weight when assessing acceptable density and, in this instance, it is considered the site specific circumstances of the application allow for the density of development proposed.

It is therefore considered that the proposed development is complaint with Policy 3.4 of the London Plan (2016)

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

Not applicable to the proposed development.

7.04 Airport safeguarding

Not applicable to the proposed development.

7.05 Impact on the green belt

Not applicable to the proposed development.

7.07 Impact on the character & appearance of the area

The proposal does not involve any external alterations to the existing building. The use of the unit will remain as residential, with a similar number of occupants as would have been present for the existing use. It is therefore considered that the proposed change of use of the unit would be compatible with its surroundings and not result in any adverse impact upon the character and appearance of the street scene.

The layby parking that will be formed at the entrance to Hetherington Way will not result in the loss of any significant proportion of the landscaped communal area adjacent to 2, 6 and 8 Hetherington Way and will therefore not compromise the established open and verdant character and appearance that is maintained in that location.

It is therefore considered that the proposed development would be in accordance with Local Plan Policies BE 13, BE 19 and OE 1 and London Plan Policies 7.4 and 7.6.

7.08 Impact on neighbours

The proposed change of use to flats is from an existing residential group home use which includes 8 bedrooms and, as such, it is considered that the conversion to a total of 5 x one bedroom flats would not materially alter or intensify the use of the site nor the subject building.

Conversion works will be internal only and the flats that will be created will utilise existing fenestrations with any currently obscurely glazed windows remaining as such. As a result, it is not considered that there will be any potential for increased and / or intrusive overlooking of neighbouring properties as a result of the proposal.

No extensions or other external works will be carried out and, as such, there are no concerns regarding potential overbearing or overshadowing impact towards adjoining neighbours.

The creation of layby parking at the entrance to Hetherington Way will not compromise the amenities of neighbouring residents as parked cars will be a sufficient distance from habitable room windows and the layby will not result in the loss of a significant proportion of the communal amenity space adjacent to 2, 6 and 8 Hetherington Way.

It is therefore considered that the proposed development would comply with Local Plan Policy BE 24 and London Plan Policy 7.6.

7.09 Living conditions for future occupiers

The internal space standards enshrined within the London Plan stipulate minimum Gross Internal Area (GIA) for dwellings based on the amount of bedrooms provided, occupancy rate and the amount of storeys over which the space is distributed. These standards are informed by the Department for Communities and Local Government (DCLG) Technical housing standards - nationally described space standard (2015).

The minimum GIA for a 1 bedroom single floor flat is 39 m², assuming occupation by 1 person or 50 m² assuming occupation by 2 people. All but one of the proposed flats have a GIA of 50 m². The remaining flat has a GIA of 48 m² and, as such, would only be suitable for single occupancy.

All new units will therefore provide adequate GIA for their proposed occupation and are in accordance with Policy 3.5 of the London Plan.

Policy BE 23 of the Local Plan requires that all new development both preserves private amenity space serving existing properties and provides sufficient private amenity space for future occupants. The Council's SPD for Residential Layouts provides standards for the amount of private amenity space that should be provided for the occupants of a residential unit. This takes the form of a sliding scale based on the amount of bedrooms that the unit provides.

Whilst the proposed flats would not benefit from any designated private amenity space it is

considered that this can be considered acceptable for the following reasons. The units provided are all one bedroom properties where it is recognised that the need for private amenity space is not as great. The proposal is for a Change of Use of an existing building where it would not be feasible to provide private amenity space and it should be noted than none of the existing flats within the building, or in other buildings on Hetherington Way, have private balconies or rear gardens. There is good quality landscaped communal amenity space provided immediately adjacent to the building.

All habitable room windows are well served by windows and openings that would allow effective natural light permeation, in accordance with Local Plan Policy BE 20 and paras. 2.3.37 and 2.3.40 and Standard 32 of the London Plan Housing SPG.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed flats would be served by a total of 5 car parking spaces, a rate of one space per unit. 2 of these car parking spaces comprise of those allocated to the existing use. A further 3 spaces are intended to be provided in the form of a layby on Hetherington Way.

The ratio of car parking spaces to residential units is in compliance with the Council's car parking standards and, as such, the proposed change of use would not lead to an adverse impact on parking provision within the surrounding area.

The proposed layby will be sited in a position where there is good visibility for motorists entering and leaving the parking spaces and on a residential road where, in any case, traffic would be moving slowly. The car parking spaces would be of acceptable dimensions to accommodate vehicles.

The existing footpath bordering Hetherington Way will be realigned around the layby and, as such, the proposed parking spaces would not be disruptive to pedestrians or cause any unacceptable hazard.

It is therefore considered that the proposed development would comply with local Plan Policies AM 7 and AM 14 and London Plan Policy 6.13.

7.11 Urban design, access and security

The building is located within an existing residential development which benefits from good levels of surveillance and would not result in any residential units within a secluded area.

The development is therefore in accordance with Local Plan Policy BE 18 and London Plan Policy 7.13.

7.12 Disabled access

As this is an application for Change of Use of an existing building, the development is not required to fully comply with Part M of the Building Regulations, as confirmed by para. 2.1.13 of the London Plan Housing SPG.

7.13 Provision of affordable & special needs housing

The proposed development falls below the threshold for provision of affordable housing, which is attached to developments involving a net gain of 10 or more residential units.

7.14 Trees, landscaping and Ecology

The building is sited with the wider Hetherington Way development which already benefits from adequate landscaping. The proposed layby car parking spaces would remove a small portion of lawn area close to the junction with Swakeleys Road but it is not considered that the loss of greenery would be to an extent that would damage the overall quality of the landscaping on the street.

It is therefore considered that the proposed development accords with Local Plan Policy BE 38.

7.15 Sustainable waste management

Future occupants would utilise the existing waste collection service provided on Hetherington Way.

7.16 Renewable energy / Sustainability

Not applicable to this development.

7.17 Flooding or Drainage Issues

Existing drainage measures would remain in place. The site is not located within Flood Zone 2 or 3 and future occupants would not be exposed to unacceptable risk of flooding.

7.18 Noise or Air Quality Issues

The development involves residential development within an area surrounded by similar uses and it is therefore not considered that there would be any uncharacteristic level of noise generated. Air quality would not be affected by the proposal.

7.19 Comments on Public Consultations

Parking arrangements have been amended as per plan number 2017/P/F/SW/01 and the green space on Swakeleys Road will no longer be used for car parking. The size of the proposed units are comparable to others within the building and the provision of one bedroom units add to the residential mix within the surrounding area. The number of parking spaces provided complies with the Council's adopted parking standards. Any alterations to No. 234 are internal only, the unit will remain in use as a flat and planning permission would not be required for such alterations.

7.20 Planning obligations

The proposal involves the creation of 5 new residential units with a combined external floor area of 270 m2 and therefore represents chargeable development in relation to both the Mayoral and LBH CIL requirements. A liability notice setting out the required CIL payment will be issued should planning permission be granted.

The proposal involves works to the Highway and under the ownership of the Council. Any approval will therefore be granted only when a Section 278 agreement securing these works has been agreed and signed.

7.21 Expediency of enforcement action

7.22 Other Issues

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

10. CONCLUSION

The proposed development is considered to be acceptable for the reasons set out in this report and it is therefore recommended that it be approved, subject to conditions and the recommended legal agreement to secure the off-street parking area.

