



HILLINGDON
LONDON



Central & South Planning Committee

Councillors on the Committee

John Hensley (Chairman)
Judith Cooper (Vice-Chairman)
Wayne Bridges
Janet Duncan
Neil Fyfe
Dominic Gilham
Mo Khursheed (Labour Lead)
Brian Stead

Date: WEDNESDAY,
5 SEPTEMBER 2012

Time: 7.00 PM

Venue: COMMITTEE ROOM 5
CIVIC CENTRE
HIGH STREET
UXBRIDGE
UB8 1UW

Meeting Details: Members of the Public and Press are welcome to attend this meeting

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Published: Tuesday, 28 August 2012

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This Agenda is available online at:
<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=123&Year=2012>

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
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www.hillingdon.gov.uk



INVESTOR IN PEOPLE

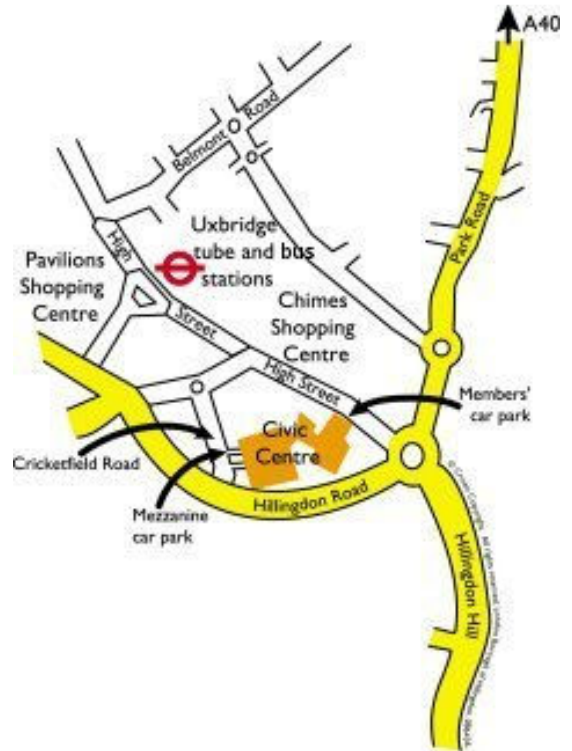
Useful information

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A useful guide for those attending Planning Committee meetings

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Petitions and Councillors

Petitions - Petitions - When a petition of 20 signatures or more of residents that live, work or study in the borough is received they can speak at a Planning Committee in support of or against an application for up to 5 minutes. Where multiple petitions are received against (or in support of) the same planning application, the Chairman of the Planning Committee has the discretion to amend speaking rights so that there is not a duplication of presentations to the meeting. In such circumstances, it will not be an automatic right that each representative of a petition will get 5 minutes to speak. However, the Chairman may agree a maximum of 10 minutes if one representative is selected to speak on behalf of multiple petitions.

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.

If an application with a petition is deferred and a petitioner has addressed the meeting a new valid petition will be required to enable a representative to speak at a subsequent meeting on this item.

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;
3. 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 cannot take into account issues which are not planning considerations such as 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

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting held on 25 July 2012
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. Reports are split into 'major' and 'minor' applications. The name of the local ward area is also given in addition to the address of the premises or land concerned.

Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
6	20 Blyth Road, Hayes 1425/APP/2011/3040	Botwell	Comprehensive redevelopment of the site to provide a part 11, part 9, part 5 and part 4 storey building comprising 120 residential units, office floorspace, 97 car parking spaces and hard and soft landscaping. Recommendation : Approval subject to a Section 106 Agreement and subject to no direction from the Mayor of London to refuse.	9 – 58 2 - 28
7	42 - 44 Station Road, Hayes 1563/APP/2011/1621	Botwell	Erection of a four storey building comprising of a retail unit on the ground floor and 14 flats on the first, second & third floors with basement car parking and roof garden, involving demolition of existing buildings (Outline Application).	59 – 84 29 - 37

			Recommendation : Approval subject to a Section 106 Agreement.	
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Non Major Application with a Petition

	Address	Ward	Description & Recommendation	Page
8	Former KMS Garage, Dawley Road, R/O 76 - 82 Princes Park Lane, Hayes 3587/APP/2012/711	Botwell	Two storey detached building comprising of 2 x 2-bed self contained flats with associated parking and amenity space. Recommendation : Refusal	85 – 100 38 - 43
9	14 Moorfield Road, Uxbridge 34264/APP/2012/1322	Brunel	3 x two storey, 3-bed terrace dwellings with habitable roofspace including associated parking and amenity space, installation of 3 x vehicular crossovers to front involving demolition of existing detached bungalow. Recommendation : Refusal	101 – 112 44 - 47

Non Major Application without a Petition

	Address	Ward	Description & Recommendation	Page
10	9 Princes Park Parade, Hayes 23300/APP/2012/530	Botwell	Change of use to a House in Multiple Occupation (Use Class C4).(Part Retrospective) Recommendation : Refusal	113 – 122 48 - 52
11	Barra Hall, Wood End Green Road, Hayes 8134/APP/2012/268	Townfield	Listed building consent for alterations, repair works (including to roof), rendering of gables, internal decoration and refurbishment and associated works to Barra Hall. Recommendation : No objections raised and referral to Secretary of State.	123 – 128 53 - 57

	Address	Ward	Description & Recommendation	Page
12	12 Maylands Drive, Uxbridge 64809/APP/2012/332	Uxbridge North	Part two storey, part single storey rear extension, single storey side extension, front entrance with canopy and alterations to existing garage roof at side. Recommendation : Approval	129 – 140 58 - 63
13	55 High Street, Cowley 64184/APP/2011/2428	Uxbridge South	Alterations and additions to the existing building to create a single storey shrine in front of the existing building, the construction of a single storey side and rear extension to the existing building with associated alterations to the external finish of the whole of the existing building, alterations to the car parking and access arrangements and involving the removal of the existing temporary building. Recommendation : Approval	141 – 162 64 – 69

PART II - MEMBERS ONLY

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

14	Enforcement Report	Pages 163 - 170
15	Enforcement Report	Pages 171 – 178
16	Enforcement Report	Pages 179 – 186
17	Enforcement Report	Pages 187 – 198
18	Enforcement Report	Pages 199 – 208
19	Enforcement Report	Pages 209 - 216
20	Enforcement Report	Pages 217 – 228
21	Enforcement Report	Pages 229 – 238
22	Enforcement Report	Pages 299 – 250

Any Items transferred from Part 1

Any Other Business in Part 2

Plans for Central and South Planning Committee

Pages 1 – 69

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Minutes

CENTRAL & SOUTH PLANNING COMMITTEE

25 July 2012

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors John Hensley (Chairman) Judith Cooper (Vice-Chairman) Wayne Bridges Dominic Gilham Mo Khursheed Brian Stead Eddie Lavery</p> <p>LBH Officers Present:</p> <p>James Rodger – Head of Planning, Enforcement & Green Spaces, Adrien Waite – Major Applications Manager. Manmohan Ranger – Highways Engineer, Anne Curzon – Legal Adviser, Gill Oswell – Democratic Services</p>	
65.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Neil Fyfe and Councillor Janet Duncan with Councillor Eddie Lavery substituting for Councillor Fyfe.</p>	
66.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>Councillor John Hensley declared a pecuniary interest in Item 6 – Brunel University as an Ex Don and adviser to Brunel and left the room whilst the item was discussed.</p> <p>Councillor Brian Stead declared a non-pecuniary interest in Item 6 – Brunel University as it was in his ward and remained in the room to discuss and vote on the item.</p> <p>Councillor Cooper declared a non-pecuniary interest in Item 11 – 7 High Street, Uxbridge and Item 16 & 17 Enforcement Reports and remained in the room to discuss and vote on the items.</p> <p>Councillor Bridges declared a pecuniary interest in Item 9 – 34 Lynhurst Road, Hillingdon and a non-pecuniary interest in Item 10 – 161 Ryefield Avenue, Hillingdon. He remained in the meeting for Item 10 to discuss and vote on the application and left the room for Item 9 as he had spoken to the applicant.</p>	<p>Action by</p> <p>Gill Oswell</p>

67.	<p>TO SIGN AND RECEIVE THE MINUTES OF THE MEETING HELD ON 3 JULY 2012 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 3 July 2012 were agreed as a correct record and signed by the Chairman.</p>	
68.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>There were no matters notified in advance or urgent.</p>	
69.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items marked Part 1 would be considered in public and all items marked Part 2 would be heard in private.</p>	
70.	<p>BRUNEL UNIVERSITY, SITE 3, KINGSTON LANE, HILLINGDON - 532/APP/2010/2614 (<i>Agenda Item 6</i>)</p>	Action by
	<p><i>Variation of condition 7 (to extend opening hours until 22:00 Monday to Saturday for an 18 month period commencing 04/01/2011) of planning permission ref: 532/APP/2001/1858 dated 15/10/2002: Provision of replacement sports pitches (including new synthetic playing surfaces), erection of floodlighting, boundary fences and storage building, together with associated parking and access improvements (Site 3).</i></p> <p>A member stated that in the presentation officers advised that the nearest residential properties to the site was those in Robinwood Grove. The most complaints received in relation to Brunel were from residents in Grove Lane, can officers comment on this.</p> <p>Officers advised the committee that 134 properties had been consulted on the application with only one objection received from the Robinwood Grove Residents Association.</p> <p>In answer to a question raised in relation to how many complaints had been received by the Environmental Protection Unit, officers advised that EPU had advised that there had been no recent complaints from residents.</p> <p>The committee asked whether officers could ensure that residents were aware of how to make any complaints in relation to noise that they encounter.</p> <p>Officers suggested and it was agreed by the committee that Brunel University provide details to residents of how they can make complaints regarding noise. This would also be followed up through the Brunel University Liaison Group.</p>	James Rodger Matt Duigan

	<p>The recommendation for approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out on the addendum sheet.</p>	
71.	<p>121 MOORFIELD ROAD, UXBRIDGE 11498/APP/2012/953 (<i>Agenda Item 7</i>)</p> <p><i>Change of use from Use Class A1 (Shops) to Use Class A5 (Hot Food Takeaway) to include installation of extractor outlet to rear.</i></p> <p>This application was withdrawn by the Head of Planning as amended plans had been received.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
72.	<p>16 CRANESWATER, HARLINGTON - 25651/APP/2012/1126 (<i>Agenda Item 8</i>)</p> <p><i>Extension of habitable roofspace to include 1 rear dormer, conversion of roof from hip to gable end and alterations to roof.</i></p> <p>This application was withdrawn by the applicant.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
73.	<p>34 LYNHURST ROAD, HILLINGDON, 21125/APP/2012/979 (<i>Agenda Item 9</i>)</p> <p><i>Single storey attached outbuilding to rear for use as utility/ store and raised patio (Part Retrospective)</i></p> <p>In answer to an issue raised in relation to the original building that had been demolished officers advised the committee that the application was part retrospective as the raised platform and extension had been partially built.</p> <p>There were 2 issues of concern on this application the first being the impact the raised platform had on the neighbouring property and the extension currently under construction was approximately 1 metre higher than the original out building that had been demolished.</p> <p>A member asked whether there would be any merit in deferring the application to enable negotiations to take place.</p> <p>Officers advised the committee that the refusal of planning permission does not prevent negotiations being undertaken to try and reach an acceptable form of development on the site but it allowed enforcement action to be taken if no agreement could be reached.</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused for the reasons set out in the officer’s report.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>

74.	161 RYEFIELD AVENUE, HILLINGDON - 4084/APP/2012/243 <i>(Agenda Item 10)</i>	Action by
	<p><i>Change of Use from Use Class A1 (Shops) to Use Class A3 (Restaurants and Cafes)</i></p> <p>Officers introduced the report and asked that Condition 2 be amended to add after details ‘including the removal of existing extension and fencing shown on the submitted plans. An additional two informatives were also to be added that this permissions does not authorise the display of advertisements or signs and that the use was for A3 restaurant and not a takeaway.</p> <p>The committee asked for a further informative to be added to require the flue to provide for a fat trap, the addition of this informative was agreed by the committee.</p> <p>The recommendation for approval with the amendments on the addendum sheet and those put forward at the meeting was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer’s report and addendum sheet circulated at the meeting and the following amended condition 2 and three informatives added at the meeting.</p> <p>Condition 2 amended</p> <p>On second line of condition add after’ details ‘including the removal of existing extension and fencing shown on the submitted plans’.</p> <p>Additional Informatives</p> <p>Advertisement Consent:</p> <p>This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. To display an advertisement without the necessary consent is an offence that can lead to prosecution. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).</p> <p>Fat Traps</p> <p>You are encouraged to ensure that appropriate fat traps are installed to drainage facilities serving the development hereby approved.</p>	<i>James Rodger</i> <i>Matt Duigan</i>

	<p>No takeaway services</p> <p>You are advised that the planning permission hereby approved is for a restaurant/cafe falling within Use Class A3 which does not permit the operation of the unit for the sale of hot food takeaway services. Should you wish to operate a takeaway service you are advised that you would require to obtain planning permission for a change of use to Use Class A5.</p>	
75.	<p>7 HIGH STREET, UXBRIDGE - 26196/APP/2011/2763 (Agenda Item 11)</p> <p>Change of use from Class A1 (Shops) to Class A3 (Restaurants and Cafes) (Retrospective) (Resubmission) Deferred from Central & South Committee 22/05/2012.</p> <p>Officers asked the committee to delegate approval to officers to enable the conditions and informatives to be the conditions and informatives to be consistent with those on the previous item considered by the committee.</p> <p>Delegated approval to officers was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be delegated for approval to the Head of Planning, to enable the conditions and informatives to be consistent with those on the previous item considered by the committee.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
76.	<p>PACKET BOAT MARINA, PACKLER BOAT LANE, COWLEY - 53216/APP/2012/604 (Agenda Item 12)</p> <p>The installation of eight railway sleeper walled gardens with gravel floors and a viewing platform.</p> <p>The recommendation for approval was moved seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be approved, subject to the conditions and informatives set out in the officer's report.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
77.	<p>S106 QUARTERLY MONITORING REPORT (Agenda Item 13)</p> <p>The committee received a report on the S106/278 planning agreements quarterly financial Monitoring report</p> <p>Resolved: The Quarterly Section 106/278 Monitoring Report was noted by the Committee.</p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>

78.	<p>ENFORCEMENT REPORT (<i>Agenda Item 14</i>)</p> <p>This application was withdrawn from the agenda as it had been previously agreed at the meeting held on 3 July 2012.</p>	<p>Action by</p>
79.	<p>ENFORCEMENT REPORT (<i>Agenda Item 15</i>)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <p>1. That the enforcement actions as recommended in the officer's report be agreed.</p> <p>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
80.	<p>ENFORCEMENT REPORT (<i>Agenda Item 16</i>)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <p>1. That the enforcement actions as recommended in the officer's report be agreed.</p> <p>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>

81.	<p>ENFORCEMENT REPORT (<i>Agenda Item 17</i>)</p> <p>The recommendation set out in the officer's report was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved</p> <p>1. That the enforcement actions as recommended in the officer's report be agreed.</p> <p>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</p> <p><i>The report relating to this decision is not available to the public because it contains information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; and (b) to make an order or direction under any enactment and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>	<p>Action by</p> <p><i>James Rodger Matt Duigan</i></p>
<p>The meeting, which commenced at 7.00 pm, closed at 7.53 pm.</p>		

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Oswell on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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Report of the Head of Planning & Enforcement Services

Address 20 BLYTH ROAD HAYES

Development: Comprehensive redevelopment of the site to provide a part 11, part 9, part 5 and part 4 storey building comprising 120 residential units, office floorspace, 97 car parking spaces and hard and soft landscaping.