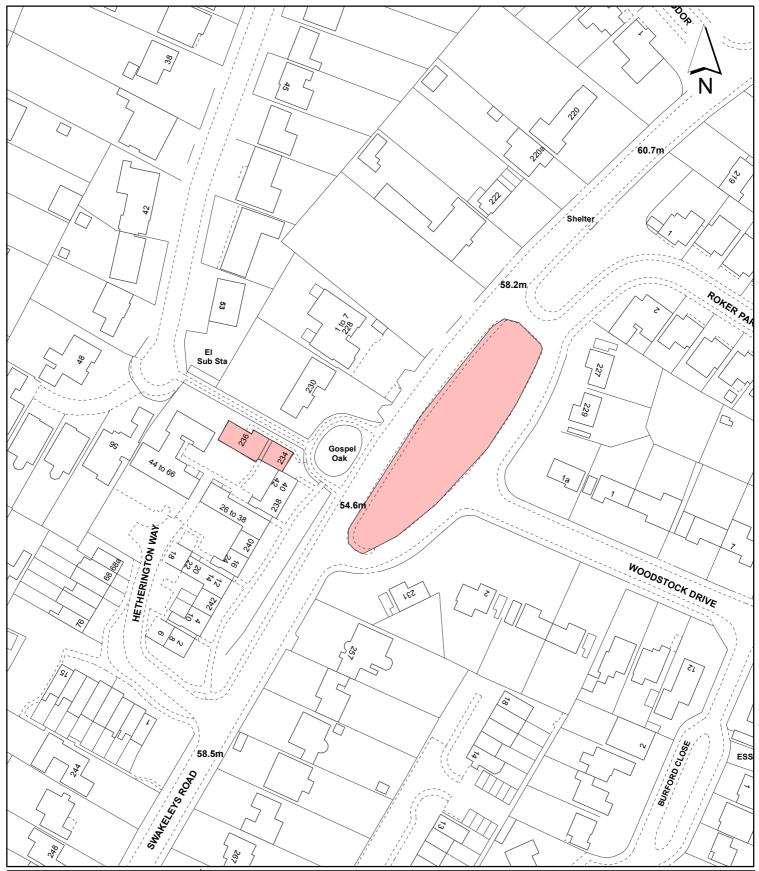
11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Planning Obligations SPD
National Planning Policy Framework (NPPF)
DCLG Technical housing standards - nationally described space standard (2015)

Contact Officer: James McLean Smith

Telephone No: 01895 250230



Notes:	

Site boundary

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Site Address:

236 Swakeleys Road

LONDON BOROUGH OF HILLINGDON Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111

Planning Application Ref: 72634/APP/2017/769	Scale: 1:1,250	
Planning Committee:	Date:	2
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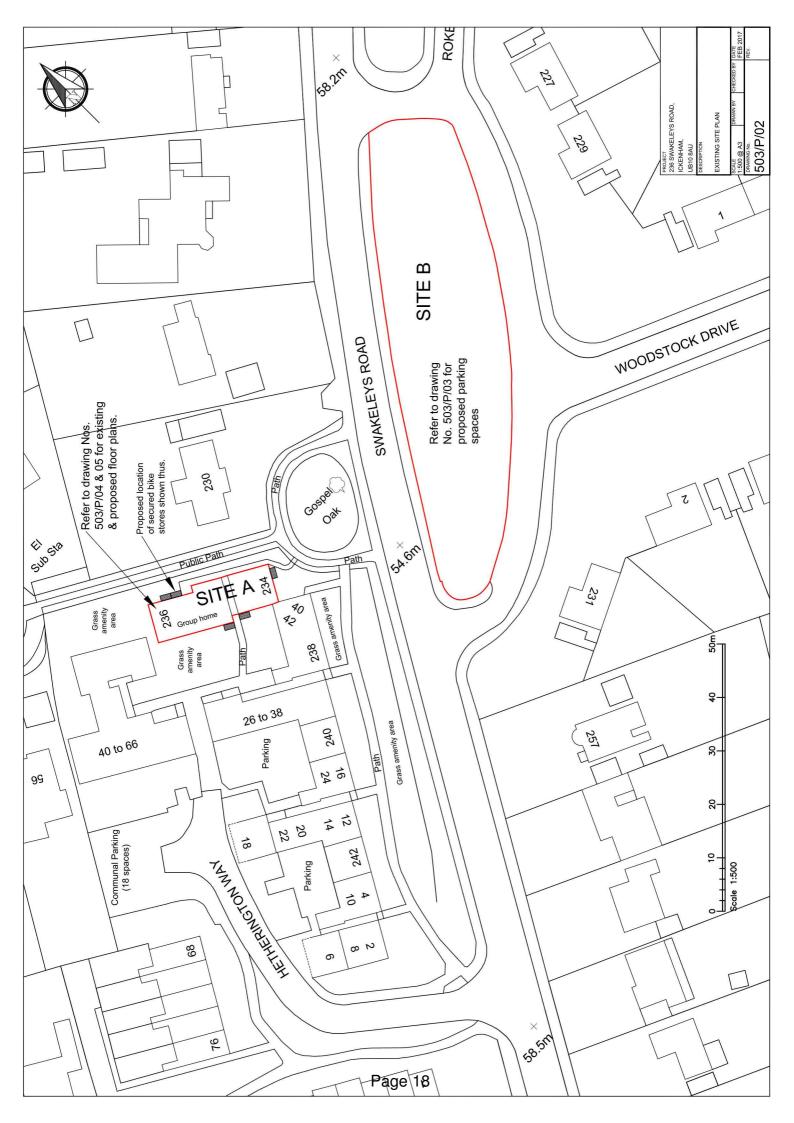
Report of the Head of Planning, Sport and Green Spaces