LBH Ref Nos: 1425/APP/2011/3040

Drawing Nos:

- T2-SK-004-P1
- T2_70P01 P1
- T2_70P02 P1
- T2_70P03 P1
- T2_21D01 P1
- T2_21D02 P1
- T2_21D03 P1
- T2_20E03 P2
- T2_20E04 P2
- T2_20E20 P2
- T2_20P00 P2
- T2_20P01 P2
- T2_20P02 P2
- T2_20P03 P2
- T2_20P04 P2
- T2_20P05 P2
- T2_20P06 P2
- T2_20P07 P2
- T2_20P08 P2
- T2_20P09 P2
- T2_20P10 P2
- T2_20P11 P2
- T2_20P20 P1
- T2_20S01 P1
- T2_20S02 P2
- T2_20S03 P2

Acoustic effect of hybrid balconies - Hoare Lea
Sunlight Assessment - Hoare Lea
Addendum design and access - Rolfe Judd
Addendum Transport Assessment - WSP Transport
Addendum Acoustic Assessment - Hoare Lea
Addendum Podium Sunlight Assessment - Hoare Lea
Daylight Assessment for proposed residential units - Hoare Lea
Townscape and Visual Impact Assessment
Blyth Road wind modelling - Hoare Lea
Daylight and overshadowing Report - Hoare Lea
Radio and TV Interference Study
Addendum Planning Statement - Rolfe Judd
Statement of Community Involvement - Rolfe Judd
Employment Land Study - GVA Grimleys
Commercial Market Study - GVA Grimleys
Energy Strategy Report - Hoare Lea
Sustainability Statement - Hoare Lea

Planning Statement - Rolfe Judd
Code 4 Sustainable Homes - Hoare Lea
Air Quality Report - WSP
Flood risk assessment - WSP
Flood Risk Assessment - plans appendix E
Ground conditions desk study - CARD Geotechnics
Landscape design report with EIA accompanying plans - Grontmij
Transport Assessment - WSP
Archaeological Assessment - Wessex Archaeology
Waste Management Plan - Refuse Collection
Accommodation schedule

Date Plans Received:	14/12/2011	Date(s) of Amendment(s):	30/12/2011
Date Application Valid:	21/12/2011		25/06/2012
			29/06/2012
			20/08/2012

1. SUMMARY

Planning permission is sought for the erection of a part 11, 9, 5 and 4 storey building comprising 120 x 1, 2 and 3 bed residential units, 546sqm flexible Class B1 business floorspace, 97 car parking spaces, 187 secure cycle spaces, bin stores, hard and soft landscaping, and new vehicular and pedestrian access arrangements from Blyth Road.

The site is located immediately adjacent to Hayes Town Centre, and in close proximity to the Hayes and Harlington Train Station. The railway forms the site's southern boundary with Blyth Road to the north and Station Road to the east. An existing industrial building is located to the site's west. The site is currently cleared and vacant but was previously used for industrial purposes.

A larger development on the site was refused planning permission in 2011. This current scheme has been substantially amended in comparison to that which was refused, addressing and overcoming each reason for refusal. Changes include a substantial reduction in height, from 15 down to 11 floors (at its highest point); a reduction in the number of flats from 147 down to 120; and all parking and servicing occurring totally onsite to the satisfaction of the Borough's Highway Engineer.

Some 469 households, amenity groups, and local businesses were consulted about the proposal. Six objections have been received on the grounds of blocking existing views; insufficient car parking; concerns relating to the impact of too much development in Hayes in general; threat from overshadowing; and overdevelopment of the site.

In respect of density, the proposed scheme adheres to the London Plan density guidelines and provides for acceptable internal and external living spaces that comply with relevant standards. The proposed layout and mass would not have an adverse impact on the living conditions of the surrounding occupiers in terms of over-dominance of the development, loss of privacy, or a significant loss of daylight/sunlight. The lower parts of the scheme, at 4 and 7 stories, are located nearest to the existing homes on Blyth Road while the higher parts are positioned nearer the railway line and to the primary road - Station Road. This responds to and reflects the hierarchy and function of the surrounding urban form.

There are no unacceptable impacts on the highway network or on the pedestrian environment in the vicinity of the proposal. The surrounding public realm will be significantly enhanced including an improved access to the train station underpass, a widening of the Blyth Road footpath, new street trees, and an animation of the streetscene generated by the proposed development as a result of new homes facing onto Blyth and Station Roads and activity associated with the new office space.

The scheme includes a range of energy efficient properties and the proposed sustainability measures will enable a reduction in CO2 emissions together with the production of onsite renewable energy. The development will also achieve Code 4 Sustainable Homes and Lifetime Homes accreditation. The Council's accessibility officer is satisfied with the development in this respect.

The scheme addresses the reasons for refusal of the previously refused scheme and a Legal Agreement has been drafted securing contributions towards the funding of additional school places, construction training, and affordable housing.

2. RECOMMENDATION

2. Recommendation

1. That the application be referred to the Greater London Authority (under Article 5 of the Town and Country Planning (Mayor of London) Order 2008).

2. That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of Planning & Enforcement to grant planning permission, subject to any relevant amendments requested by the Government Office for London or the Greater London Authority and the following:

A. That the Council enters into a legal agreement with the applicant under Section 106 of the 1990 Town & Country Planning Act (as amended) and/or Section 278 and S38 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:

i. Affordable Housing: 14.6% by habitable room is delivered as Affordable Housing.

ii. Education: A financial contribution of the sum of £250,637.

iii. Construction Training: an in-kind scheme delivered during the construction phase of the development with the scheme to be submitted to and approved prior to commencement of the development.

iv. Project Management and Monitoring Fee: A contribution equal to 5% of the total cash contributions to enable the management and monitoring of the resulting agreement.

v. Highways: A S278 is required to be entered into to address all highways works as required by the Council's highway engineer. A S38 agreement is required to be entered into to address the widening of the Blyth Road footway.

vi. A 10 Year Travel Plan, produced and maintained to Transport for London's Guidelines, is required to be submitted and approved accordingly.

vii. A financial contribution of £10,000 is required in order to enable to Council to address the impact arising on Air Quality in the vicinity of the development.

viii. A financial contribution of £4,800 is required in order to enable to Council to address capacity enhancements to libraries made necessary by the development.

ix. Review mechanism to apply if the development is not substantially completed within 2 years.

B. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement 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.

D. If the Legal Agreement/s have not been finalised within 6 months, delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, housing, construction and employment training facilities and off site highways works). The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.'

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

1 T1 Time Limit - full planning application

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

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

2 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved - plan Nos: T2-SK-004 P1; T2-70P01 P1; T2-70P02 P1; T2-70P03 P1; T2-21D01 P1; T2-21D02 P1; T2-21D03 P1; T2-20E03 P2; T2-20E04 P2 ; T2-20E20 P2; T2-20P00 P2; T2-20P01 P2; T2-20P02 P2; T2-20P03 P2; T2-20P04 P2; T2-20P05 P2; T2-20P06 P2; T2-20P07 P2; T2-20P08 P2; T2-20P09 P2; T2-20P10 P2; T2-20P11 P2; T2-20P20 P1; T2-20S01 P1; T2-20S02 P2; T2-20S03 P2.

REASON: To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in

accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON: To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and/or in the interests of highway safety and London Plan (July 2011) Policy 7.1

4 RES24 Secured by Design

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

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

5 COM6 Levels

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

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

6 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON: To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 COM9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 20% of all parking spaces are served by electrical charging points)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
- 3. Living Roofs
 - 3.a Details of the inclusion of living roofs
- 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation
- 6. Other
 - 6.a Existing and proposed functional services above and below ground
 - 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON: To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living roofs) and 5.17 (refuse storage) of the London Plan.

8 COM15 Sustainable Water Management

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme

throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall proceed in accordance with the approved scheme.

REASON: To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

9 COM17 Control of site noise rating level

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest 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 Unitary Development Plan Saved Policies (September 2007).

10 COM21 Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission between the B1 office space and the adjoining dwellings 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 OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) .

11 COM22 Operating Hours

The Class B1 office space hereby approved shall not be used except between:-
[0700 and 2100], Mondays - Fridays
[0800 to 2100] Saturdays
[1000 to 1800] Sundays, Public or Bank Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 COM27 Traffic Arrangements - submission of details

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

minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

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

13 COM28 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON: In the interests of highway and pedestrian safety in accordance with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

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

15 RES11 Play Area provision of details

No development shall commence until details of play areas for children have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the play areas shall be provided prior to the occupation of any unit within the development and maintained for this purpose.

REASON: To ensure that the development makes adequate provision of children's play space in accordance with Policy R1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 3.16.

16 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

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

17 RES18 Lifetime Homes/Wheelchair Units

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

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

18 RES26 Contaminated Land

(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 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.

(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.

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

(iii) All works which form part of the remediation scheme shall be completed and a verification report 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.

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 Unitary Development Plan Saved Policies (September 2007).

19 D11 Restrictions on Changes of Uses

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, the office element of the building as shown on the approved plans, T2-70P00 P2 and T2-70P01 P2, shall be used only for purposes within Use Class B1 - office and high tech only of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: Given the mixed use nature of the scheme and the configuration and location of the servicing arrangements, the proposed B1 space would not be suitable for light industrial use given the likely servicing requirements arising in accordance with policies BE19 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

20 NONSC Prevention of Overlooking

All south facing windows on floor 3, Block A, to have opaque glazing except for living room serving unit A0301.

REASON: In order to protect the amenity of the units affected and those directly opposite in accordance with policies BE23 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

21 NONSC Vibration

Development shall not begin until a scheme for protecting the proposed development from vibration has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of land separation, vibration control techniques and other measures, as are agreed by 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 vibration in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

22 NONSC Lighting

Details of all external lighting within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development on site. Such details shall include location, height, type and direction of light sources, including intensity of illumination. No floodlighting or other external lighting should be installed without the prior written approval of the Local Planning Authority.

REASON - To ensure the safety and security of occupants while safeguarding the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 NONSC Drainage

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.14 of the London Plan.

24 NONSC Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect controlled waters. The previous history of use of the site is likely to have resulted in contamination. Piling or other penetrative foundation techniques could create a pathway for contamination at the surface to migrate into the underlying Principal Aquifer, in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

25 NONSC Wheelchair Standards

Not less than one accessible parking space shall be allocated to each Wheelchair Home Standard dwellinghouse, and secured by way of deed or covenant. The accessible parking bays shall accord with the design principles as set out in BS 8300:2009, with the facilities and their defining features retained in perpetuity.

REASON: To ensure that sufficient housing stock is provided to meet the needs of wheelchair users in accordance with Policy 3.8: Housing Choice of the adopted London Plan (2011), and Best Practice Guidance, "Wheelchair Accessible Housing", Greater London Authority (2007).

26 NONSC Noise

Development shall not begin until a scheme for protecting the proposed residential development from road and rail traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The scheme shall meet acceptable noise design criteria both indoors and outdoors and provide adequate ventilation to indoor areas. The scheme shall include such combination of sound insulation, acoustic ventilation and other measures as may be approved by the LPA. The scheme shall include provision of acoustic performance as recommended in acoustic strategy report ref: 1002723-BJ-170611-1 dated 17th June 2011. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

REASON: To safeguard the amenity of surrounding areas in accordance with policies OE3 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

27 NONSC Bird Hazard Management Plan

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

The submitted plan shall include details of:

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

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

REASON: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport in accordance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

28 NONSC Height Limitation - Shrubs and Trees

No trees and shrubs planted on the application site as part of the approved landscaping scheme shall be permitted to grow above a height of 6.73metres AOD.

REASON: If trees or shrubs exceed this height they will penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger the movements of aircraft and the safe operation of the aerodrome in accordance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

29 NONSC Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To protect controlled waters. The previous history of use of the site is likely to have resulted in contamination. Infiltration of surface water would create a pathway for contamination at the surface to migrate into the underlying Principal Aquifer in accordance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.14 of the London Plan.

30 NONSC Contamination 1

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - a) all previous uses
 - b) potential contaminants associated with those uses
 - c) a conceptual model of the site indicating sources, pathways and receptors

d) potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To Protect controlled waters. The site lies on a Principal Aquifer and there is a shallow depth to the groundwater level. The previous history of use of the site is likely to have resulted in contamination. This reason is in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

31 NONSC Contamination 2

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON: To ensure that the site no longer poses a risk to groundwater. This reason is in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

32 NONSC Management and Maintenance of Car Parking Stackers

Prior to the occupation of the first residential unit the management and maintenance regime of the car parking stackers within the car park hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the approved strategy shall be adhered to in perpetuity.

REASON: To ensure that sufficient parking is maintained in perpetuity on the site in accordance with policy AM16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between

the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

2 119 Sewerage Connections, Water Pollution etc.

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

3 121 Street Naming and Numbering

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

4 123 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

5 13 Building Regulations - Demolition and Building Works

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

6 134 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

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

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

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

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

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

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- 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.

7 145 Discharge of Conditions

Your attention is drawn to conditions 5, 6, 7, 8, 10, 12, 14, 15, 16, 18, 21, 22, 23, 26, 27, 30 and 31 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 this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

8 149 Secured by Design

The Council has identified the specific security need(s) of the application site to be: (State specific security need(s)).

You are advised to submit details to overcome the specified security need(s) in order to comply with condition 4 of this planning permission.

(Please Note: This Informative must accompany Condition OM14).

9 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).

10 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE15	Alterations and extensions to existing buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
R1	Development proposals in or near areas deficient in recreational open space

11 I60 **Cranes**

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

12 I6 **Property Rights/Rights of Light**

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

13

Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning

Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

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

Water Comments

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

14

It should be noted that the Council does not accept the findings as contained within the Employment Studies undertaken by GVA Grimleys lodged in support of the application.

You are advised that the Inspector's Report on the Local Plan Part 1: Strategic Policies was published in July 2012. The report concludes that:

'...the Hillingdon Local Plan Part 1 Strategic Policies provides appropriate and sound policies to guide the planning of the Borough over the next 15 years.'

The inspectors report approves minor modifications to Policy E1 (Managing the supply of Employment Land), which identifies a list of locations considered to be most suitable for the managed release of employment land. Part of the Blyth Road IBA is included in this list as one of the areas that will form a starting point for the production of the Site Allocations.

Whilst the production of the Site Allocations document has not yet commenced and a full and up to date assessment has not taken place, policy is moving towards the release of Blyth Road as a designated employment site. This is particularly the case when viewed in the context of the advice in the NPPF identified above and Hillingdon's status as a 'Limited Transfer' Borough for industrial land in the London Plan. It is for this reason the Council has accepted the loss employments uses at the site, and now in view of findings set out in the Employment Studies undertaken by GVA Grimleys.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located outside of but immediately adjacent to the southern entrance of the designated Hayes Town Centre. It is bounded by Blyth Road to its north, the Paddington to Reading railway line to its south, Station Road to its east, and an industrial building to its west. It is within a minute walk of the Hayes and Hillingdon Train Station to which it is connected via an underpass beneath Station Road. The site is also within a 4 PTAL area indicating good levels of public transport accessibility.

The site measures some 0.46ha and formerly contained industrial uses within low rise industrial buildings. The industrial use has since ceased and the site's buildings were demolished in approximately 2007.

The site's immediate context is highly varied from the small scaled two storey terraced houses to the northern side of Blyth Road, directly opposite the application site, to the 10 storey Avis Building opposite the north eastern most edge of the site, the 10 storey Highpoint Village to the east and the substantial factory buildings to the west.

There are no listed buildings in the vicinity of the site, the nearest being the large locally listed Wallis Gilbert & Partners industrial buildings on the Old Vinyl Factory site and the Grade II listed Enterprise House on Blyth Road to the west of the site.

The site is not located within a Conservation Area although it is in the vicinity of the Thorn EMI Conservation Area to the west.

3.2 Proposed Scheme

The proposed mixed-use development would provide a total of 120 new residential apartments (1 x studio, 64 x 1-bed, 47 x 2-bed and 8 x 3-bed) within 3 distinct blocks arranged around a central landscaped podium. Of these, 12% of the units (14.6% habitable rooms) are allocated for affordable housing.

The scheme would also provide 546sqm of commercial floorspace at ground and mezzanine levels, flexibly designed and capable of accommodating a full range of business uses/activities (Class B1).

Secure car and cycle parking is to be provided on site at ground floor level, beneath the landscaped podium, and to the rear of the site adjacent to the railway line. There are 97 parking spaces of which 90 are dedicated to the residential units (ratio of 0.75 space per flat inclusive of visitor parking) with 7 spaces for the B1 office unit with some 187 cycle spaces. Servicing is entirely accommodated on site. The new access route into the site is to be positioned off Blyth Road at the western most edge of the site, located well clear of the sharp bend in Blyth Road and away from the proposed enlarged public space and enhanced pedestrian underpass and to the Station.

The development would have podium level and upper floor roof terrace amenity spaces of sufficiently large dimensions to be able to offer a range of passive recreational activities as well as children's play facilities and soft planting features. All but two of the 120 flats have their own private terrace or balcony.

A safeguarded area at the site's eastern most edge has been reserved, in agreement with

Crossrail and the applicant, in order to allow for a possible future pedestrian connection to be provided to Station Road and the Crossrail Station beyond should this be required to service the new station in the future.

The application is supported by a full range of technical reports that have assessed the impact of the proposal and informed its detailed design. A summary of some key conclusions from these reports is provided below:

Design and Access Statement and Addendum

These demonstrate how the applicant has analysed the site and its context and has sought to produce a substantial urban development that acts as a gateway to Hayes town centre while respecting neighbouring uses and providing good quality residential and office accommodation. The development has three distinct elements that, in terms of height and massing, specifically relate to the immediate surroundings with the taller elements at 7, 9 and 11 storeys being located nearest to Station Road and the town centre; the lowest element, at 4 storeys, to Blyth Road where it is positioned opposite existing terraced housing; and a six storey element to the rear of the site adjacent to the railway line that echoes the locally listed buildings of the Old Vinyl Factory further to the west.

10% of the residential units are designed to wheelchair standards and each has its own dedicated accessible car parking space. All units are designed to Lifetime Homes standards.

Sustainability & Energy

The proposal has been designed to be a low carbon development, exceeding the minimum requirements of the Building Regulations and achieving Code Level 4 sustainable homes. A single energy centre and district heating network will serve both the apartment blocks and commercial areas. The energy centre plant will incorporate a Combined Heat & Power (CHP) unit, thermal stores, and gas fired boiler plant. Domestic hot water heating and a proportion of space heating and electricity use for the development will be met by the CHP plant.

The energy strategy for the inclusion of low and zero carbon (LZC) technologies comprising a 55Wth CHP plant and 160m² of PV panels giving a CO₂ savings of approximately 28%. The proposed energy strategy leads to an overall reduction in CO₂ emissions of 38%.

Townscape and Visual Impact Analysis

An assessment has been undertaken that analyses the visual impact of the development when assessed from nearby vantage points as well as those at a greater distance from the site. When assessed from a range of distant vantage points the resulting visual impact of the scheme is minimal with glimpses of the higher elements appearing intermittently on the horizon and reading as part of a 'cluster' of taller buildings in Hayes town centre.

The impact on the townscape and views increases with proximity to the site with the visual impact being greatest when viewed immediately next to the development. However while the visual impact may be significant in terms of change it is not considered to be harmful. Overall the proposal is demonstrated as having a neutral to beneficial visual impact from both distant and closer views.

Transport Assessment and Addendum

These demonstrate that the development can provide a satisfactory point of access into

the site and that full on site servicing can take place in a satisfactory manner. There are sufficient levels of car and cycle parking. The development would not create a negative impact in terms of traffic generation and highway safety.

Acoustics Strategy and Addendum

Given the noise levels associated with the adjacent railway and the traffic noise associated with Station and Blyth Roads, an acoustic report and an addendum accompany the application. Mitigation against noise is being achieved by the erection of 1.8m high glazed balcony screens with acoustic absorption materials within the balcony area to those units affected. The applicant has confirmed that this approach has been agreed in principle with the GLA and the Council's EPU Noise Officer is also satisfied that noise can be satisfactorily attenuated.

Sunlight, Daylight and Overshadowing

This demonstrates that the impact has been assessed and is found to be acceptably within the acceptable margins of change as prescribed by the BRE Guide to Good Practice in respect of Site Layout Planning for Sunlight and Daylight. This terrace comprises nine houses, No 1-17 Blyth Road. They are the only residential properties that are impacted on in respect of overshadowing.

Archaeological Evaluation Report

Assessment of the site suggests that there has been a high level of ground disturbance due to the extraction of brick earth on the site during the 19th century. The potential for the survival of buried archaeological remains prior to this date are therefore considered to be very low and mitigation is an unlikely requirement.

Flood Risk Assessment

The site lies within a Zone 1 flood risk area. Therefore the mixed residential use being proposed is appropriate for such a zone. The assessment demonstrates that the site is not at risk of flooding from the nearby water courses. A SUDS scheme is proposed to limit surface water run-off in accordance with policy and associated guidance.

Waste Management Plan

A written strategy is provided demonstrating how refuse would be stored and positioned on waste collection day. The details are sufficient to demonstrate that refuse emanating from the development can be removed with relative ease.

DETAILED DESCRIPTION OF THE 'BUILDINGS'

The development comprises three distinct 'buildings' with ground floor car and cycle parking and general servicing. Each is described in detail below:

Building A fronts onto Blyth Road. It comprises a 4 storey 'terrace' of 14 duplexes and flats designated as 'affordable'. The upper two floors are set back from the street edge to reduce the mass of the resulting terrace. This response helps protect the amenity and privacy of the existing two storey terraced houses opposite, Nos 1 - 17 Blyth Road. Duplex units occupy the ground and first floors and are accessed via their own front doors creating an animated and active frontage that echoes the entrancing pattern of the adjacent traditional terraced housing. A communal entrance is also located to Blyth Road servicing the remainder of the flats in this block as well as being the primary entrance for residents to the Building to the rear, Block B.

The duplex units are all dual aspect and each has its own private terrace which opens out

onto the landscaped podium level communal gardens. The 4 x 2bed flats at 2nd and 3rd floor levels have large private terraces while the 2 x 1 bed units have small private terraces. The roof is to be a bio-diverse planted roof to which residents will not have access.

All units adhere to the minimum space standards as prescribed within London Plan Housing Design Guidance.

Building B comprises a 3 - 6 storey building with 18 flats and maisonettes. It is located to the rear of the site, fronting onto the landscaped podium and backing onto the railway line. With car parking and servicing provision at ground floor level, Building B effectively begins at first floor podium level, accessed via lift and stair core off a primary entrance located onto Blyth Road, within Building A, and then across the landscaped podium. It is also directly accessed via its own lift and stair core from within the secure car parking facility below.

This building varies in height from 3 to 6 floors with the 6th floor being considerably recessed to both front and flank. These characteristics ensure sufficient sunlight penetration is received to the centrally positioned landscaped communal garden for the majority of the year, including at the spring/autumn equinox, as well as creating an appropriately articulated building facade and form when viewed from the adjacent Blocks A and C.

The dwellings comply with the unit size standards as prescribed by the London Plan Housing Design Guide Standards and each flat has its own private terrace or balcony.

Building C fronts onto Station Road and comprises the tallest element of the development. Its scale and massing addresses the recently developed Highpoint Village to the eastern side of Station Road, and responds to what is to become the station hub associated with the proposed new Crossrail station.

The building comprises a number of elements which vary in height from 7, 9 and 11 storeys. The highest part of the building is most appropriately located to the south eastern edge adjacent to Station Road and the railway line where it reads as a gateway element into the Hayes Town Centre. To the northern edge with Blyth Road, the building is at its lowest height at 7 storeys which reflects and respects the changing scale of the surrounding context.

B1 office space is provided at ground floor level to the north eastern part of the site where the building most closely abuts Hayes Town Centre. An energy centre for the entire development is also located at ground floor, discretely positioned to the south eastern edge of the site.

The residential entrance is situated off a landscaped forecourt, to the south of the office element, set back from, and at a lower than, Station Road to its east. The block is also directly accessed via two lifts and a central stair core from the ground level car park.

The flats all adhere to the space standards as prescribed in the London Plan Housing Design Guidelines and all but 2 of the 88 flats have their own private outdoor amenity space in the form of either a terrace or a balcony.

The office space is entranced off both Blyth and Station Roads and is prominently located over two floors at ground and first floor levels.

The energy centre is accessed from both the Station Road edge and via the ground floor parking and servicing zone. It will be a secure facility and is discretely located on the site.

A communal roof terrace is located on top of the 7 storey element of the building, while the roof of the tallest element of this block will house the scheme's photo-voltaic tiles.

The Car Park and Service Yard

Gated access to the secure car park and service yard is via the western edge of the site off Blyth Road. There are 97 proposed car parking spaces of which 90 are dedicated to the residential element and 7 to the B1 commercial element. 15 of the spaces are designed to fully accessible standards. The majority of cars are parked under the body of the building with a row of 'outdoor' parking adjacent to the railway edge. This row of parking spaces also contains 13 'stackers'- mechanical parking bays capable of accommodating 2 cars stacked one on the other. These are mechanically controlled and each space, upper and lower, are able to be accessed independently of each other making for an efficient and effective parking device.

Tracking plans have been provided showing how refuse and other service vehicles can access and manoeuvre within the site, entering and leaving Blyth Road in a forward movement. Refuse will need to be manually hauled to the service road from the north eastern corner of the building in order for the refuse service to pick up within the required distance. This can be achieved via the adoption of a dedicated refuse management plan.

Secure cycle stores for 187 bicycles are provided in a number of different locations.

3.3 Relevant Planning History

Comment on Relevant Planning History

RELEVANT PLANNING HISTORY

1425/APP/2011/1519 Land at 20 - 30 Blyth Road

Comprehensive redevelopment of the site to provide a part 15, part 9, part 7 and part 4 storey building comprising 147 residential units, flexible business floorspace, 95 car parking spaces, hard and soft landscaping and revised access arrangements.

Decision: 03-11-11 REFUSED

Permission was refused on the following grounds:

- Failure to provide sufficient size and quality of amenity space
- Overdevelopment of the site
- Over dominant scale, form and mass
- Insufficient car parking
- Poor access and manoeuvring arrangements
- Failure to meet lifetime homes standards
- Loss of employment land
- Unacceptably high so that the height would infringe upon the Inner Horizontal Surface safeguarding area for Heathrow Airport
- Block A ground floor flats - poor amenity
- Failure to provide appropriate S106 Planning Obligations

COMMENT ON PLANNING HISTORY

There have been significant changes subsequent to this refusal with the current scheme addressing each of the reasons for refusal. In summary the principal amendments to the current scheme include:

- The amount of amenity space proposed has been increased and now adheres to the Council's required standards. The quality of the space has also been improved including reductions in storey height and mass to the three blocks which enables greater sunlight penetration into the landscaped podium for longer period throughout the course of a year. All but two of the 120 flats have their own private amenity space in the form of either a terrace or a balcony and all homes have access to a variety of shared communal open spaces at podium, 2nd and 7th floor levels. The amount of amenity space now adheres to the Council's standards.

- At 691 hrh the density of the development is below 700 hrh which is the recommended maximum density for a site located within a 4 PTAL context. All homes meet the required London Plan space standards. The size and positioning of the proposed office facility is complimentary to the adjacent town centre function, offering new employment and business opportunities. Combined these considerations indicate that the proposal does not constitute overdevelopment of the site but is an appropriate mix and intensity of uses for a site in this locality.

- The number of homes has been reduced from 147 down to 120 - a reduction of 27 flats. This is reflected in a reduction to storey heights primarily in relation to Building C, lowered from 15 to 11 storeys, but also a reduction and greater set back to Building B (railway edge), and a reduction and set back in massing to Building A (Blyth Road). This has had the added advantage of creating a more contextually sensitive fit within the surrounding streetscape. The 4 storey building to Blyth Road, Building A, now presents a more neighbourly edge to the two storey terraces opposite, and Blyth Road in general, while the highest part of the development, at 11 storeys in Building C, is located to the site's south east corner adjacent to the primary town centre road, Station Road, and the railway line. The height of the development echoes the general storey height ambient of the adjacent Highpoint Village, as well as the Avis building, Station Road, to the immediate north of the site.

- 97 parking spaces are provided overall. 90 are residential parking spaces, including 2 visitor spaces, which equates to a parking ratio of 0.75 spaces per dwelling. This exceeds the predicted levels of demand and is in accordance with Hillingdon's preference to see realistic levels of car parking provision on this site. There are also 7 additional spaces dedicated for the B1 unit;

- All servicing and car parking is now provided on site with a single ingress and egress point located off Blyth Road, at the western edge of the site. Adequate turning and other manoeuvring requirements have been demonstrated as being achievable on site including for on site refuse collection and the configuration is now supported by the Council's Highway Engineer;

- The GLA are happy with the principle of the loss of the employment land;

- All residential units have been designed to meet Lifetime Homes standards;

- The reduction in height of the Block C building from 15 to 11 storeys means that the development is now below the Inner Horizontal Surface (IHS) for Heathrow Airport which

sits at 67.93m AOD. The maximum height of the proposed development is fixed at 67.90 AOD;

- The upper floors of Block A, floors 2 and 3, have been set back from the building line, reducing the impact on the terraces houses opposite on Blyth Road. Similarly a reduction in height of the main building from 15 to 11 storeys also has a beneficial impact on the outlook of the existing nearby homes by being more consistent with the other higher buildings of the area and not as dominant as previously proposed;

- The provision of larger, dual aspect, duplex units at ground and first floor (comprising 2 and 3 bed units) in Building A removes the previously proposed single aspect north facing units. These new units have their own individual private entrances off Blyth Road which will enliven the streetscene. A reconfiguration of the units at floors 2 and 3 has further reduced the number of single aspect, north facing units at upper levels to 2 x 1 bed flats at 2nd floor. These have their own private terraces which will create a better quality of unit. All other units in Block A are now double or even triple aspect and each has its own private amenity space;

- A Draft S106 accompanies the application and provides an education contribution together with the provision of affordable housing and a construction training programme.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|--|
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.13 | To seek to ensure the provision of 8000 additional dwellings in the Borough between 1 January 1987 and 31 December 2001. |
| 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. |

Part 2 Policies:

- | | |
|------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| BE15 | Alterations and extensions to existing buildings |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| 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 |

OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
R1	Development proposals in or near areas deficient in recreational open space

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th January 2012**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

HAYES CONSERVATION ADVISORY PANEL:

The Advisory Panel objects to the application stating:

"I am writing on behalf of Hayes Conservation Area Advisory Panel. We hope permission will not be given for this development. While marginally less unpleasant than the previous scheme proposed for this site, we consider this proposal has no real architectural merit and is effectively an eyesore in a prominent position at the gateway to Hayes town centre. We are not convinced by the applicants arguments that the site needs a tall tower to act as a landmark as the existing EMI factories further down Blyth Road already serve that purpose in a far more pleasant way; they can be clearly seen from as far away as Cranford. We want to see this key site redeveloped, but not at the height proposed in the present scheme".

HAYES TOWN CENTRE PARTNERSHIP:

The partnership remains concerned about the impact of the development on the surrounding area.

CROSSRAIL:

The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction. The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted. The applicant should be made aware, however, that there are Crossrail proposals close to the land the subject of this planning application. It is recommended that, if they have not already done so, the applicant should contact Crossrail's Safeguarding Team (safeguarding@crossrail.co.uk / 0203 299 9100) for more information.