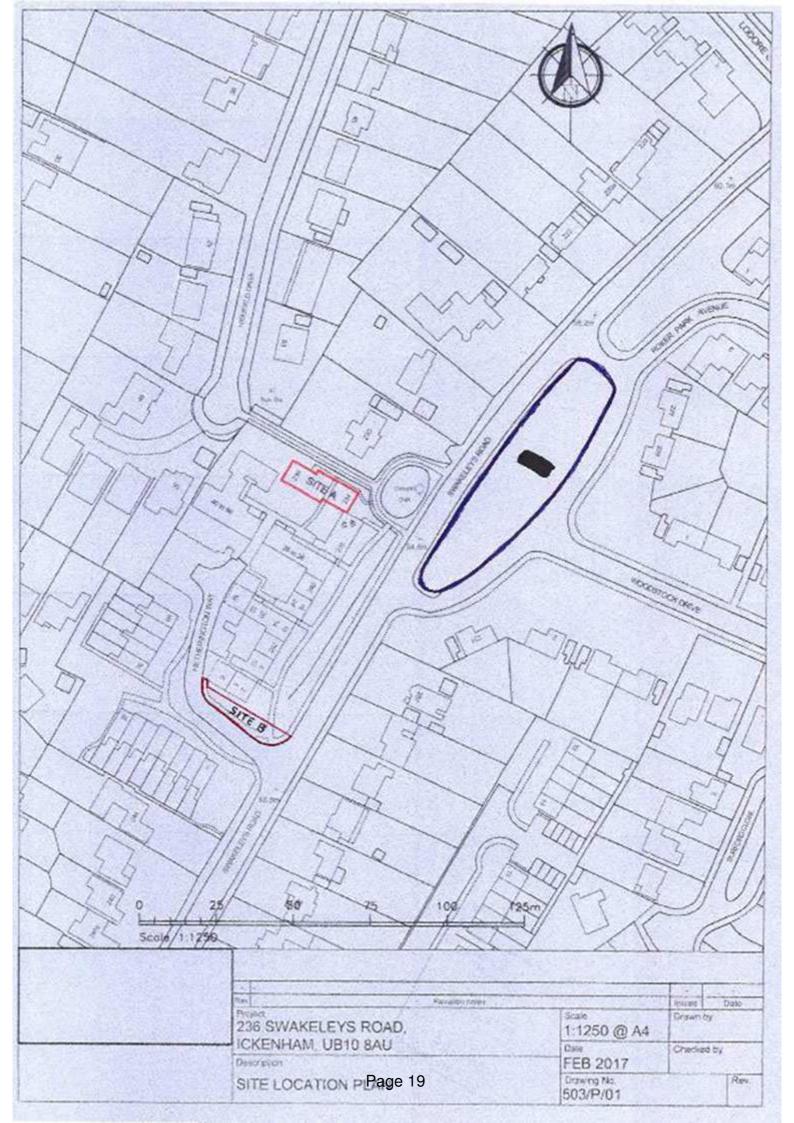
Address 236 SWAKELEYS ROAD ICKENHAM

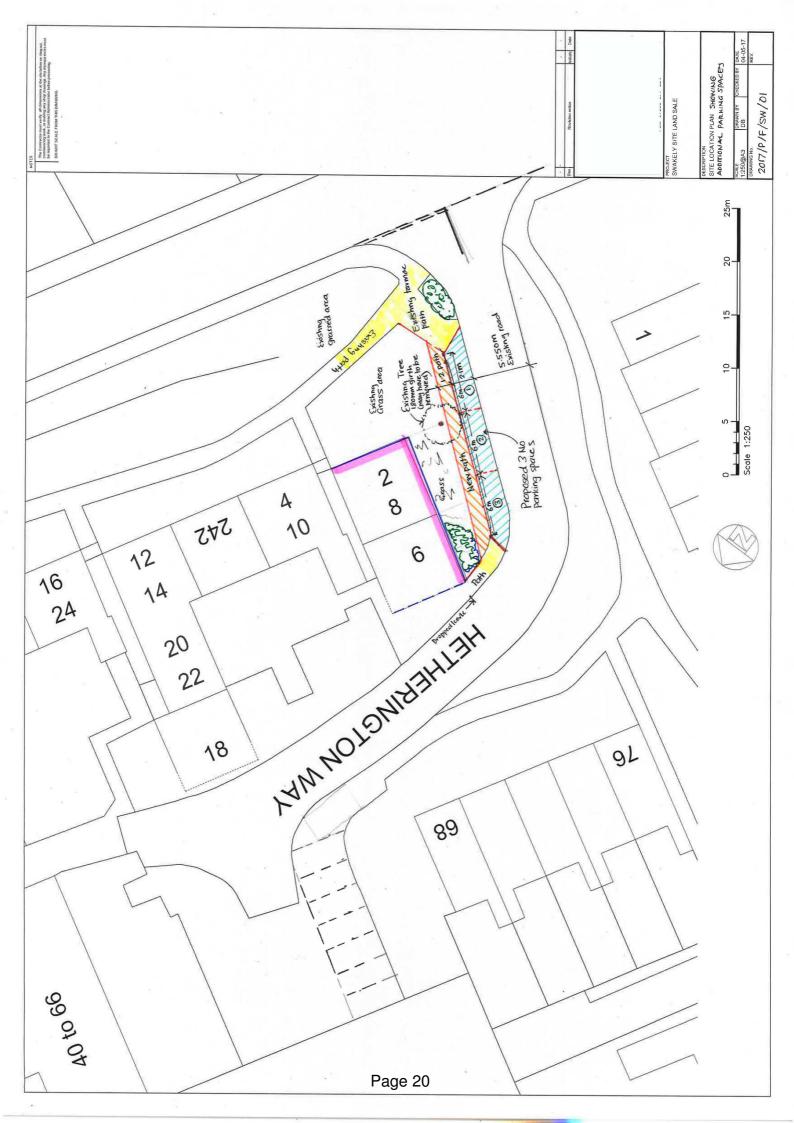
Development: Change of use from a group home into 5 x 1-bed self-contained flats with associated parking and cycle stores.