TfL:

TfL has noted that the parking ratio for the residential part of the development has increased due to the reduction of residential units under the new proposal while the provision of 95 car parking spaces would remain the same as per previous proposal. Therefore TfL would like to encourage further reduction of parking to maintain the parking ratio consistent with the previous application.

THAMES WATER:

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.

Condition: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in

consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed .

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

ENVIRONMENT AGENCY:

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.

Condition 1:

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - a) all previous uses
 - b) potential contaminants associated with those uses
 - c) a conceptual model of the site indicating sources, pathways and receptors
 - d) potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To Protect controlled waters. The site lies on a Principal Aquifer and there is a shallow depth to the groundwater level. The previous history of use of the site is likely to have resulted in contamination.

Condition 2:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that the site no longer poses a risk to groundwater.

Condition 3:

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect controlled waters. The previous history of use of the site is likely to have resulted in contamination. Infiltration of surface water would create a pathway for contamination at the surface to migrate into the underlying Principal Aquifer.

Condition 4:

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters. The previous history of use of the site is likely to have resulted in contamination. Piling or other penetrative foundation techniques could create a pathway for contamination at the surface to migrate into the underlying Principal Aquifer.

Flood Risk:

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. We recommend the surface water management good practise advice in cell F5 of our Flood Risk Standing Advice is used to ensure sustainable surface water management is achieved as part of the development.

Advice for Applicant:

Part 1 of condition 1 has been completed. We agree that a Phase 2 intrusive site investigation should now be undertaken. In Table 2 of the submitted Desk Study Report we would have classified the likelihood of the contamination of groundwater to be high, given the history of the site and shallow depth to groundwater. The analytical suite should include chemical species that would be expected from metal finishing processes which may have been part of record production.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste legislation, which includes: i) Duty of Care Regulations 1991

- ii) Hazardous Waste (England and Wales) Regulations 2005
- iii) Environmental Permitting Regulations 2010.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

BAA SAFEGUARDING:

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

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

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

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

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

Information

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

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

Height Limitation on Trees & Shrubs Application Site

No trees and shrubs planted on the application site as part of the approved landscaping scheme shall be permitted to grow above a height of 67.93metres AOD.

Reason: If trees or shrubs exceed this height they will penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger the movements of aircraft and the safe operation of the aerodrome.

We would also make the following observation:

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

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of BAA, or not to attach conditions which BAA has advised, it shall notify BAA, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

NATS SAFEGUARDING:

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

MINISTRY OF DEFENCE ESTATE SAFEGUARDING:

We can confirm that the MOD has no safeguarding objections to the proposal.

BRITISH WATERWAYS:

British Waterways (BW) is a public body set up to maintain and develop the network of canals and other inland waterways in a sustainable manner so that they fulfil their full economic, social and environmental potential. In addition to statutory navigation and safety functions, British Waterways has to:

- i) Conserve our waterway heritage and environment
- ii) Promote and enable rural and urban regeneration
- iii) Maintain and enhance leisure, recreation, tourism and education opportunities for the general public and
- iv) Facilitate waterway transport

After due consideration of the application details, British Waterways has no objection to the principle of the proposed development. However, the proposal will bring more residents and visitors to the area, who will make use of the Grand Union Canal and its towpath as a local amenity resource and convenient walking and cycling route. While we encourage active use of our waterways, this also puts additional burden on British Waterways to maintain the canal environment to the high standard they expect. We have been working with the Hayes Town Partnership and LB Hillingdon to develop a waterspace strategy to improve the canal environment and encourage its active use. We would therefore request that the development make a contribution towards the waterspace strategy and its associated projects to improve the canal environment, to mitigate the impact of the development and its occupiers use of this valuable local resource. We consider that a contribution of £30,000 would be reasonable, in line with other similar contributions from previous developments within LB Hillingdon, negotiated with BW and Vanessa Scott.

If the Council is minded to grant planning permission, it is requested that the following conditions and informatives be attached to the decision notice:

The applicant/developer should refer to the current British Waterways Code of Practice for Works affecting British Waterways 2011 to ensure that any necessary consents are obtained (www.britishwaterways.co.uk/media/documents/Code_of_Practice_2011.pdf).

In addition, in order for British Waterways to monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

GREATER LONDON AUTHORITY:

The application is referable under Category 1B.1c and 1C.1c of the Schedule to the Order 2008:

Category 1B Development (other than development which only comprises the provision of houses, flats or houses and flats which comprises or includes the erection of a building or buildings c) outside central London and with a total floorspace of more than 15,000sqm

Category 1C Development which comprises or includes the erection of a building of one or more of the following descriptions c) the building is more than 30m high and is outside the City of London.

Once Hillingdon Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

Principle of Development - compliant

Para 21 states: The direction of the Core Strategy also supports the emerging Crossrail station at Hayes which will increase accessibility to central London and is directly adjacent this site. On the basis of the 2009 Employment Land Study and the direction of the Core Strategy and in particular the underlying aim to regenerate Hayes and given the proximity of the site to the town centre and the new Crossrail station, the principle of a mixed use residential led development is supported.

Affordable Housing - non compliant

The viability submission requires independent appraisal. This will inform the housing mix and tenure split.

Planning Officer Comment: A viability assessment accompanies the application. The amount of affordable housing is now considered acceptable in relation to viability at 14.6% habitable rooms.

Urban Design and access - non compliant

The proposals still fail to meet to the objectives of the London Plan Chapter 7, and the Mayor's Draft Housing SPG in terms of residential quality. This is because of the failure to provide adequate noise protection to those flats that fall within Category C noise area and the number of units accessed off a single corridor. The scale and massing of the part 9, part 11 storey tower is broadly acceptable.

Planning Officer Comment: Noise protection measures, increase in height of balcony glazing to 1.8m and insertion of acoustic absorption materials, are now considered an acceptable approach to mitigating railway and traffic noise to those units affected and has been agreed in principle by the applicant with the GLA.

Climate Change Mitigation - compliant

The linking of the heating and power network to the adjacent site (Highpoint Village) should be secured within the Section 106 Agreement. The provision of photovoltaic panels should also be secured by condition.

Noise - non compliant

Layout of single aspect units with high exposure to noise disturbance should be reconsidered.

Planning Officer Comment: Noise protection measures, increase in height of balcony glazing to 1.8m and insertion of acoustic absorption materials, are now considered an acceptable approach to mitigating railway and traffic noise.

Transport - non compliant

A construction and logistics plan, delivery and servicing, travel plan, pedestrian audit information, electric vehicle charging and confirmation of floorspace leading to a potential Crossrail/CILS payment should be provided.

Planning Officer Comment: Servicing now takes place entirely on site. A draft travel plan has been submitted and the Transport Assessment contains information relating to pedestrian safety. 20% of parking spaces have access to electric charges and a CILS payment is proposed commensurate to the scale and use of the development.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT:

I have considered the Acoustic Strategy Report prepared by Hoare LEA Acoustics on behalf of Domain Development references 1002723-BJ-170611-1, dated 17th June 2011

The assessment considers:

- i) The existing sources of noise and vibration in the vicinity of the proposed development
- ii) The potential noise and vibration impacts of the operation and construction of the Proposed Development on the existing residential properties in close proximity to the proposed development
- iii) The impacts on the proposed residential properties within the completed development
- iv) Option for acoustic mitigation scheme in relation to the building envelope and glazing configuration to be included in the design scheme

The assessment has been conducted in accordance with industry guidance, including PPG24, BS5228, BS8233, BS4142 and BS6472. The assessment is based on the results of a detailed noise and vibration survey carried out at the application site over a representative period.

Impact of traffic noise on the development:

The measured ambient noise levels described in section 4 of the report and outlined in Appendix C in detail indicated the corresponding Noise exposure Category (NEC) on the nearest residential facade to the south of the proposed development nearest to the railway tract would be in NEC C, according to PPG24, whereas calculated noise levels to the elevation overlooking the landscape podium would be in NE B. However the overall site as assessed in accordance with PPG 24 remains in NEC C. The corresponding advice is as follows:-

Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise to meet the Council's recommended outdoor and indoor noise levels.

However, the Local Authority is given discretion to allow development due to other overriding reasons, such as when no quieter sites are available. The acoustic report has provided options for mitigation strategies as outlined in section 5.3, taking into account building layout and building envelope sound insulation. However, as the precise acoustic specification cannot be determined at this stage of the proposal, our recommendation is that appropriate condition be imposed to ensure that a detailed acoustic strategy is provided as part of the design scheme to ensure that the future occupiers of the development are adequately protected.

Vibration from railway:

The southern elevation next to railway is exposed to high level of vibration in terms of vibration dose value (VDV). The report refers to the industry guidance BS 6472 for rating degrees of adverse comments that may be expected in residential building as outlined in table 3 during the day and night time period. The report has concluded that the probability of adverse comments is low. However BS5228 advises that humans are known to be very sensitive to vibration with the threshold of perception 0.13 - 0.3 Peak Particle Velocity (PPV). Therefore if vibration is perceptible at receptors in the vicinity then discomfort, disturbance and adverse comments is likely, and as such, assessment will be required. I therefore recommend a condition in order to ensure that the proposed residential buildings are protected from railway vibration.

Noise impact due to development:

The terraced residential properties have been identified as nearest noise sensitive receptors and in line with Hillingdon's SPD on noise from building services plant, the corresponding requirement is that the rating level of the noise be at least 5dB below measured background (LA90,T) noise level at these premises and the residential units within the development itself. I therefore recommend a condition to control noise from fixed plant at the development.

Demolition and Construction:

The assessment does not contain noise predictions for construction works associated with the development. As no indication of construction phases including their noise predictions associated with the development. The reports as stated that these assessment will have to be undertaken at a

later designed stage, however particular reference needs to be made to appropriate industry guidance BS5228:2009 Code of Practice for noise and vibration control on construction and open sites.

Ideally, noise and vibration from demolition and construction works should be controlled to lower noise levels, for example, 65dB LAeq, 1h during the daytime working hours, where it is anticipated that there will be exceedence due to operational requirement, appropriate mitigating measures must be implemented to ensure adequate protection sensitive receptor

In the circumstance, in order to ensure adequate control is in place against environmental nuisance from demolition and construction, EPU recommends a condition in any approval granted.

Commercial units within the development:

No details are available of the proposed commercial uses of the development. Assessment of potential noise sources from these uses will need to be carried out at the detailed planning application stage and adequate sound insulation implemented where necessary to provide satisfactory noise levels and prevent migration of noise from the commercial part of the development to residential units. Advice on appropriate internal noise levels is given in British Standard BS8233 and the Council's Supplementary Planning Document on Noise.

Conditions is therefore recommended by EPU to control these potential noise sources such as noise relating to new fixed plant, hours of operation of the proposed commercial uses, delivery/waste collections and other air handling systems. More importantly the intermittent noise spikes from the undercroft car park use, expressed as (Lmax) indicator.

A condition is also recommended with regard to artificial lighting and an Informative regarding construction.

Air Quality Impact

The proposed development is within the declared AQMA and in an area currently exceeding the European Union limit value for annual mean nitrogen dioxide. The air quality assessment indicates an imperceptible change (increase) with the development at a number of locations. The modelling indicates a drop in NO2 levels by 2015, the proposed opening year for the development (assume they mean 2015 rather than 2011 as indicated in Appendix E of the report) to a level inconsistent with the draft CERC air quality modelling for the borough for 2015, which indicates levels close to and exceeding the EU limit value for the area. It appears based on the assessment report DEFRA's estimates of background NO2 levels for 2011 have been used (not entirely clear). We have requested consultants use the most recently available measured data as a background level, as NO2 levels are not falling as indicated by the DEFRA background modelling.

As the development is in and will cause increases in an area already suffering poor air quality the following are requested:

Section 106

Section 106 obligation should be sought for a contribution to the air quality monitoring network in the area.

Soil Contamination:

The former site use is identified as a record manufacturing company. The site appears to have been cleared (main building demolished to concrete slab level in 2008) except for 3 bunkers on site at the time of the phase one desk study walkover survey. No ground investigations were undertaken. The walk over survey noted a brick filled area to the south of the site, an area used for the storage of waste chemical in containers (due to be removed on 22 January 2008).

Potential risks identified at the site in the vicinity of the former railway siding (now the grassed area

to the south) include ash, ballast, heavy metals, phenols, sulphates, polycyclic aromatic hydrocarbons (PAHs), fuel oil and lubricating oils. The presence of former tanks on site, containing unknown chemicals, were also noted, which may have resulted in localised contamination, and possible localised chemical spills associated with the former use. The presence of asbestos fibres in soil from former demolition of building which may have had asbestos containing materials was also noted.

The following contaminated land condition is recommended on any permission that may be given. It also covers imported soils. Based on the submitted application, it looks like a number of indoor landscaped areas are proposed which may require the importation of soil. Both site won and imported soil are required to be suitable for the proposed use.

AMENDED EPU L1 Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil and site won soil shall be tested for contamination levels therein to the satisfaction of the Council.

POLICY TEAM:

The National Planning Policy Framework (NPPF) has been published and supersedes the majority of Planning Policy Statements, including Planning Policy Statement 4. Paragraph 22 of the NPPF states that:

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

In addition to the NPPF, the Inspector's Report on the Local Plan Part 1: Strategic Policies was published in July 2012. The report concludes that:

'...the Hillingdon Local Plan Part 1 Strategic Policies provides appropriate and sound policies to guide the planning of the Borough over the next 15 years, provided two Main Modifications are made. These are to include the presumption in favour of sustainable development, and to include a new Policy T5 to require developer contributions to Crossrail.'

The report approves minor modifications to Policy E1 (Managing the supply of Employment Land), which identifies a list of locations considered to be most suitable for the managed release of employment land. Part of the Blyth Road IBA is included in this list as one of the areas that will form a starting point for the production of the Site Allocations

Whilst the production of the Site Allocations document has not yet commenced and a full and up to date assessment has not taken place, policy is moving towards the release of Blyth Road as a designated employment site. This is particularly the case when viewed in the context of the advice in the NPPF identified above and Hillingdon's status as a 'Limited Transfer' Borough for industrial

land in the London Plan.

Furthermore the GLA has not objected to the proposed scheme. This could make it difficult to defend any policy related refusal at appeal.

ACCESS OFFICER:

While there were some concerns about achieving Lifetime Homes requirements and appropriate access to wheelchair units, considerable input into the scheme has subsequently been provided by the Council's access officer to ensure that the proposal adheres to Lifetime Homes requirements and that wheelchair homes are both adequately laid out, appropriately serviced, and are provided with dedicated wheelchair accessible parking spaces.

The access officer is now satisfied with the development.

URBAN DESIGN AND CONSERVATION:

The site lies adjacent to the railway line and has frontages to both Blyth and Station Roads. Directly to the west is the Thorn EMI Conservation Area, this contains a number of Locally Listed Buildings mainly industrial/ commercial in character and the grade II listed Enterprise House. It is considered that the proposal will have an impact on the setting of this area and also to a lesser degree the Hayes Botwell Nestle Conservation Area. The new building would, however, be seen against the backdrop of the other large buildings already in existence within the town centre and along Blyth Road - the supporting documents do not fully address this. Whilst likely to be visible on the skyline and in medium to long views within the town centre and its environs, it is considered the impact of the proposed building would not be detrimental to setting of either of the adjacent conservation areas.

There are no objections to the general design approach to the new buildings, and it is noted that a number of the issues raised in the previous comments have been addressed. The reduction in height is particularly welcomed and is an improvement, even if taller than the 9 storeys (or less) previously suggested. The different design approaches and materials proposed for the various elements of the facade will help reduce the impact of the overall bulk of the building, although it will still remain a very prominent building in the townscape, particularly when viewed from the south and west. Ideally, more could still be made of the north east corner of the building at high level to create a focal point at the corner. Whilst this would be a large structure, its overall scale needs to be considered within the context of the recently agreed schemes within the locality and the longer term regeneration plans for this area.

Additional tree planting and landscaping should be incorporated within the car park adjacent to the railway line and also along the frontage with Station Road - on the embankment, along the retaining wall and within the area adjacent to the commercial unit/underpass.

If considered acceptable, details of all the external surfaces of the building, including samples for agreement illustrating colours and finishes, should be required via condition. Similarly, details of the landscaping (hard, soft and lighting) within the private garden areas, public space and street frontages should be required for later approval. Detailed drawings of the entrances to the building, pedestrian and vehicular, should also be submitted together with details of the shopfront, windows/ frames, doors, balustrades to balconies and terraces, retaining walls and other means of enclosure. Ideally, a more detailed elevation of the Blyth Road frontage should be provided for agreement prior to construction.

RECOMMENDATION: On balance, no further objections are raised on design grounds to the proposed development.

HIGHWAYS:

The site is located at the northwest corner of Blyth Road/Trevor Road junction in Hayes. The site is near to Dawley Road A437, which is a Borough Main Distributor Road and is designated as a London Distributor Road within the Council's UDP.

The site has a PTAL rating of 4 (moderate). Hayes & Harlington rail station and bus services are nearby. On-street parking demand in the surrounding area is known to be congested, however the parking management scheme has recently been introduced to alleviate the on-street parking problems.

There are a number of recently approved major developments and also a few under consideration in the surrounding area. The proposed development takes into account the committed developments in the surrounding area.

The development proposals are predominantly residential. The scheme has been amended and now comprises 120 flats (65x1 bed, 47x2 bed & 8x3 bed flats) and 565 sq.m of commercial floor space (B1). If the application is approved, a condition should be attached to restrict the B1 use class to offices only. The application is supported by a Transport Appraisal, which is somewhat obsolete when compared with the latest drawing.

The current site is derelict; consequently no existing trips are associated with it. The development is anticipated to result in 70 trips in the AM peak and 90 trips in the PM peak periods, of which there are 36 anticipated car trips in the AM peak period and 38 anticipated car trips in the PM peak period. Capacity assessments of Station Road/Station Approach/Clayton Road roundabout and Station Approach/Station Road priority junction have been carried out for the baseline and the baseline plus development scenarios in the opening year of 2014 and 5 years (2019) after the opening year with the projected traffic growth. The assessments demonstrate that the nearby junctions will not have an unacceptable traffic impact.

It is proposed to widen the footway in front of the site and to resurface it up to the underpass, which is welcomed and is in line with the Council's aspirations to improve the pedestrian environment and access to/from Hayes & Harlington Station. The site access should be of bell mouth type as a priority junction with tactile paving. Sightlines at the access point are satisfactory. Pedestrian visibility splays of 2.4m x 2.4m on both sides of the access points should be covered by way of a condition.

Transportation Traffic management works are required at the junction of Blyth Road and Clayton Road to help define the movements and rights of way. The double yellow lines on Blyth Road in the vicinity of the site should be maintained and extended to the entire frontage of the site.

Loading & unloading restrictions are proposed to be introduced on the double yellow lines. Widening of the footway should be covered through a s38 agreement and all other highway works discussed above should be covered through a s278 agreement.

The site layout allows for refuse and other service vehicle to enter the site in a forward gear, turn within the site, and then exit in a forward gear. The layout is therefore considered satisfactory in this respect. There is an access gate proposed at site entrance, which should be located at least 10m from the back of the footway to allow at least two cars or a large service vehicle to wait without obstructing the highway. A condition should be attached to cover this issue.

A total of 97 off-street car parking spaces are proposed, which include:

Residential @ 0.73 per flat
· 26 car stacker spaces

- 49 standard spaces
- 13 disabled spaces
- 2 visitor spaces

Offices

- 5 standard spaces
- 2 disabled spaces

The level of proposed off-street car parking provision is considered adequate in this location. However it is not known how the 2 visitor spaces would be managed.

It is understood that the proposed commercial spaces could be occupied by the police. A dedicated area for parking of police vans is not proposed; instead the layout relies on vans to park within the turning area behind the parking spaces for the commercial element. Although such an arrangement is not entirely satisfactory, however given there is no requirement to provide dedicated van parking for office use class, the proposals are not considered to merit refusal on this ground.

It is contrary to section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system. The hardstanding should therefore be so designed and constructed that surface water from the private land shall not be permitted to drain onto the highway or into the highway drainage system.

Subject to the issues discussed above being covered by way of legal agreement, conditions, and informatives as appropriate, there is no objection on this development from transportation viewpoint

TREES AND LANDSCAPE:

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

- No tree survey or arboricultural implications assessment has been submitted. However, the topographic survey (Rolfe Judd drawing No. 4710/B(20) P00 Rev P) confirms that there are 3No. offsite trees along the east boundary below the retaining wall (including a very large Poplar which is a noteworthy feature in the local landscape. A further 3No. young street trees, growing in tree pits, are situated on the edge of the public footpath approaching the underpass to the station. On the southern boundary there are 2No. offsite trees on railway land immediately beyond the site boundary.

- The scheme proposes to remove selected trees and retain others albeit the better off-site trees which the developer does not control. An Arboricultural Method Statement and Tree Protection details in accordance with BS5837:2005 should be submitted for approval prior to commencement of the development to safeguard these trees during building operations.

- New / replacement tree planting is proposed at ground-floor level (drawing No. 4710 /T2(20)P00 Rev P) including trees in the public domain (Blyth Road frontage, the approach to the underpass and on the offsite land). Additional off-site tree planting should be secured, by agreement, parallel to the retaining wall.

- The landscape masterplan by Grontmij (Landscape Design Report) best shows the overall hard and soft landscape coverage of the site, including the ground level landscaping and the communal / private podium / roof level amenity spaces at staggered levels across the development. The Design Report includes design images and palettes of hard and soft materials which indicate the quality and character of planting against which detailed plans can be assessed.

- A central shared amenity space, including soft landscaping, is provided at podium (first floor) level (drawing No. 4710 / T2 (20) P01 Rev P). The fourth floor plan (drawing No. 4710 / T2 (20) P04 Rev P) shows a biodiverse (extensive) green roof on the Blyth Road frontage. The sixth floor plan (drawing No. 4710 /T2 (20) P06 rev P) shows an intensive (amenity) roof terrace and garden on the rear / south facing block. The ninth floor plan (drawing No. 4710 / T2 (20) P09 Rev P) shows an intensive (amenity) landscaped roof terrace for the benefit of residents in the north-east

corner of the site. The roof plan (drawing No. 4710 / T2 (20)P11 Rev P) confirms that significant areas of the roof will be provide intensive, or extensive, green roofs with the south-eastern block being clad with photovoltaic panels.

- The weakest aspect of the landscape proposal is the south-facing elevation of the building which has uninterrupted views across a large area of surface level car parking and the railway corridor. 2No. retained off-site trees (on railway land) are indicated on plan. The outlook to the south requires a landscape buffer between the rear elevation of the building and the boundary.

- The landscape proposals include the cladding of the off-site retaining wall with climbing / wall plants. Further enhancement should be provided in the form of ground level tree planting within the green space between the site boundary and the retaining wall.

- The success of these external amenity spaces will be heavily reliant on the high quality specification, implementation and management of the landscape proposals. Full details of all hard and soft landscaping and evidence of measures to ensure the establishment and appropriate management and maintenance of these spaces should be secured by condition.

- The applicant should also clarify the details of those responsible for the management and maintenance of all off-site landscaping (including highways) to ensure that new landscapes will be adopted and adequate provision made for the successful establishment and ongoing maintenance of all hard and soft works.

- Finally the local planning authority should be kept informed of the programme of the landscape development and implementation and given the opportunity to inspect the finished work.

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

UDP Policy LE2 states: Industrial and Business Areas (IBAs) are designated for business, industrial and warehousing purposes (Use Classes B1-B8) and for Sui Generis uses appropriate in an industrial area. The Local Planning Authority will not permit development for other uses in IBAs unless it is satisfied that:

- i) There is no realistic prospect of the land being used for industrial or warehousing purposes in the future, and;
- ii) The proposed alternative use does not conflict with the policies and objectives of the plan
- iii) The proposal better meets the plan's objectives particularly in relation to affordable housing and economic regeneration.

In applying Policy LE2, the Local Planning Authority will, where appropriate, take into account (1) evidence of a lack of demand for industrial and warehousing uses; (2) the length of time the vacant premises or land have been marketed and interest expressed by potential occupiers; (3) the amount and nature of vacant industrial and warehousing floorspace and land in the Borough, as well as outstanding unimplemented planning permissions and development under construction; (4) the size and layout of existing premises will also be taken into account.

The proposal does not strictly adhere to Policy LE2 being for a residential-led mixed use development. However, there are a number of mitigating reasons as to the acceptability of the proposed land uses for this site. These include:

- The site has been vacant and cleared for a number of years.
- The site is located immediately adjacent to Hayes Town Centre boundary and the proposed new Crossrail station site. It is therefore considered to be well suited to a residential mixed use development of an urban density given its immediacy to town centre facilities and services and good levels of public transport accessibility.
- The development will be providing quality B1 office employment floorspace, providing

opportunities for new business and jobs to Hayes.

· The site to the west, the Gatefold development on Blyth Road, was recently granted consent for a similarly mixed use residential development. The application site is even closer to the town centre and as such the principle of mixed use on a former industrial site would seem to be appropriately applied to this site as it was to the Gatefold site. This is recognised by the GLA in its representations on this current application.

Furthermore the GLA considers that the loss of this local employment land is broadly accepted in strategic terms having regard to the Council's employment land study which forms the evidence base to inform the emerging Core Strategy. The GLA advised that the site does not have the locational and size characteristics necessary to be a Strategic Industrial Location (SIL).

The site's proximity to sensitive uses coupled with access constraints for freight mean it is of less strategic importance as an industrial location.

The GLA have raised no objection in principle to increasing residential densities near crossrail stations. This site is considered very different from SIL's in terms of importance as a place to locate Industrial/Warehousing/Office uses. In this case the immediate proximity to the town centre and a crossrail station make a compelling case for a residential led scheme.

As such it is considered that a change of use to residential led mixed use on this site is acceptable in principle, subject to other policies in the Development Plan.

7.02 Density of the proposed development

The development has a residential density of 656 hrh when calculated in the 'traditional' manner. However, having regard to the element of commercial use, the density of the mixed use scheme as proposed would increase to 691hrh.

The site is located within a 4-6 PTAL zone immediately adjacent to a town centre. Policy suggests that the maximum density for such a site should not exceed 700hrh. Its density, while just below the maximum density level, is comparable to the recently developed Highpoint Village which is located immediately to the east of Station Road as well as being below the upper density limit.

The development provides good levels of outdoor amenity space, both private and communal, and the residential units comply with the minimum space standards as prescribed within the London Plan.

It is considered that the development would provide for a reasonable residential environment that is compatible with the site's well connected urban location and that the density level is therefore acceptable.

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

The application is accompanied by a detailed townscape analysis. This indicates that the proposal will not have an adverse impact upon the nearby EMI Conservation Area, the site of the Old Vinyl Factory, further to the west of Blyth Road. This is because it is sufficiently far from the site and the nearest proposed building on the application site is of a similar height and mass to those locally listed buildings on the Vinyl Factory that are visible from the south side of the railway corridor.

7.04 Airport safeguarding

The proposed development is located 4km to the north east of the Aerodrome Reference Point (ARP) for Heathrow airport. In this location the site sits within one of the designated

Obstacle Limitation Surfaces called the Inner Horizontal Surface (IHS). For Heathrow, the IHS is an elliptical, horizontal plane, centered around the runway that extends outwards to a distance of 4km from the airfield, and is vertically positioned 45 m above the elevation of the lowest runway threshold. It represents the level above which consideration needs to be given to the control of new obstacles and the removal or marking of existing obstacles to ensure safe visual manoeuvring of aeroplanes in the vicinity of the aerodrome.

The IHS for Heathrow airport is established at 67.93m Above Ordnance Datum (AOD). The proposed development height of 67.90m AOD is acceptable in this location. BAA Safeguarding have assessed the application and have stated that they have no objection.

7.05 Impact on the green belt

Not Applicable to this application.

7.07 Impact on the character & appearance of the area

IMPACT ON STREETSCENE

It is considered that the 9 and 11 storey elements of the scheme are now of a similar storey height to adjacent buildings and developments including the recently developed Highpoint Village, immediately to the east of Station Road. In distant views, particularly those from local open spaces, the proposed development would not now be noticeably higher than the other buildings but will read as part of a cluster of tall buildings which exists in the vicinity of Hayes Town Centre.

The 4 and 7 storey elements to Blyth Road have been further modified so as to create a more compatible edge to the existing buildings and uses on this street.

The layout at ground and first floors to Station Road, and the associated forecourt and underpass landscaping now addresses Station Road in an appropriately neighbourly manner including an enhanced forecourt and pavement extension to the existing Station Road underpass, strengthening the connection between the site and the Station as well as to the broader town centre environs, and provision for a new access for Crossrail servicing should the need arise.

All servicing is to take place on site which will further enhance the streetscape.

The height of the rear block at 6 storeys, now recessed to flank and front, is similar to the height of the existing industrial buildings on the Old Vinyl Factory site to the west and compatible with the height and scale of the development approved on the adjacent Gatefold Site to Blyth Road.

The block fronting Blyth Road, Block A, has been set back further from the pavement than the earlier refused scheme, creating a wider public pavement on this key route between the Station and the regenerating Old Vinyl Factory site. Street tree planting is also proposed together with small front garden areas to the new duplex units.

Works to improve the pedestrian underpass to the station are also included in the development.

The proposed development has been substantially amended since the earlier refusal and is now considered to have a more compatible contextual fit within the streetscape.

7.08 Impact on neighbours

The proposed development has a more appropriate contextual fit within the streetscape than the earlier refused scheme having been considerably reduced in height and mass. While most development impacts on its surroundings, the current iteration has addressed

many of the concerns of the previously refused larger proposal.

The closest neighbouring buildings are those immediately opposite the site, to the north side of Blyth Road. They comprise two storey terraced housing.

The proposed development immediately opposite these houses on Blyth Road, has been reduced in bulk and mass. It is a four storey building but with the two upper floors set back from the building line, increasing the distance between the new build and the existing. The impact of the bulk and mass in this location is now considered minimal given these reductions and rationalisations.

The ground and first floor comprises maisonettes. The 2nd and 3rd floors have been set back from the building line and are therefore positioned considerably well back from the existing Blyth Road houses. This has several advantages; the maisonettes have the primary living space at first floor with their main outlook and orientation to the landscaped podium to the rear; the 2nd and 3rd floor flats are now set back some 19.5m and 22m respectively from the opposite houses, reducing the impact in respect of bulk and massing, and overshadowing, onto the Blyth Road houses opposite.

A sunlight and daylight study accompanies the application. This demonstrates that the impact on the adjacent houses in respect of sunlight is acceptable in terms of BRE standards. The daylight impact assessment of the proposed development on the adjacent Blyth Road terrace of 9 houses ranges from negligible to minor. The resulting daylight will still be in a range considered by the BRE to be acceptable for homes within an urban location.

In terms of Vertical Sky Component (VSC), a daylight indicator, the impact on the adjacent terrace of houses will see the VSC to the fronts of the houses being reduced from 32%-33.5% to 19.3%-25%. However values of 18% are considered to be common and acceptable within the urban environment. This impact relates to the front elevations only. Therefore while there is some impact on levels of daylight received to the front windows/elevations as a result of the development the reduction is not of such a scale to warrant a refusal given it is within a typical range within an urban context.

In terms of sunlight reduction, the existing annual levels of sunlight range between 72.6% and 69.4% to the front elevations of No 1-17 Blyth Road. The development will reduce this to between 58.1% and 49.7%. However, the average annual sunlight level that is considered acceptable is that at 25% and above. In this respect the impact on the reduction of sunlight to the front elevations is considered to be very minimal and is therefore entirely acceptable in planning terms.