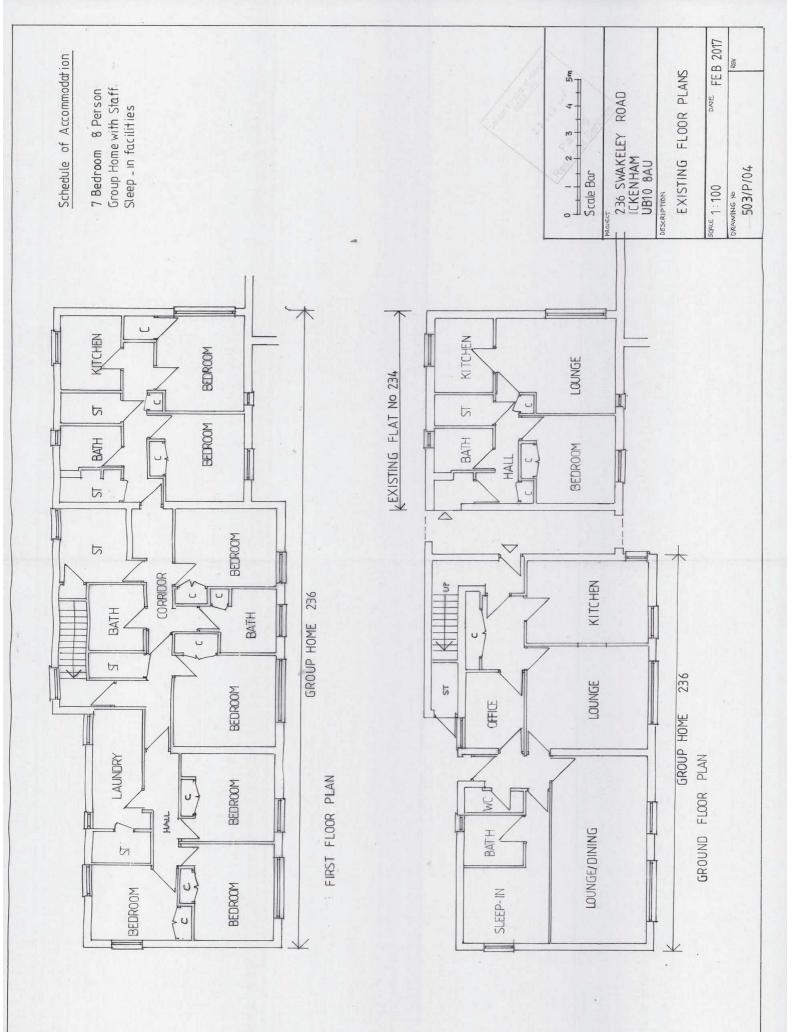
LBH Ref Nos: 72634/APP/2017/769

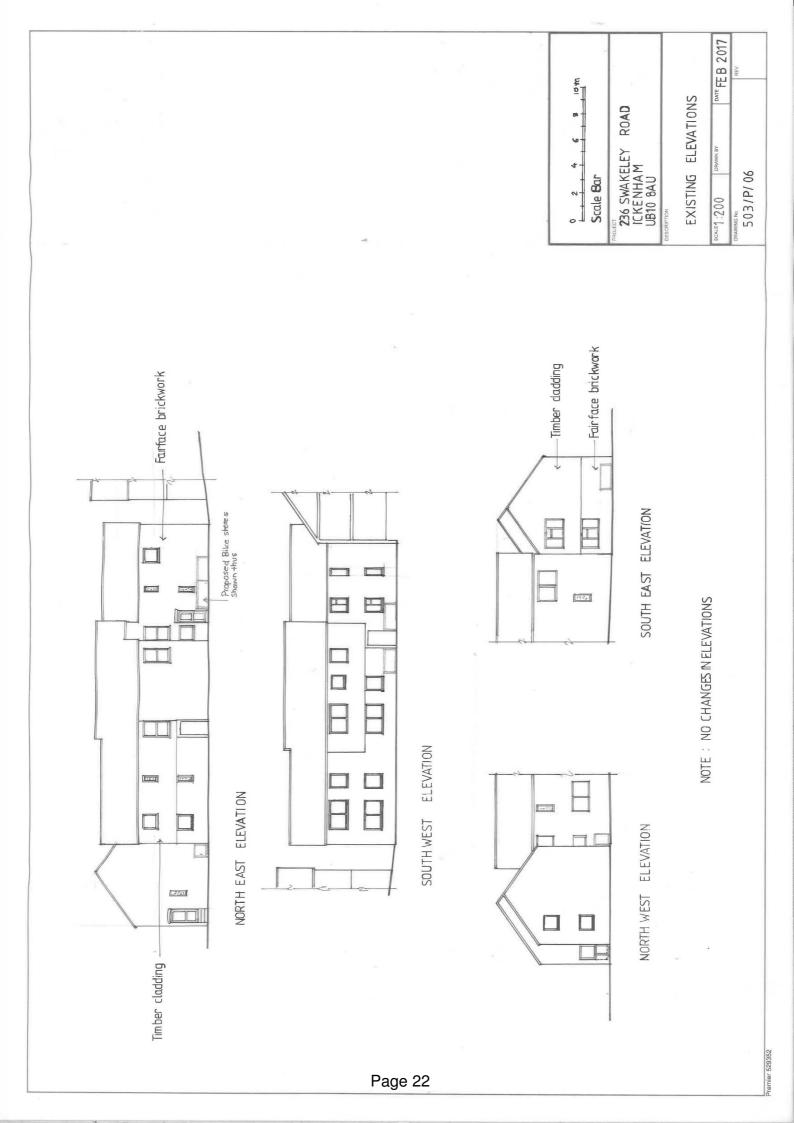
Date Plans Received:	28/02/2017	Date(s) of Amendment(s):	28/02/0017
Date Application Valid:	14/03/2017		28/02/2017 13/03/0017

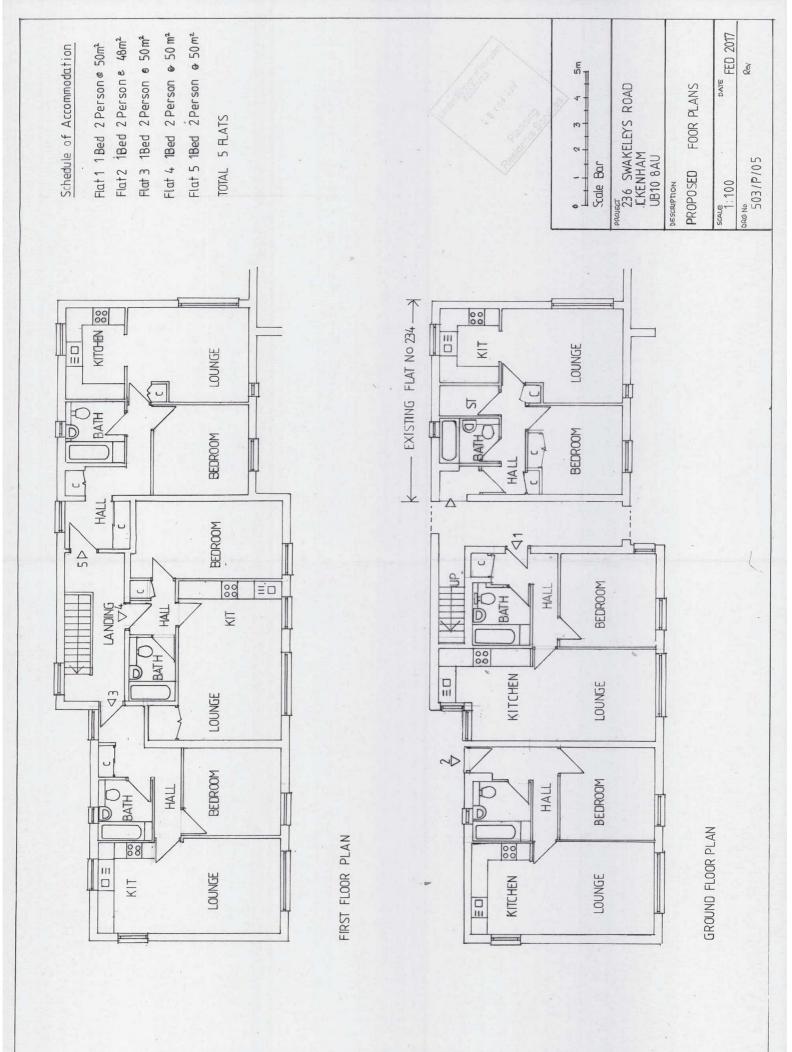






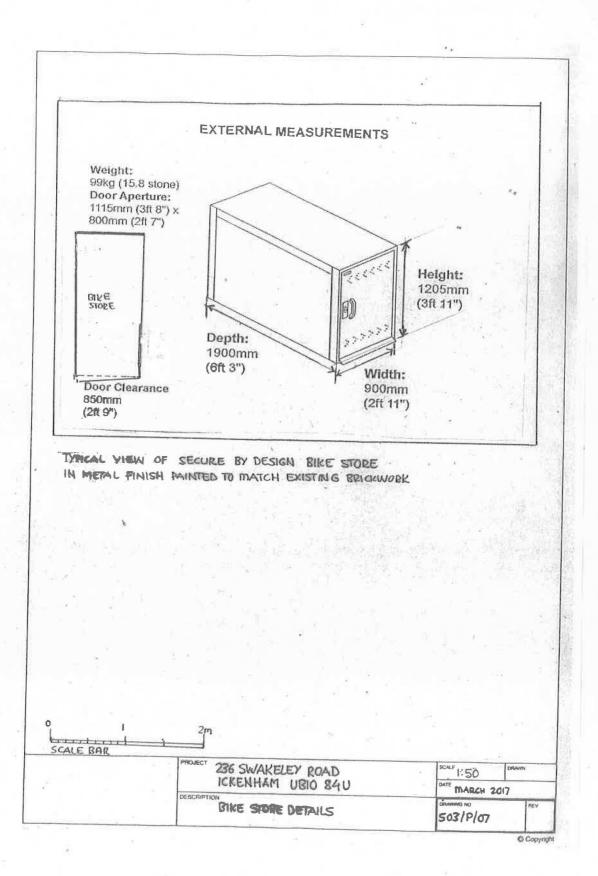


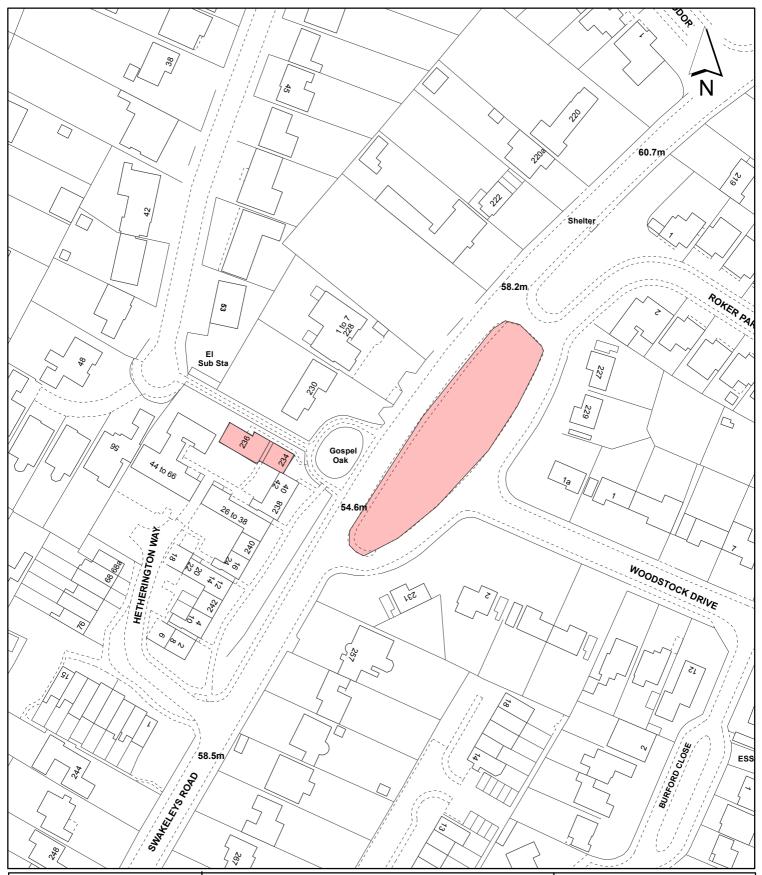




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Site boundary

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236 Swakeleys Road

LONDON BOROUGH OF HILLINGDON Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111