The benefit to the neighbouring homes will be an enhanced public realm with an improved connection to Station Road and the Station itself.

7.09 Living conditions for future occupiers

The residential units are served by private balconies and terraces as well as having access to a podium landscaped garden and higher level communal roof terraces. The combined space of the private terraces and balconies is 1,533sqm with some 1,182sqm of general communal amenity space. The total is therefore 2,715sqm. This adheres to the Council's amenity standards.

The dimensions of the podium landscaped area and the additional roof terraces at 2nd and 9th floor levels are sufficiently substantial to accommodate a range of recreational

functions and to contain appropriate amounts of soft landscaping. The relationship between those homes opening out onto the communal amenity areas has been appropriately considered with their own private 2-3m deep terrace bounded by a 1.8m high planted screen segregating the private from the communal space.

The number of children likely to be within the development is approximately 25 which would require 250sqm of dedicated play space in accordance with the London Plan requirements. Dedicated play spaces of adequate size have been provided within the large main podium level garden with a smaller facility to the 2nd floor roof terrace.

The remainder of the general amenity space is designed in a flexible manner to enable natural play by younger children.

The minimum 21m separation distance is adhered to. Where there are 'infringements' these have been addressed through the use of privacy screens to balconies or podium level terraces that both prevent overlooking and protect privacy.

The daylight levels to the new homes being proposed have also been assessed. Living rooms are well daylighted and achieve the BR209 target ADF. All bedrooms achieve or exceed the ADF target.

The only spaces that fall short of the BR209 daylight recommendations are kitchens. However the BRE guidance allows for such spaces to be internal spaces that are not predominantly daylighted, as long as they are directly connected to spaces that are well daylighted. This is the case for all apartments in all blocks.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

TRAFFIC IMPACT AND PEDESTRIAN SAFETY

It is considered by the Council's highway engineer that the vehicle trip generation resulting from this proposal would not significantly impact on the capacity of the highways network. The accompanying assessments demonstrate that the nearby junctions will not be subjected to unacceptable traffic impact.

While the previous scheme proposed some on street servicing, the current proposal has all servicing occurring within the site which will assist in creating a good quality pedestrian environment in the vicinity of the site.

Some significant improvements to pedestrian links in the area are proposed including widening of the Blyth Road pavement along the northern edge of the site; landscaping of a new pedestrian forecourt area and improvements to the pedestrian underpass connecting Blyth Road, under Station Road, to the Station forecourt.

The introduction of residential uses and separate residential entrances off Blyth Road together with some overlooking onto the pavement and street from upper units will provide passive surveillance to the public realm and therefore the pedestrian.

PARKING

97 car parking spaces are proposed at ground floor level within a secure parking zone of which 90 spaces are dedicated to the residential units at a ratio of 0.75 spaces per unit (inclusive of the 2 visitor parking spaces) with 7 spaces dedicated to the B1 commercial unit. The 0.75 ratio is identical to that of the Hayes Goods Yard development which was granted planning consent and which is very close to the application site.

Of the 97 spaces, 12 spaces are designed to accessible standards for the residential units and 2 accessible spaces for the B1 office unit. There are also 22 electrical charging sockets.

26 parking spaces are provided via a mechanical stacking system which is considered an appropriate provision in an urban and/or town centre context. A planning condition has been recommended for inclusion which ensures that the stacking system is properly managed and maintained for the duration of the development. Each stacker houses 2 car parking spaces which can be accessed independently one from the other.

Cycle parking is provided in secure car parking stores in several different locations within the car park to accommodate 187 bicycles.

Access to the upper floors of the three blocks is provided via 3 lift and stair cores with the larger Block C containing 2 lifts within its core.

Servicing of the site occurs wholly on site with access provided off Blyth Road, at the site's western edge, through a double-height service entry point. The development has been designed to accommodate onsite servicing including for refuse vehicles and the energy centre service vehicles as well as the 7 car parking spaces for the B1 unit, and the 90 residential spaces.

The site has an existing PTAL rating of 4. This is expected to increase up to PTAL 6a following the introduction of Crossrail services in 2018.

The parking and servicing arrangements are considered to be acceptable and in compliance with policy.

7.11 Urban design, access and security

URBAN DESIGN

The site lies adjacent to the railway line and has frontages to both Blyth and Station Roads. Directly to the west is the Thorn EMI Conservation Area which contains a number of Locally Listed Buildings mainly industrial/ commercial in character and the grade II listed Enterprise House. It is considered that the proposal will have an impact on the setting of this area.

Whilst likely to be visible on the skyline and in medium to long views within the town centre and its environs, it is considered the impact of the proposed building would not be detrimental to setting of either of the adjacent conservation areas.

There are no objections to the general design approach to the new buildings, and it is noted that a number of the issues raised in the previous comments have been addressed. The reduction in height is particularly welcomed and is an improvement.

In terms of security, secure by design and the placement of CCTV will be governed by the imposition of planning conditions.

7.12 Disabled access

While there were some concerns about achieving Lifetime Homes requirements and appropriate access to wheelchair units, considerable input into the scheme has subsequently been provided by the Council's access officer to ensure that the proposal adheres to Lifetime Homes requirements and that wheelchair homes are both adequately laid out, appropriately serviced, and are provided with dedicated wheelchair accessible parking spaces.

The access officer is now satisfied with the development.

7.13 Provision of affordable & special needs housing

A Viability Appraisal has been submitted with the application showing the development precariously balanced with regard to viability. However, the applicant proposes to provide 14 units with some 44 habitable rooms for discounted sale. This equates to some 14.6% affordable housing based on habitable rooms. The duplex units each have their own front door and private terrace. The flats at upper levels each have their own terrace. They are considered well positioned within the development and of a good quality.

10% of all the homes within the whole of the development have been designed to wheelchair standards in consultation with the Council's access officer while all homes will comply with Lifetime Homes Standards.

7.14 Trees, landscaping and Ecology

There are to be considerable improvements to the public realm in the immediate vicinity of the site including the widening of Blyth Road pavement and new street tree planting in the pavement, and the hard landscaping with further new street trees of an extended forecourt area at the mouth of and underneath the Station Road underpass. Both interventions will significantly enhance the pedestrian experience and improve the overall aesthetics of the area.

Small front gardens with hedges are provided to the ground floor of the Blyth Road duplex apartments creating privacy and a soft edge in this location.

The first floor podium level comprises a potentially well landscaped amenity area with a combination of hard and soft landscaping together with children's play facilities.

The 2nd floor roof terrace is accessed via an external spiral staircase connecting the podium level amenity space to this upper level space. It is designed to have a mix of hard and soft landscape features suitable for informal play and passive recreation.

The amenity space at the 8th floor level is a relatively large space which will contain a mix of hard and soft landscaping features suitable for informal play and passive recreation.

A Brown roof for ecological enrichment is proposed to Building A.

7.15 Sustainable waste management

A waste management plan has been submitted in support of the application. This demonstrates how recycling will be promoted (via a residents handbook) and accommodated (through the provision of dedicated recycling bins).

Collection will take place on site within the car parking area. Tracking plans have been submitted showing this is entirely feasible. On site staff will take refuse and recycling bins to a dedicated collection point for collection on refuse collection day.

7.16 Renewable energy / Sustainability

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

The application is supported by an assessment which indicates that the development has been designed to achieve Level 4 of the Code for Sustainable Homes, and achieve in excess of a 40% reduction in carbon emissions. This is in line with policy requirements, and could be controlled via condition or S106 Legal Agreement if required. The Council's

energy/sustainability officer raises no objection to the scheme.

7.17 Flooding or Drainage Issues

A flood risk assessment accompanies the application. The Environment Agency have stated that due to the location of the site a detailed flood risk assessment is not required to assess fluvial flooding. However, due to the scale of the development (120 residential units) the assessment is still required to demonstrate the control the surface water runoff and discharge to the public sewer.

The site is within Zone 1 and the proposed development classification is appropriate for this zone. The site and surrounding area are not susceptible to flooding.

A SUDS regime is to be incorporated in the development including green/brown roofs and underground storage attenuation tanks. A relevant condition is recommended to secure SUDS.

7.18 Noise or Air Quality Issues

The Council's Environmental Protection Unit has reviewed the submission and raises no concerns in relation to noise subject to noise conditions for the plant and machinery and a sound insulation scheme. A S106 contribution towards mitigating the impact on air quality arising from the development has been sought.

7.19 Comments on Public Consultations

ADVERTISMENT/SITE NOTICE

The application was advertised by way of site and press notices published on 11th January 2012.

COMMENTS ON PUBLIC CONSULTATION

Consultation letters were sent to 469 local residents and businesses as well as local groups and organisations on 03/01/2012.

There have been 6 objections which raise the following concerns:

- i) Insufficient parking creating further pressure on local streets
- ii) Insufficient local infrastructure to cope with the additional residents
- iii) Overdevelopment of the site
- iv) Excessive height blocking existing views (from flats within the new Highpoint Development)
- v) Loss of sunlight and daylight to 20-30 Blyth Road
- vi) Excessive traffic generation to Blyth Road creating safety concerns

In response to these concerns can be confirmed that:

i) The Transport Assessment predicts that the provision of 0.75 spaces per unit is in excess of likely demand. The Council's Highway Engineer raises no objection to the level of parking provision and is satisfied with both the levels of parking provided and the onsite servicing arrangements. It is therefore considered that there is sufficient car parking on site so as not to create pressure on local streets.

ii) Impact on the local infrastructure, insofar as it relates to town planning matters, is being addressed by way of a S106 contribution which will see a financial contribution being made towards the Council's education requirements and affordable housing needs in accordance with the scale of the development together with a contribution towards Air Quality management.

Being located in immediate proximity to public transport facilities, including the site of the proposed new Crossrail station, transport infrastructure would appear capable of

accommodating the needs of this development.

The town centre has a range of shops, services and facilities many of which will actively benefit from an increase in client“le.

iii) The site is well located adjacent to the town centre and in close proximity to buses and a train station. It is therefore a sustainable approach to efficiently developing scarce urban land. The density is within the accepted range for a site within this context. Space standards accord with the Mayor's Residential Design Guidance

iv) The height is comparable to the adjacent Avis Building and the newly developed Highpoint Village development to the east of Station Road. While it may reduce some views from adjacent buildings, given the site is not within a protected view corridor, and is located at sufficient distances from adjacent buildings so as not to impair essential levels of sunlight and daylight, it is not considered that there is a significant impact with regard to views. While some views in some directions will be altered, the loss of a view in this location is not in itself a material planning consideration.

v) The development, where it faces the existing two storey terraced houses on Blyth Road, comprises two storey duplexes at ground and first floor with the 2nd floor recessed back from the building line and the 3rd floor recessed still further.

The daylight impact assessment of the proposed development on the adjacent Blyth Road terrace of 9 houses ranges from negligible to minor. The resulting daylight will still be in a range considered entirely acceptable by the BRE for homes within an urban location. The sunlight impact is rated as none for the majority of the terraces to Blyth Road but those 9 houses immediately opposite the site the impact of sunlight reduction is rated as being of a minor nature. Again this is well within acceptable limits as prescribed within the regulations.

vi) The application is accompanied by a safety audit and contained within the Addendum to the Transport Assessment. It demonstrates that there are no significant patterns suggesting any underlying issue with highway safety and that of the 10 recorded accidents over the past 5 years on Station, Blyth and Clayton Roads, all were slight and caused by human error. Furthermore, highway improvement works to Station Road associated with and funded by the new Highpoint Village development on the east side of Station Road were completed in 2010. The accident review has identified no further pedestrian accidents since completion of these works (TA Addendum pg 5 June 2012)

7.20 Planning obligations

Policy R7 seeks to supplement the provision of social, and educational facilities through planning obligations. The scheme was the subject of detailed financial viability analysis with the results demonstrating that the scheme can afford to deliver 14.6% by habitable room as affordable housing. This has been checked by the Council's housing affordability officers and is an acceptable offer. The resulting implication of this financial analysis also demonstrated that the scheme can only afford to deliver the full financial contribution required to address the educational need resulting from this proposal. No other financial obligations are able to be achieved from this scheme. An agreement has been reached that if in the event the scheme is not implemented within 2 years following grant of planning and developed through to completion then a review mechanism will be implemented through the S106 agreement. This review mechanism will capture any and all capital value uplift from the scheme, to bring forward as much of the remainder of the planning obligations up to a policy compliant scheme, as the review demonstrates. With

this in mind the scheme is able to be supported at officer level.

7.21 Expediency of enforcement action

Not applicable in this instance.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

The principle of a mixed use residential development on this former industrial site has been appropriately justified as an acceptable use for this well connected site immediately adjacent Hayes Town Centre and the Hayes and Harlington Train Station, and is supported by market evidence.

The density of the proposed development adheres to the London Plan guidance. It is considered that the discussions and negotiations between relevant parties on the height, design, and layout of the development and the extent of amendments undertaken have now resulted in a more contextually sensitive scheme that is now appropriate for its context. The proposed development will create a more urbane and active edge to Blyth Road, a key route between the regenerating Old Vinyl Factory site to the west and the town centre and proposed new train station to the east, including an improved public

forecourt, while to Station Road the new building will create a good quality urban edge.

The development will not result in unacceptable impacts on the amenities of neighbouring properties and would provide for good environmental conditions for future occupiers.

14.6% of affordable housing is being provided together with a range of other S106/278 contributions.

It is recommended that the application should be supported subject to a Section 106 Legal Agreement and Conditions.

11. Reference Documents

Hillingdon Core Strategy and EIP documents and the accompanying Inspector's report.

Hillingdon Unitary Development Plan Saved Polices September 2007

HAS SPED: New Residential Layouts: July 2006

Accessible Hillingdon SPED: January 2010

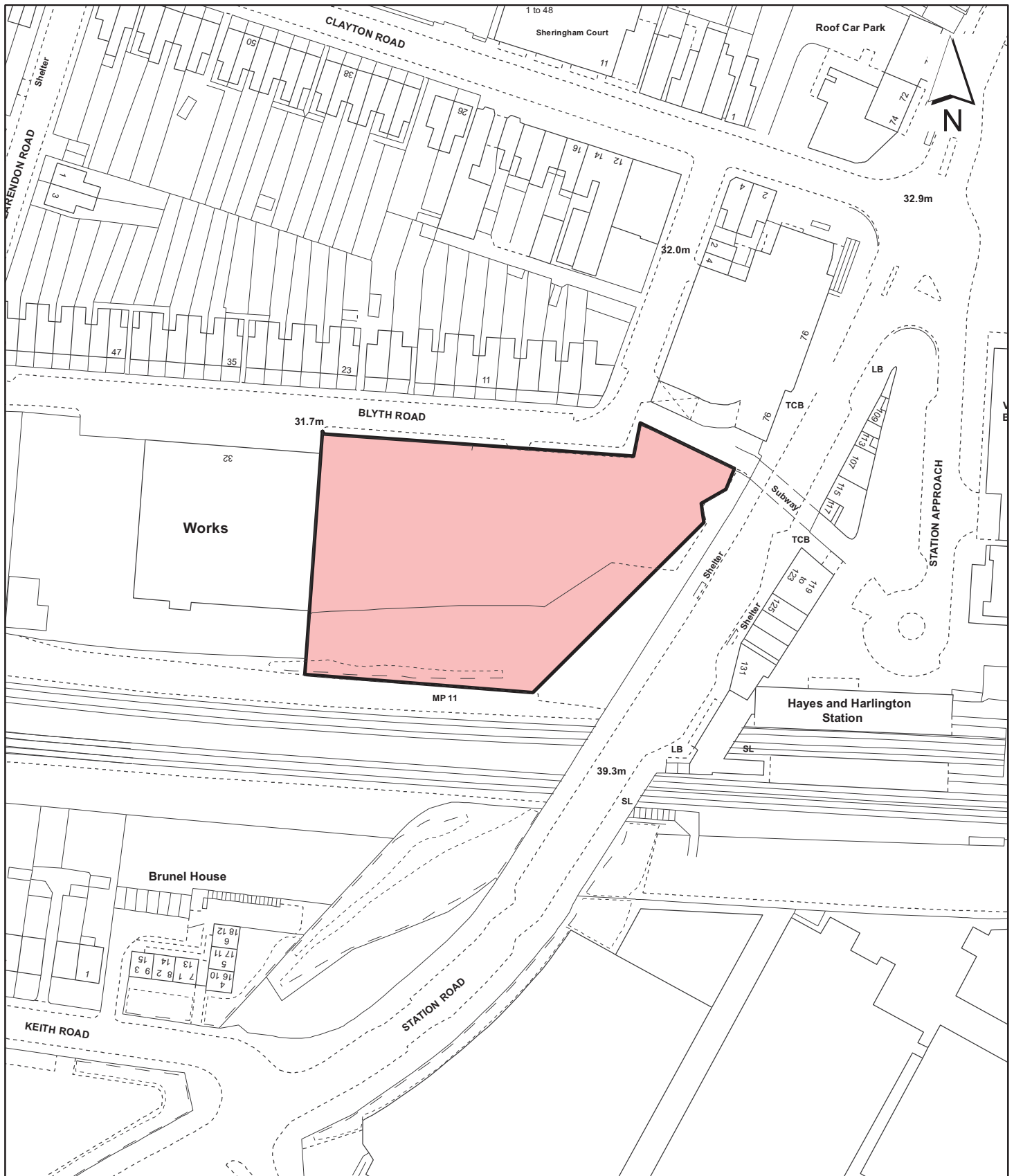
Planning Obligations SPED: July 2008; and Revised Chapter 4, Education Facilities: September 2010.

The London Plan (July 2011)

National Planning Policy Framework 2012

Contact Officer: Linda Aitken

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**20 Blyth Road,
Hayes**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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

Planning Application Ref:

1425/APP/2011/3040

Scale

1:1,250

Planning Committee

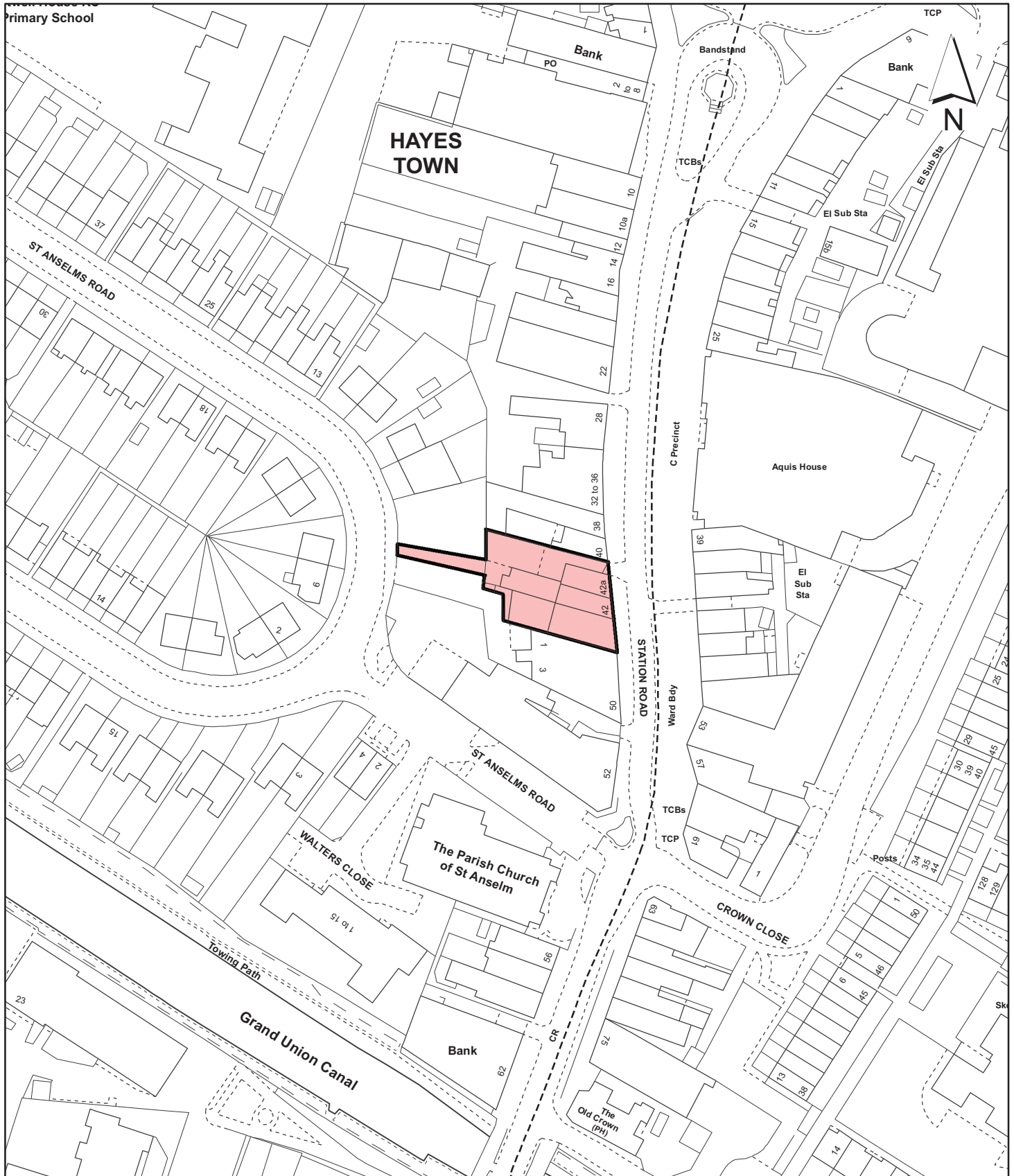
Central and South

Date

**August
2012**



HILLINGDON
LONDON



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Site Address

**42 - 44 Station Road
Hayes**

Planning Application Ref:

11563/APP/2011/1621

Planning Committee

Central and South

Scale

1:1,250

Date

**March
2012**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address 42 - 44 STATION ROAD HAYES

Development: Erection of a four storey building comprising of a retail unit on the ground floor and 14 flats on the first, second & third floors with basement car parking and roof garden, involving demolition of existing buildings (Outline Application).

LBH Ref Nos: 11563/APP/2011/1621

Drawing Nos: Location Plan
15/11/07
07/3117/5 Rev B
07/3117/2 Rev B
07/3117/3 Rev A
07/3117/02 Rev C
07/3117/06 Rev A

Date Plans Received: 01/07/2011 **Date(s) of Amendment(s):**

Date Application Valid: 21/11/2011

1. **SUMMARY**

This application for outline planning permission is identical to a previous outline application approved by the Council in February 2008. That application has now expired and was never implemented, and a further, identical application has therefore been submitted to the Council for consideration.

The proposal is exactly the same as the previously approved application. It seeks outline planning permission for the redevelopment of the site by the removal of the existing buildings and the erection of a 4 storey mixed use building containing a retail store at ground level with residential units at the first, second and third floor levels. The scheme comprises 14 units and provides for 8 x one bedroom and 6 x two bedroom units.

Whilst layout, scale, appearance and access were determined in respect of the original application, with landscaping reserved for subsequent approval, the applicant has confirmed that in this current application all matters are reserved for subsequent approval. It is therefore considered that the submitted drawings are indicative only.

The report on the original application that was considered by the Planning Committee in February 2008 is attached and should be read in conjunction with this additional report that identifies the key planning considerations and policies that have changed since that time.

However, it is considered that there have been no material changes in the site or its surroundings that would affect the Council's previous reasons for granting planning permission.

Whilst there have been some policy changes since the consideration of the previous application, these would not materially affect the appropriateness of the development in this location. Subject to appropriate conditions and a legal agreement that can address these revised policy requirements and those previously considered, the proposal is

considered acceptable.

The application is therefore recommended for approval.

2. RECOMMENDATION

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

1. That the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:

- (i) 35% of dwellings dedicated for use as affordable housing**
- (ii) The applicant shall agree to the full and complete costs to undertake the necessary works, as identified by the Council, for off site highway works.**
- (iii) A contribution of £26,133 towards capacity enhancements in schools made necessary by the development**
- (iv) A contribution of £10,000 towards public realm improvements made necessary by the development**
- (v) A contribution of £4,493 towards capacity enhancements in local health care facilities made necessary by the development**
- (vi) Construction Training: a contribution equal to £2,500 for every £1m build cost + (14/160 X £71,675) is sought from this proposal or an in-kind scheme delivered during the construction phase of the development engaging apprentices from the borough on the site.**
- (vii) A contribution of £477 towards capacity enhancements in local library facilities made necessary by the development**
- (viii) Project Management and Monitoring Fee: equal to 5% of the total cash contributions is sought to enable the management and monitoring of the resulting agreement.**

2. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

3. If the Legal Agreement(s) has not been finalised before 20/02/13, delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse permission for the following reason:

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, including the provision of off-site highways works. The scheme therefore conflicts with Policies AM2, AM7 and R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Hillingdon Planning Obligations Supplementary Document (July 2008).

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.

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

1 RES1 Outline Time Limit

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

2 RES2 Outline Reserved Matters

Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to the local planning authority before the expiry of three years from the date of this permission and approved in writing before any development begins.

The development shall be carried out in accordance with the approved details.

REASON

To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (As Amended).

3 ST1 Standard Condition

No development shall take place until detailed designs, details of fenestration and doors, and samples of all materials and colours and finishes to be used on all external surfaces including the external balcony, terrace and roof space amenity garden have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Unitary Development Plan Saved Policies September 2007.

4 RES6 Levels

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

REASON

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

5 RES9 Landscaping (including refuse/cycle storage)

The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme to be submitted to and approved in writing by the Local Planning Authority as part of the details of the proposed development required by condition 2. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage (for 14 bicycles)

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

6 RES20 Traffic Arrangements - submission of details

The development hereby permitted shall be carried out in accordance with a details of traffic arrangements which shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters of access, layout and landscaping of details of the proposed development required by condition 2. The scheme shall include:

1. Details of carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing.

2. Details of provision of disabled and accessible car parking spaces, and

3. Details of all vehicular and pedestrian access gates.

Thereafter the development shall be carried out and maintained in full accordance with

the approved details.

REASON

(i) In pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to promote the well being of the area in pursuance of Councils powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in Circular 5/94 Planning Out Crime and the Council's SPG on Community Safety by Design.

(ii) To ensure that pedestrian and vehicular safety is not prejudiced and having regard to the requirements of Policy AM7 from the Unitary Development Plan Saved Policies September 2007.

7 RES18 Lifetime Homes/Wheelchair Units

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

REASON

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

8 RES24 Secured by Design

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

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

9 RES17 Sound Insulation

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

REASON

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

10 COM15 Sustainable Water Management

No development approved by this permission shall be commenced until a scheme for the

provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall proceed in accordance with the approved scheme.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

11 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

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

12 SUS2 Energy Efficiency

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

REASON

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

13 COM17 Control of site noise rating level

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest 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 Unitary Development Plan.

14 ST1 Standard Condition

The delivery and the unloading or loading of goods to and from the ground floor retail unit shall not occur outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, and outside the hours of 08:00hrs to 13:00hrs on Saturdays.

REASON

To protect the amenity of occupiers of adjoining residential premises in accordance with Policy OE1 of the Hillingdon Unitary Development Plan.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking

	facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 2.15	(2011) Town Centres
LPP 3.10	(2011) Definition of affordable housing
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 5.3	(2011) Sustainable design and construction

3 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

4 11 Building to Approved Drawing

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

5 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will

have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6 124 **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

7 13 **Building Regulations - Demolition and Building Works**

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

8 16 **Property Rights/Rights of Light**

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

9 111 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

10 112 **Notification to Building Contractors**

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

11 118 **Storage and Collection of Refuse**

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

(Tel. 01895 277505 / 506).

12 119 Sewerage Connections, Water Pollution etc.

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

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

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

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

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

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

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

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

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- 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.

14

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Any damage will require to be made good to the satisfaction of the Local highway Authority and at the applicant's expense.

15

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with the Building Regulations, these should be submitted to the Local Planning Authority for approval.

16

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 OPD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com".

17

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources, which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems and use of high quality insulation.

18 15 **Party Walls**

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

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

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

19

Advice Provided by Thames Water is set out below for your information.

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable

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

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Water Comments

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

20

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738

3. CONSIDERATIONS

3.1 Site and Locality

The application site and the locality is described in the original report. There have been no material changes to the site or the locality from when the previous application was considered.

3.2 Proposed Scheme

As before, outline planning permission is sought to redevelop the site to demolish the existing buildings to provide a 4 storey mixed use building containing a retail store at ground level with residential units at the first, second and third floor levels. In total the proposal would provide 14 residential units (comprising 8 x 1 bed and 6 x 2 bedroom units) and at ground level provides for a retail unit comprising approximately 260m² in

area, being the principal A1 retail floor space.

The application is submitted in outline with all matters reserved for later approval.

The proposed scheme (albeit in outline form only) is described fully in the original report, and shown on the drawings and supporting information to be considered.

3.3 Relevant Planning History

11563/APP/2007/2159 42 - 44 Station Road Hayes

ERECTION OF A FOUR STOREY BUILDING TO ACCOMMODATE A RETAIL UNIT ON GROUND FLOOR AND 14 RESIDENTIAL FLATS ON THE UPPER FLOORS (INVOLVING DEMOLITION OF EXISTING BUILDING) (OUTLINE APPLICATION).

Decision: 26-10-2007 Refused

11563/APP/2007/3360 42 - 44 Station Road Hayes

ERECTION OF A FOUR STOREY BUILDING TO ACCOMMODATE A RETAIL UNIT ON GROUND FLOOR AND 14 RESIDENTIAL FLATS ON THE UPPER FLOORS WITH BASEMENT PARKING AND ROOF GARDEN (INVOLVING DEMOLITION OF EXISTING BUILDING) (OUTLINE APPLICATION).

Decision: 21-02-2008 Approved

11563/APP/2011/1275 42 Station Road Hayes

Change of use of ground floor from A1 (Retail) to A2 (Financial and Professional Services)

Decision: 02-08-2011 Refused **Appeal:** 21-12-2011 Allowed

Comment on Relevant Planning History

11563/APP/2007/3360 - In February 2008 outline planning permission was granted for the same development as that currently proposed. Layout, scale, appearance and access were determined, with landscaping reserved for subsequent approval.

Other than minor changes to the existing retail units within and around the site it is considered that there is no other significant planning history that may have a bearing on this application.

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies 27 September 2007,
The London Plan (2011),
Hillingdon Design and Accessibility Statement - New Residential Layouts,
Supplementary Planning Document - Accessible Hillingdon
Supplementary Planning Guidance - Educational Facilities,
Supplementary Planning Guidance - Community Facilities,
Draft Hillingdon Core Strategy
National Planning Policy Framework

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

BE20 Daylight and sunlight considerations.

BE23 Requires the provision of adequate amenity space.

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

BE26 Town centres - design, layout and landscaping of new buildings

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

OE5 Siting of noise-sensitive developments

H4 Mix of housing units

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

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

AM7 Consideration of traffic generated by proposed developments.

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

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LPP 2.15 (2011) Town Centres

LPP 3.10 (2011) Definition of affordable housing

LPP 3.12 (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes

LPP 3.13 (2011) Affordable housing thresholds

LPP 3.3 (2011) Increasing housing supply

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 3.6 (2011) Children and young people's play and informal recreation (strategies) facilities

LPP 3.8 (2011) Housing Choice

LPP 3.9 (2011) Mixed and Balanced Communities

LPP 5.3 (2011) Sustainable design and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **19th December 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

This latest application has been advertised as Major Development under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995. A press notice has been published and site notices displayed.