Planning Application Ref: 72634/APP/2017/769	Scale: 1:1,250	
Planning Committee:	Date:	
Major Page 25	August 2017	₩II



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Report of the Head of Planning, Sport and Green Spaces

Address BRIDGE HOUSE, RIVERVIEW HOUSE & WATERSIDE HOUSE OXFORD ROAD UXBRIDGE

- **Development:** Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.
- **LBH Ref Nos:** 40050/APP/2017/2438

Drawing Nos: Appraisal of Environmental Risks WDE 20735c01 26th June 2017 Flood and Drainage Assessment HLEF53752/001L 26th June 2017 6444/UX P06 B 6444/UX P01 C 6444/UX P02 A 6444/UX P02 A 6444/UX P05 C 6444/UX P05 C 6444/UX P07 D 6444/UX P08 B 6444/UX P08 B 6444/UX P09 B Noise Impact Assessment 01/06/2017 Revision 01 Technical Note Development at Oxford Road Uxbridge TN-01 29th June 2017

Date Plans Received:	06/07/2017
Date Application Valid:	11/07/2017

Date(s) of Amendment(s):

1. SUMMARY

This application seeks prior approval for the conversion of the three existing office buildings Bridge House, Riverview House and Waterside House to provide 239 individual residential units (15 x Studios and 224 x 1 Beds). A total of 359 off street car parking spaces, including 37 disabled bays, would be provided to serve future occupants. The spaces will be located within the existing multi-storey car park and hard surfaced parking areas which serve the existing office use. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

The proposal falls to be considered within Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 which allows for such development subject to a determination by the Local Planning Authority as to whether Prior Approval will be required. The application is not seeking full planning permission and Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 only permits the Local Planning Authority to take the following factors into consideration in the determination of such an application:

- (a) transport and highways impacts of the development;
- (b) contamination risks on site;

(c) flooding risks on site; and

(d) impacts of noise from commercial premises on the intended occupiers of the development.

In considering an application for prior approval under Class O, Paragraph 10b of Section W states that the local planning authority shall "have regard to the National Planning Policy Framework... so far as relevant to the subject matter of the prior approval, as if the application were a planning application". As such, the prior approval application must be assessed against transport and highways impact, contamination, noise and flooding risks only. The local planning authority is not directed, as a matter of law, to determine applications for prior approval under Class O with reference to the Development Plan.

The local planning authority may also grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

The application has been assessed against the above criteria and subject to relevant conditions and the securing of highway obligations through a Section 106 Legal Agreement, prior approval is not required.

2. **RECOMMENDATION**

1.That delegated powers be given to the Head of Planning and Enforcement to confirm Prior Approval is Not Required subject to:

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

 Contribution towards improvements to the local highway network with an upper limit of £500,000, plus a transport appraisal to include modelling of the local network prior to commencement of the development.
 Public Realm Contribution of £325,000

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.

C) That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreements have not been finalised by 31st August 2017 (or such other timeframe as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse the application for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to the environment necessary as a consequence of demands created by the proposed development (relating to highway works (including Transport Assessment) and public realm improvement contribution). The proposal therefore conflicts with the Town and Country Planning (General Permitted Development) (England) Order 2016, policies R17,

AM2, AM7 and AM9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (March 2016) and the NPPF.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to 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, the following conditions be imposed subject to changes negotiated by the Head of Planning and Enforcement prior to issuing the decision.

1 NONSC Non Standard Condition

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To ensure that risks from land contamination to the future users of the land and

neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

2 NONSC Non Standard Condition

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from noise generated by commercial premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal noise design criteria against external noise as agreed with the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise generated by commercial premises in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

3. CONSIDERATIONS

3.1 Site and Locality

The site fronts onto Oxford Road (A4020) and is an island site between the River Colne and the Grand Union Canal. The River Colne is the border between Hillingdon and South Buckinghamshire, which also denotes the administrative boundary of the Greater London Area.

The island site is currently occupied by 3 buildings: Bridge House, Waterside and Riverview all of which are occupied by Xerox, owned by L&G and have direct access from Oxford Road. The existing Bridge House building to the north of the site is in a prominent position on Oxford Road, considered to be a 'gateway' site into Uxbridge. The building is 6 storeys in height plus an additional storey of plant and provides office use plus a small existing ancillary cafe on the ground floor. To the south of Bridge House is a multi storey car park providing 246 car parking spaces, plus 30 surface car parking spaces (including 5 disabled spaces), which also sits within the boundary of the current application. Bridge House was constructed in 1967 and was reclad around 1998. Waterside House and Riverview House are both 3 storey office buildings and are located to the south of the site adjacent to the River Colne.

The application site also accommodates a security gatehouse and multi-storey car park together with surface level car parking. This application relates to the residential use of the three office buildings The security gatehouse, will become ancillary to the use of those building's for residential purposes. The multi-storey car park is included in the application site boundary only insofar as it will be used for car parking associated with the residential use.

The surrounding area is mixed use and contains a number of existing multi storey office buildings. The closest residential properties are located within Denham Lodge, to the north west of the site on the opposite side of Oxford Road. To the north of the site is the Swan and Bottle Public House, which is locally listed.

The site is within, but on the north western boundary of, Uxbridge Town centre and is within an Archaeological Priority Area. The majority of the site has a PTAL rating of 2, however the

north eastern corner has a PTAL rating of 3. The site is within a developed area, as designated by the Hillingdon Local Plan (November 2012).

The land on the western bank of the River Colne is within South Buckinghamshire and is designated as Green Belt and a Biodiversity Opportunity Area. There is also Uxbridge Lock Conservation Area to the north of the site.

3.2 Proposed Scheme

This application seeks prior approval for the conversion of the three existing office buildings Bridge House, Riverview House and Waterside House to provide 239 individual residential units (15 x Studios and 224 x 1 Beds). A total of 359 off street car parking spaces, including 37 disabled bays, would be provided to serve future occupants. The spaces will be located within the existing multi-storey car park and hard surfaced parking areas which serve the existing office use. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

3.3 Relevant Planning History

Comment on Relevant Planning History

40050/APP/2016/852 - Demolition of existing office building (Use Class B1(a) and multistorey car park and redevelopment of the site to provide a new office (Use Class B1(a) building, associated multi-storey car park and ancillary cafe unit (Use Class A1/A3) -Approved 06-07-17.

4. Planning Policies and Standards

Town and Country Planning (General Permitted Development) (England) Order 2016

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
NPPF	National Planning Policy Framework
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
5. Advert	isement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 60 local owner/occupiers and the application was also advertised

by way of site notices. No responses have been received.

Internal Consultees

HIGHWAYS

Highway Works

Until a transport assessment has been received and agreed by the Council, based on the findings of earlier work the following schedule of highway works are required. These are to be up to a maximum of £500,000 (Five Hundred Thousand Pounds) (to be determined in accordance with the Transport Study) to be used by the Council to carry out and complete the Additional Highway Works These include but are not limited to:-

1. works to lengthen and widen the existing right turn lane at the Site access junction off the A4020 Oxford Road; and

2. improvements to the Site frontage to improve pedestrian access from the footway along the A4020 Oxford Road.

Further works to mitigate the impact of additional development traffic along Oxford Road and at upstream junctions may include but are not limited to:-

1. new facilities, such as bus shelters and bus stops;

- 2. improvements to a bus service which passes near the site (frequency and capacity);
- 3. bus priority measures;
- 4. community transport provision;
- 5. dedicated bus service;
- 6. passenger information systems;
- 7. improvements to transport interchanges;
- 8. promotion of public transport;
- 9. provision of bus stands and driver facilities; or
- 10. provision or improvement of cycle ways and cycle parking facilities;
- 11. to include the following identified potential highway works :
- 12. Possible linking of Denham Pedestrian crossing to main signal junctions

13. Oxford Road (Eastbound) between Oakside and Willow Avenue- measures to improve flow of traffic into the town centre

- 14. Sanderson Road Traffic Light Junction
- 15. Measures to improve junction capacity at
- a. Harefield Road/ High Street Junction improvements, including if feasible signalisation.

b. Cedars and Mahjacks roundabouts : Measures to improve capacity including review and change of signal timings and CCTV cameras to aid UTC.

In the absence of any new transport assessment to show otherwise, the above list of mitigation works should also apply to the new development. This is particularly the case as in the AM Peak many cars will be leaving the development bunched within a short space of time adding further stress on an already congested local road network.

Public Realm Improvements

Bridge House is situated on the edge of Uxbridge town centre within convenient cycling and walking distance of all the transport connections, services and facilities it has to offer.

Access to the town centre is provided by the High Street connecting Oxford Road with Harefield Road. South of Harfield Road is Uxbridge town centre. The High Street has numerous high profile frontages including Fountains Mill listed building and Uxbridge Magistrates Court. The High Street is a lightly trafficked road carrying a high volume of pedestrians visiting New Bucks University and numerous other workplaces in the vicinity of Bridge House.

To improve connectivity between Bridge House and the town centre funding is required to improve the public realm and the safety and convenience of cyclists and pedestrians using this link. Using

high quality materials it is proposed to resurface the footways, review how parking is managed, provide new lighting, street trees, landscaping and public art.

The outcome of this investment will enhance connectivity between Bridge House and the town centre in turn making it safer and more convenient for the residents of Bridge House to walk and cycle to the town centre continuing any onward journey by public transport.

Case Officer's comments:

The required contributions have been agreed by the applicant and would be secured as set out in Section 7.20 of this report.

ENVIRONMENTAL HEALTH (NOISE)

With reference to the above planning application I reviewed the noise impact assessment by Hoare Lea dated 01/06/2017. The report states in page 9, second paragraph that the final facade sound insulation is yet to be determined as further thorough assessment would be required. The assessment looked at road traffic noise, industrial noise and patron noise from the Swan & Bottle Public house. There is the potential for loud amplified music breakout from the pub which has not been assessed. Furthermore, noise from nearby mechanical plants/equipment has not been assessed.

I would also recommend the following conditions/informative respectively:

Sound insulation scheme

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal noise design criteria against external noise as agreed with the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Noise affecting residential property

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Control of environmental nuisance from construction work (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.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155)

Case Officer's comments:

As per the Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 the only source of noise that the Local Planning Authority can take into consideration is that produced by commercial premises. Therefore the first condition requested by the Environmental Protection Unit will be amended to cover this source only. The requested condition to limit noise generated from plant within the development is not an issue that the Local Planning Authority is permitted to consider as part of this type of application and therefore cannot be attached to any determination of the application.

ENVIRONMENTAL HEALTH (CONTAMINATION)

The Preliminary Risk Assessment, 'PRA' by Waterman consultants has been reviewed by WDE Consultants, 'WDE' for the developer and submitted for this application under cover of WDE's letter. WDE confirm that they agree with the conclusions of the PRA by Waterman Consultants.

The PRA is sufficient to support the application and seems to have covered all the necessary potential pollutant linkages and issues for this development. The PRA brings attention to the wide number of historic industrial uses surrounding the site and a timber yard / mill on site prior to the current use. it also mentions the oil storage tank and sub stations. The PRA indicates that two buildings could be gas protected although Bridge House is not, and gas and vapour measurements are recommended at this site. I would agree that all the buildings should be checked especially Bridge House where there seems no protection at present. The report advises a site investigation with boreholes around the buildings for soil, gas and water testing and appropriate air monitoring for vapours particularly at Bridge House. I would agree with the conclusions and the PRA seems sufficient in detail with Table 8 showing a conceptual model and contaminants of concerns listed in table 5.1. I would advise our standard contaminated land condition as below.

Contaminated Land Condition

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and

recommendations for remedial measures to make the site suitable for the proposed use; and (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Case Officer's comments:

As per the Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 contamination is one of the factors that the Local Planning Authority can take into consideration and therefore the condition requested by the Environmental Protection Unit is recommended to be attached to any positive determination of the application.

FLOOD AND WATER MANAGEMENT OFFICER

Although surrounded by water the site lies above the indicated flood levels and lies in Flood Zone 1. Therefore there are no objections to the proposed conversion. However in order to support such residential dwellings there should be clear and careful management of the river and canal corridor in accordance with the Blue Ribbon Network Policy, in order that flood risk to the site is not increased to the proposed residents or those nearby. There should also be restrictions on any replacement hardsurfacing within the site in the future to increase the permeability of ground to reduce the risk created by this site.

Therefore the following is requested:

Condition - Hard Standing

Removal of permitted development rights replacing of any hard surfacing must be with a more permeable surface which controls surface water on site. The hard standing shall i) be made permeable or ii) surface water shall be directed to a permeable or porous area within the site.

Reason

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy 5.12 Flood Risk Management of the London Plan (March 2016) and

To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable

Drainage of the London Plan (March 2016), National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

Condition - Blue Ribbon Network

A River corridor landscaping plan should be submitted to and approved by the Local Authority prior to commencement. The site lies alongside a strategic waterway within the London Borough of Hillingdon, Policy EM3 Blue Ribbon Network in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) states: In respect of development proposals and in assessing how they can make a positive contribution to the Network as required by Policy EM3 the following considerations will apply:

1) For the rivers Colne, Pinn, Crane, Yeading Brook and some minor local tributaries to continue to play their role providing space for water.

2). To reduce flood risks to property and road, rail or other infrastructure located in proximity to water courses.

3). To make best use of river and canal corridors for active and passive recreation, increasing accessibility as part of a living corridor for people across the Borough, and in promoting its use as a link to recreational spaces.

4). To maintain and improve the river and canal corridors links as a linear feature in both town and countryside which serve as an "ecological corridors", as a habitat which enables species to migrate and colonise over wider areas.

5). To support the Rivers and Canal Trust aims and ensure that the historic structure of the canals is preserved and support for its continued use as navigable waterways is maintained.

6) To promote and develop the Grand Union Canal as a navigational waterway of national significance.

Policy DMEI Waterside Development in emerging Hillingdon Local Plan Part 2 - Development Management Policies has further detailed considerations.

Reason

The development should make a positive contribution to the Blue Ribbon Network in accordance with:

Policy EM3 Blue Ribbon Network in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014)

Case Officer's comments:

As per the Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 flood risk is one of the factors that the Local Planning Authority can take into consideration when determining an application of this nature. However the requested condition requiring the removal of Permitted Development rights is not required as the proposal would create residential flats, which by their nature do not benefit from such Permitted Development rights.

In addition the requested condition for a River Corridor Landscape Plan would not be appropriate as the application proposes no changes to the landscaping on site and any increased flood risk resulting from landscaping issues (such as falling trees) would not be the result of the proposed development. This issue is not therefore a consideration of the current application and such a condition would not accord with Paragraph 206 of the National Planning Policy Framework.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Under Part 3 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016, from 30 May 2013 development consisting of the change of use of a

building to a use falling within Class C3 (dwellinghouses) from a use falling within Class B1(a) (offices) constitutes 'permitted development', subject to a number of criteria; namely permitted development rights do not apply if:

- the building is on article 1(6A land);

- the building was not used for a use falling within Class B1(a) immediately before 30th May 2013, or, if the building was not in use immediately before that date, when it was last in use;

- the site is or forms part of a military hazard area;
- the site is or forms part of a military explosives storage area;
- the building is a listed building (or within its curtilage) or a scheduled monument;
- permitted development rights have been removed.

The site and buildings do not meet any of the criteria listed above. As such the site benefits from permitted development rights.

7.02 Density of the proposed development

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

7.04 Airport safeguarding

Not applicable as this is not an application for planning permission.

7.05 Impact on the green belt

Not applicable as this is not an application for planning permission.

7.06 Environmental Impact

Not applicable as this is not an application for planning permission.

7.07 Impact on the character & appearance of the area

Not applicable as this is not an application for planning permission.

7.08 Impact on neighbours

Not applicable as this is not an application for planning permission.

7.09 Living conditions for future occupiers

Not applicable as this is not an application for planning permission.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Engineer has carefully reviewed the proposals and provided detailed comments on the measures required to mitigate against the detrimental impact of the development. These can be summarised as a Transport Assessment and Highways contribution of £500,000, plus a Public Realm contribution of £325,000. The Applicant has agreed to these obligations which would be secured through a S106 Legal Agreement.

Subject to the completion of the Legal Agreement the Highway's impact of the development is acceptable.

7.11 Urban design, access and security

Not applicable as this is not an application for planning permission.

7.12 Disabled access

Not applicable as this is not an application for planning permission.

7.13 Provision of affordable & special needs housing

Not applicable as this is not an application for planning permission.

7.14 Trees, landscaping and Ecology

Not applicable as this is not an application for planning permission.

7.15 Sustainable waste management

Not applicable as this is not an application for planning permission.

7.16 Renewable energy / Sustainability

Not applicable as this is not an application for planning permission.

7.17 Flooding or Drainage Issues

The Council's Flood and Water Management Officer has reviewed the application and subject to a condition has raised no objections to the proposal. For the reasons set out in Section 6 of this report the suggested conditions are not relevant to this application and are not therefore recommended to be attached to any determination of the application.

7.18 Noise or Air Quality Issues

The Council's Environmental Protection Unit have carefully reviewed the submitted documents in terms of the risk of contamination and have have raised no objections to the proposal subject to the attachment of an appropriate condition.

The proposal is therefore acceptable in terms of contamination.

Noise from Commercial Premises

The Council's Environmental Protection Unit have carefully reviewed the proposal in terms of the potential detrimental impact from noise generated externally from the site. As set out in Section 6 of this report, subject to a condition requiring details of how future occupiers will be protected from noise generated by adjacent commercial premises no objections have been raised.

The proposal is therefore acceptable in terms of noise.

7.19 Comments on Public Consultations

None received

7.20 Planning obligations

In order to mitigate against the impact of the proposals, the following obligations will be sought:

1. Contribution towards improvements to the local highway network with an upper limit of \pounds 500,000, plus a transport appraisal to include modelling of the local network prior to commencement of the development.

2. Public Realm Contribution of £325,000

7.21 Expediency of enforcement action

Not applicable

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

None

10. CONCLUSION

This application seeks prior approval for the conversion of the three existing office buildings Bridge House, Riverview House and Waterside House to provide 239 individual residential

units (15 x Studios and 224 x 1 Beds). A total of 359 off street car parking spaces, including 37 disabled bays, would be provided to serve future occupants. The spaces will be located within the existing multi-storey car park and hard surfaced parking areas which serve the existing office use. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

The proposal falls to be considered within Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 which allows for such development subject to a determination by the Local Planning Authority as to whether Prior Approval will be required.

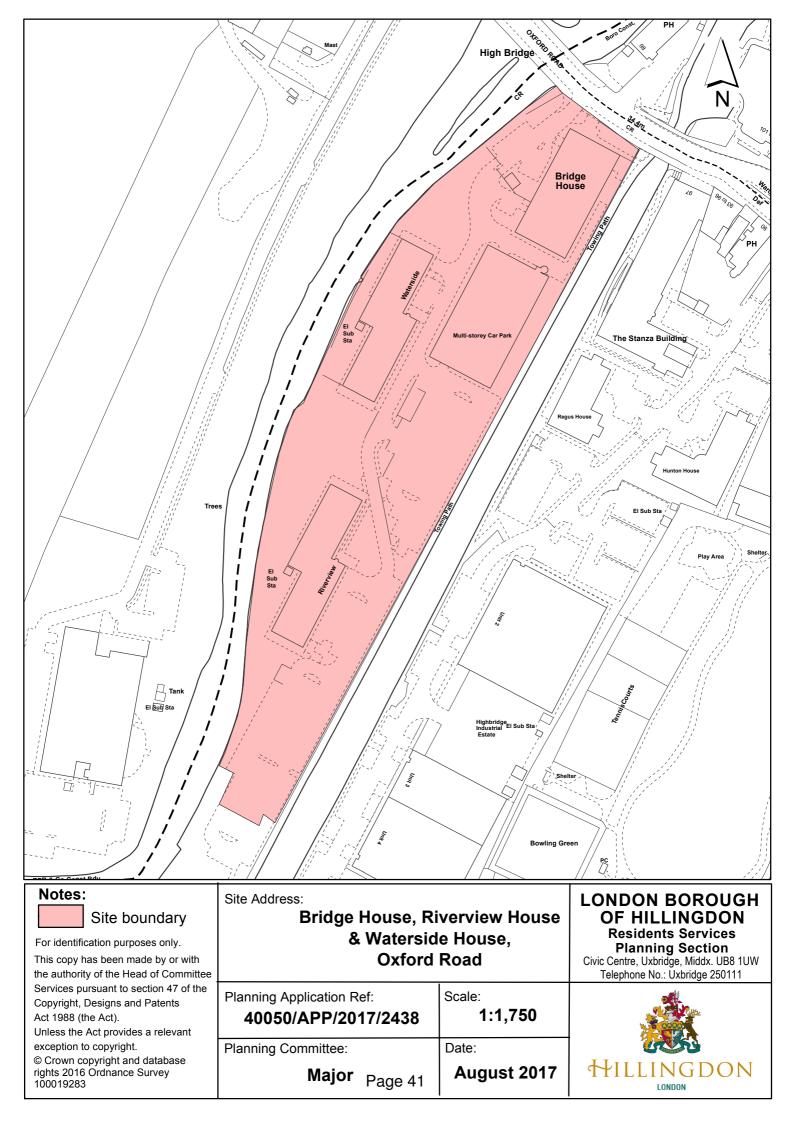
The application has been assessed against the relevant criteria and subject to conditions and the securing of highway and public realm obligations through a Section 106 Legal Agreement, prior approval is not required.

11. Reference Documents

Town and Country Planning (General Permitted Development) (England) Order 2016

Contact Officer: Ed Laughton

Telephone No: 01895 250230



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Report of the Head of Planning, Sport and Green Spaces

- Address BRIDGE HOUSE, RIVERVIEW HOUSE & WATERSIDE HOUSE OXFORD ROAD UXBRIDGE
- **Development:** Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.
- **LBH Ref Nos:** 40050/APP/2017/2438

Date Plans Received: 06/07/2017

Date Application Valid: 11/07/2017

Date(s) of Amendment(s):

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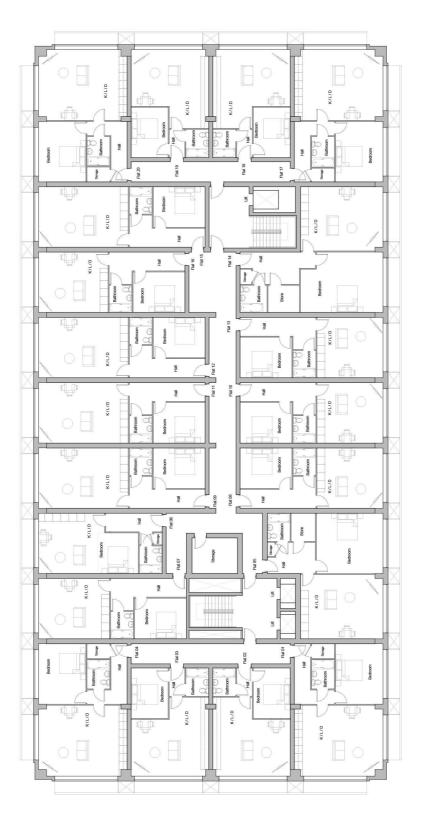
C 27.06.17 Amendments to cycle and bin stores. B 23.06.17 Amendments after comments from client. A 23.06.17 Notes revised. Rev Date Revision Details

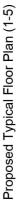
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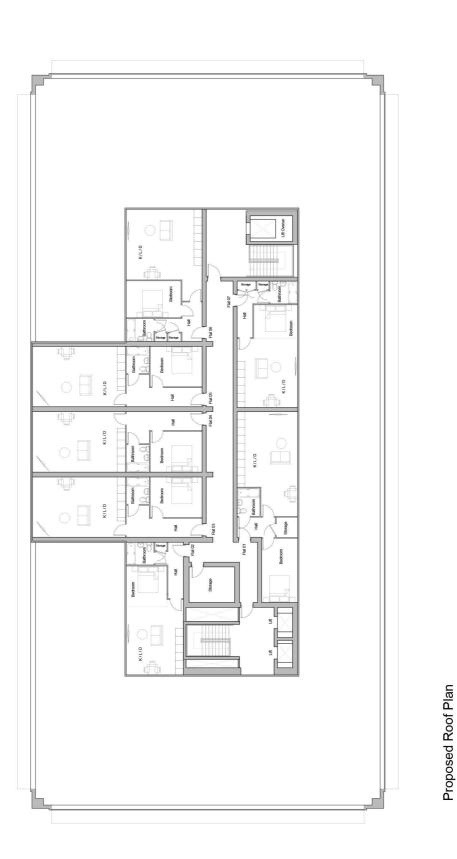
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Proposed Ground Floor Plan

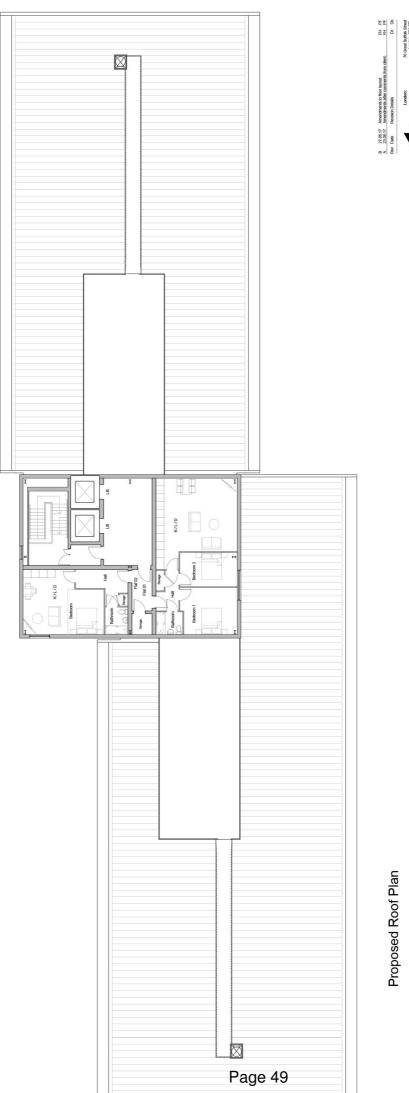


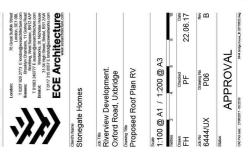


Proposed Typical Floor Plan (1-2)

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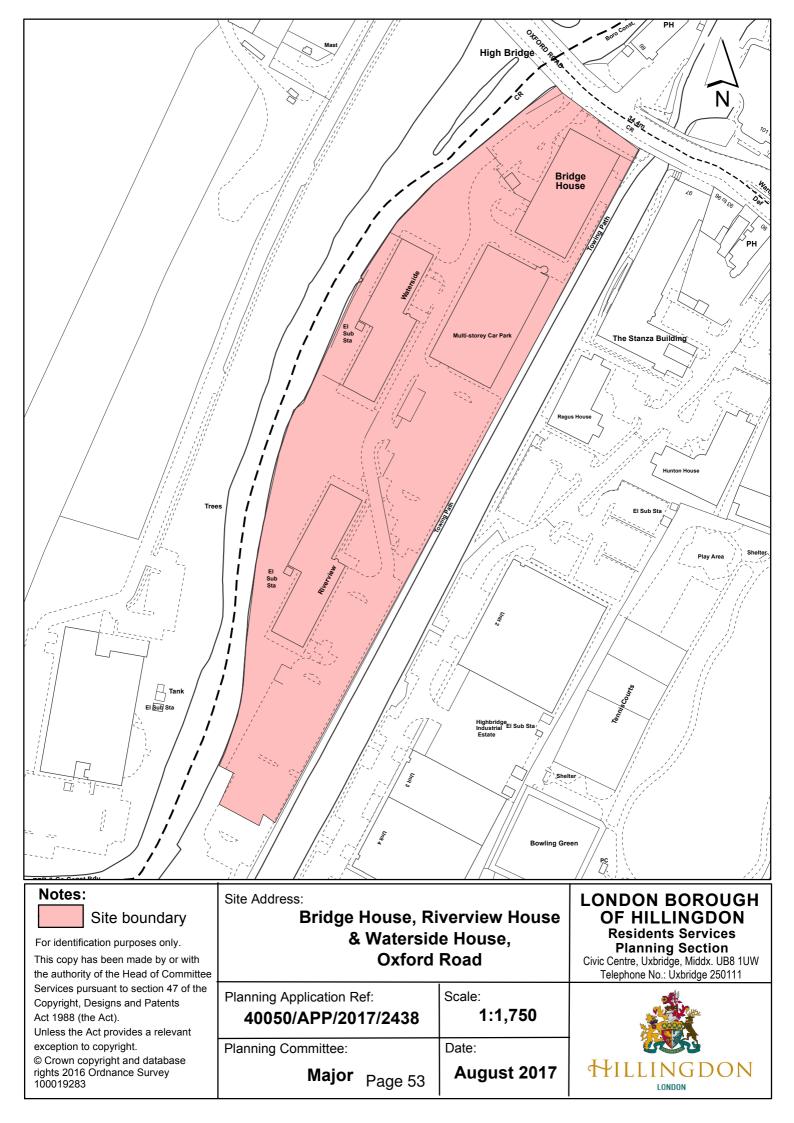
Proposed Typical Floor Plan (1-2)







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