57 adjoining and nearby properties have been notified of the application by means of a letter dated 28th November 2011. No responses have been received.

HAYES TOWN CENTRE RESIDENTS ASSOCIATION - No response received.

HAYES TOWN CENTRE PARTNERSHIP - No response received.

THAMES WATER

Have provided advice to the applicant, which has been attached as an informative.

Internal Consultees

TREES AND LANDSCAPE TEAM

The proposal is an outline application to demolish the existing buildings and erect a four storey building comprising a basement car park, retail unit on the ground floor and flats above, with a roof garden.

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

- No trees or other landscape features of merit will be affected by the development.
- Landscape enhancement should concentrate on the rear of the site, facing Nield Road. Nield Road is a tree-lined residential street. The scheme should include soft landscape (edged with trees) which complements the character of the area.
- The roof garden should also make an important contribution to the development. If it is to be used as amenity space by the residents it will need to be an intensive roof garden designed to be both attractive and functional for the benefit of residents. This will require significant soil depths and technical detailing by a specialist landscape consultant.
- If the landscape / roof garden is to be dealt with as a reserved matter, the layout and sufficient detail will be required to ensure that design of the space and structure will safeguard the opportunities for a high quality and deliverable landscape scheme.
- External storage for bikes and bins can have a detrimental visual impact on the front garden and streetscape. Where possible they should be integrated within the building envelope. If this is not possible, they should be discretely sited and screened from public view.
- A landscape management / maintenance plan will be required to ensure that the roof garden and other landscape proposals are established and maintained in accordance with good practice.

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

WASTE STRATEGY TEAM

I would make the following comments on the above application regarding waste management.

Residential Development

a) I would estimate the waste arising from the development to be as shown below: -

Size of household, Number in development, Projected Weekly Waste and Recycling per household, Waste produced from all households.

Studio/one bedroom, 8, 100 litres, 800 litres.

Two bedroom, 6, 170 litres, 1,020 litres.

Total Weekly Waste Arising 1,820 litres

The above waste would therefore be accommodated in a total of 2 bulk bins. Initially all bulk bins on site would be for residual waste; then an additional recycling bin can be added.

b) The bin enclosures must be built to ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections. The dimensions of an 1,100 litre bulk bin are shown in the table below: -

Bin Size, Height, Depth, Width.

1,100 litre Eurobin, 1,370 mm, 990 mm, 1,260 mm.

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

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

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

f) Internal bin chambers should have appropriate passive ventilators to allow air flow and stop the build up of unpleasant odours. The ventilation needs to be fly proofed.

g) If the chambers are inside the building they should have a light. The lighting should be a sealed bulked fitting (housings rated to IP65 in BS EN 60529:1992).

h) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

i) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

Commercial Units

j) The occupiers would have to make an arrangement with either the Council or a licensed waste carrier for the collection of the waste produced from the premises.

k) The producers of waste from commercial premises have a Duty of Care to contain the waste safely until it is collected by the Council or a licensed waste carrier. They can best comply with this through the use of bulk bins or presenting sacks on the day of collection.

l) If using a bulk bin this should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows towards a proper drain.

m) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

n) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

General Points

o) The value of the construction project will be in excess of £300,000, so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

n) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

ENVIRONMENTAL PROTECTION UNIT

The applicant proposes a mixed use development comprising of commercial units to the ground and 14 flats to the first, second and third floors. The scheme relates to an outline planning permission

reference 11563/APP/2007/3360 dated 21/02/2008 to which approval was granted. EPU have no objection to the proposed scheme, however I would recommend that the following updated EPU comments be taken into consideration and where necessary recommended conditions imposed prior to any approval.

Noise Impact

The proposed development site falls within NEC B of PPG 24 in accordance with DEFRA's noise contours. The advice applicable to this category in accordance with PPG 24 and Hillingdon's noise SPD is as follows:

Noise should be taken into account when determining planning applications and where appropriate, conditions imposed to ensure adequate level of protection against noise to meet the Council's recommended outdoor and indoor noise levels" The precise acoustic specification has not been determined at this stage of the proposal, our recommendation is that appropriate condition be imposed to ensure that a noise insulation and acoustic ventilation scheme is provided as part of the design scheme to ensure that the future occupiers of the development are adequately protected from external noise.

Condition 1: Sound Insulation Scheme

Development shall not begin until an a scheme for protecting the proposed residential development from road traffic and other external noise has been submitted to and approved by the Local Planning

Authority (LPA). The scheme shall meet acceptable noise design criteria both indoors and outdoors and provide adequate ventilation to indoor areas. The scheme shall include such combination of sound

insulation, acoustic ventilation and other measures as may be approved by the LPA. The scheme shall include provision of acoustic performance and other secured measures as may be approved by the

Local Planning Authority. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site. Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

Noise impact due to development

The residential properties nearer to the application site, including those within the development itself and are considered sensitive to noise arising from building services plant. The requirement set out in Hillingdon's SPD is that the rating level of the noise emitted from these plants be at least 5dB below measured background (LA90,T) noise levels.

I therefore recommend the following condition as part of noise control measures from any fixed building services plant at the proposed development.

Condition 2: Building Services Plant

The rating level of the noise emitted from the plant and equipment hereby approved shall be at least 5dB lower than the existing background noise level. The noise levels shall be determined at the nearest residential property during the relevant periods of operation and with all other items of machinery operating together. 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 protect the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Commercial units within the mixed use development

No details of the proposed commercial use are currently available at this stage. However, it shall be noted that noise associated with hours of operation, delivery/waste collections and other air handling systems will need to be considered, more importantly the intermittent noise from the basement car park use, expressed as an (Lmax) noise indicator. Advice on appropriate internal noise levels is given in British Standard BS8233 1999 as set out in the Council's Supplementary Planning Document on Noise. The following condition should apply:

Condition 3: Deliveries/waste collection

All deliveries including waste collection to and from the ground floor retail unit shall be restricted to the following hours 0800 to 1800 on Monday to Friday, and 0800 to 1600 on Saturday. No waste collections or deliveries shall be allowed on Sundays, Bank or Public Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

HIGHWAYS

No objections, in terms of traffic generation or with regard to the indicative access arrangements.

As all matters are reserved, assessment of detailed matters relating to access and highways layout would need to be undertaken at reserved matters stage.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The original application was considered in the context of the site and the fact that it falls within a primary shopping area within Hayes Town Centre. It was also considered in the

context of Policy PR2 (part of the western core area of Hayes) which supports the appropriate development of this site.

There has been no change in circumstance of the site or its surroundings or any change in policy that would now warrant a different conclusion being reached in this respect.

The principle of the proposed mixed use development therefore remains acceptable, subject to all other material planning considerations being satisfactory.

7.02 Density of the proposed development

As before, the density of the proposed development is considered acceptable, with a density of 229 units per hectare (uh) and 688 habitable rooms per hectare (hrh). However, the original application was considered in the context of the density requirements set out in the then London Plan. The London Plan has since been revised.

The proposal would nevertheless still accord with the revised London Plan that was adopted in July 2011.

Policy 3.3 of the London Plan 2011 seeks to secure new housing, particularly through the use of brownfield sites, intensification of existing sites and through town centre renewal.

Policy 3.4 of the London Plan 2011 seeks to optimise the provision of new housing, taking into account local context and character, good design and public transport capacity. Appropriate density ranges considered acceptable in the context of this policy are identified in Table 3.2 of the London Plan 2011. In an urban area such as this where there is a Public Transport Accessibility Rating (PTAL) of 4 and 2.7-3 habitable rooms per unit, then a density range of 200-700 hrh or 70-260 uh is considered acceptable.

The proposal therefore falls within the ranges set out in Policy 3.4 and Table 3.2, and in density terms remains satisfactory and in accordance with the policies set out in the London Plan 2011.

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

As before, the site is not within a special character area, nor are there any listed buildings or conservation areas within or surrounding the site. The proposal would not therefore have any adverse impact on such matters.

7.04 Airport safeguarding

As before, the proposal would not have any adverse impact on such matters.

7.05 Impact on the green belt

The site is not within or close to Green Belt land. Therefore as before, the proposal would not have any impact on Green Belt land.

7.07 Impact on the character & appearance of the area

The original application was considered in the context of Policy BE13 of the UDP.

There has been no change in circumstance of the site or its surroundings or any change in policy that would now warrant a different conclusion being reached in this respect.

The impact of the development on the character and appearance of the area therefore remains acceptable.

7.08 Impact on neighbours

The original application was considered in the context of Policy BE24 of the UDP and the Council's HDAS guidance. There has been no change in circumstance of the site or its

surroundings or any change in policy that would now warrant a different conclusion being reached in this respect.

The impact of the development on the neighbouring properties therefore remains acceptable.

7.09 Living conditions for future occupiers

The original application was considered in the context of Policies BE20, BE23 and BE24 of the UDP and the Council's HDAS guidance. Subject to appropriate conditions the application was considered acceptable in this respect.

In respect of this latest application however, consideration need to be given to the revised living standards set out in the London Plan 2011 which has been adopted since the consideration of the previous application. Of particular relevance is Policy 3.5 of the London Plan 2011 that seeks to secure high quality residential developments that meet or exceed minimum design and space standards.

The London Plan 2011, in Table 3.3, provides minimum space standards for new development, and for 1 bed, 1 person flats a minimum of 37m² is expected. This rises to 50m² for a 1 bed, 2 person flat, and 61m² for a 2 bed, 3 person flat.

The flats in this latest application remain unchanged from that originally proposed, with the flats ranging from a minimum 53.5m² up to a maximum 95m². They would therefore still comply with the London Plan internal floorspace standards.

With regard to external amenity space, this was considered acceptable in respect of the previous application, with a communal roof garden of 182m² in area and private balconies to the flats resulting in a total 327m² of private amenity space. Given the town centre location this remains appropriate in this instance.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

As before, the application provides a basement level car park with 12 parking spaces, including one disabled space, and a cycle storage area to provide 14 cycle parking spaces. The car park, as before, is accessed via a car lift at the rear of the site.

These arrangements were considered in the context of Policies AM14 of the UDP and the London Plan at that time, and were considered acceptable.

The policies of the revised London Plan do not materially alter the conclusion previously reached, and it is therefore considered that the traffic impact, parking arrangements and pedestrian movement associated with the development remain satisfactory.

7.11 Urban design, access and security

The previous application was considered satisfactory in respect of matters relating to urban design and safety/security as set out in paragraphs 4.31 to 4.36 of the original report.

There has been no change in circumstance of the site or its surroundings or any material change in policy that would now warrant a different conclusion being reached in this respect.

The impact of the development in respect of such matters therefore remains acceptable.

7.12 Disabled access

The original application was designed to comply with Lifetime Homes standards at that

time and one dwelling would be designed specifically for use by persons in wheelchairs.

An appropriate condition can be imposed to ensure that the development meets revised Lifetime Home standards that were revised in July 2010.

The development would therefore remain acceptable in respect of such matters.

7.13 Provision of affordable & special needs housing

No affordable housing was proposed in respect of the original application, given that the proposal is for 14 residential units and would have fallen below the then threshold for affordable housing provision.

However, Policy 3.13 of the London Plan 2011 now states that boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes. This is also reflected in the Council's Supplementary Planning Document on Planning Obligations (July 2008).

The Council's Section 106 Officer has advised that affordable housing provision is now required on this site. This can be secured by means of a Section 106 Agreement. 35% of the scheme should be provided as affordable housing (calculated on a habitable room basis) on a 60/40 tenure split. Alternatively in the light of no grant funding the Council can look to affordable rents and a percentage of open market value to deliver this affordable housing. The units to be delivered as affordable housing should be in the form of 3 x 1 bed and 2 x 2 bed flats.

Subject to the agreement of the above the proposal would comply with the policies of the Council and the London Plan in respect of affordable housing provision.

7.14 Trees, landscaping and Ecology

The previous application was considered acceptable in relation to trees, landscaping and ecology and there have been no material changes to warrant a different decision now being reached in respect of such matters.

7.15 Sustainable waste management

As before, subject to appropriate conditions, suitable waste management facilities can be provided on site. The application has again been reviewed by the Council's Waste Development Team who consider the proposals acceptable. The proposed refuse and recycling facilities are acceptable subject to conditions requiring the detailed design conforming to the Council's Refuse and Recycling Facilities Guidelines.

7.16 Renewable energy / Sustainability

The original planning application was considered acceptable in relation to sustainability and renewable energy matters.

Policy 5.3 of The London Plan 2011 places an increased emphasis on securing appropriate measures to improve such matters, and it is considered that subject to appropriate conditions, this can be secured in an appropriate manner, as previously considered acceptable and in accordance with the requirements of Policy 5.3.

7.17 Flooding or Drainage Issues

As before, there are no flooding or drainage concerns arising from the proposed development.

7.18 Noise or Air Quality Issues

As before, subject to appropriate conditions being imposed the proposal would not have any adverse impact or be affected by matters relating to noise and air quality.

7.19 Comments on Public Consultations

No comments have been raised by adjoining or nearby occupiers.

7.20 Planning obligations

As before, Policy R17 of the Council's Unitary Development Plan states that the local planning authority will, where appropriate, seek to mitigate the impacts of development through planning obligations. This is also reflected in the policies of the London Plan 2011.

The previous application was subject to a financial contribution of £14,130 towards local park provision and enhancement, £21,815 towards education provision, and £9,100 towards the enhancement of local community facilities.

However, the Council's Section 106 Officer has considered the proposals in the light of the Council's current Supplementary Planning Document on Planning Obligations (July 2008) and the London Plan 2011. On this basis, and in the light of the current policies and guidance the following is required:

1. Affordable Housing: 35% of the scheme should be provided as affordable housing (calculated on a habitable room basis) with a 60/40 tenure split. However in the light of no grant funding the Council can look to affordable rents and a percentage of open market value to deliver this affordable housing. The units that should be delivered as affordable housing are: 3 x 1 bed and 2 x 2 bed flats.
2. Education: A sum of £26,133 is sought towards education places in the borough.
3. Health: A sum of £4,493.74 is sought equal to £216.67 per person.
4. Community Facilities: A sum of £10,000 is sought. The contribution is likely to be spent on the Townfield Community centre expansion programme.
5. Construction Training: a contribution equal to £2,500 for every £1m build cost + (14/160 X £71,675) is sought from this proposal or an in-kind scheme delivered during the construction phase of the development engaging apprentices from the borough on the site. Please note that this obligation is triggered if the construction phase is to exceed 3 months and the construction cost is in excess of £2m.
6. Libraries: A sum of £477.02 is sought.
7. Town Centre/Public Realm: A contribution of £10,000 needs to be secured for town centre/public realm enhancements.
8. Project Management and Monitoring Fee: in line with the s106 a contribution equal to 5% of the total cash contributions is sought to enable the management and monitoring of the resulting agreement.

Whilst the previous application secured the then appropriate sums through the use of appropriate conditions, this is no longer considered appropriate, particularly given the introduction of affordable housing in the scheme. A Section 106 Agreement is therefore proposed to secure the above.

Subject to agreement of the above the proposal would therefore still comply with Policy R17 and the London Plan 2011 in this respect.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Policy 2.15 of the London Plan 2011 seeks to sustain and enhance the vitality and viability of town centres as do Policies 4.7 and 4.8. With a new retail element to be provided at ground floor level, it is considered that the proposal meets the objectives set out in these policies and that it would contribute to the vitality and viability of Hayes Town Centre.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

Whilst there have been some policy changes since the consideration of the previous application, these would not materially affect the appropriateness of the development in this location. Subject to appropriate conditions and a legal agreement that can address these revised policy requirements and those previously considered, the proposal is considered acceptable.

The application is therefore recommended for approval.

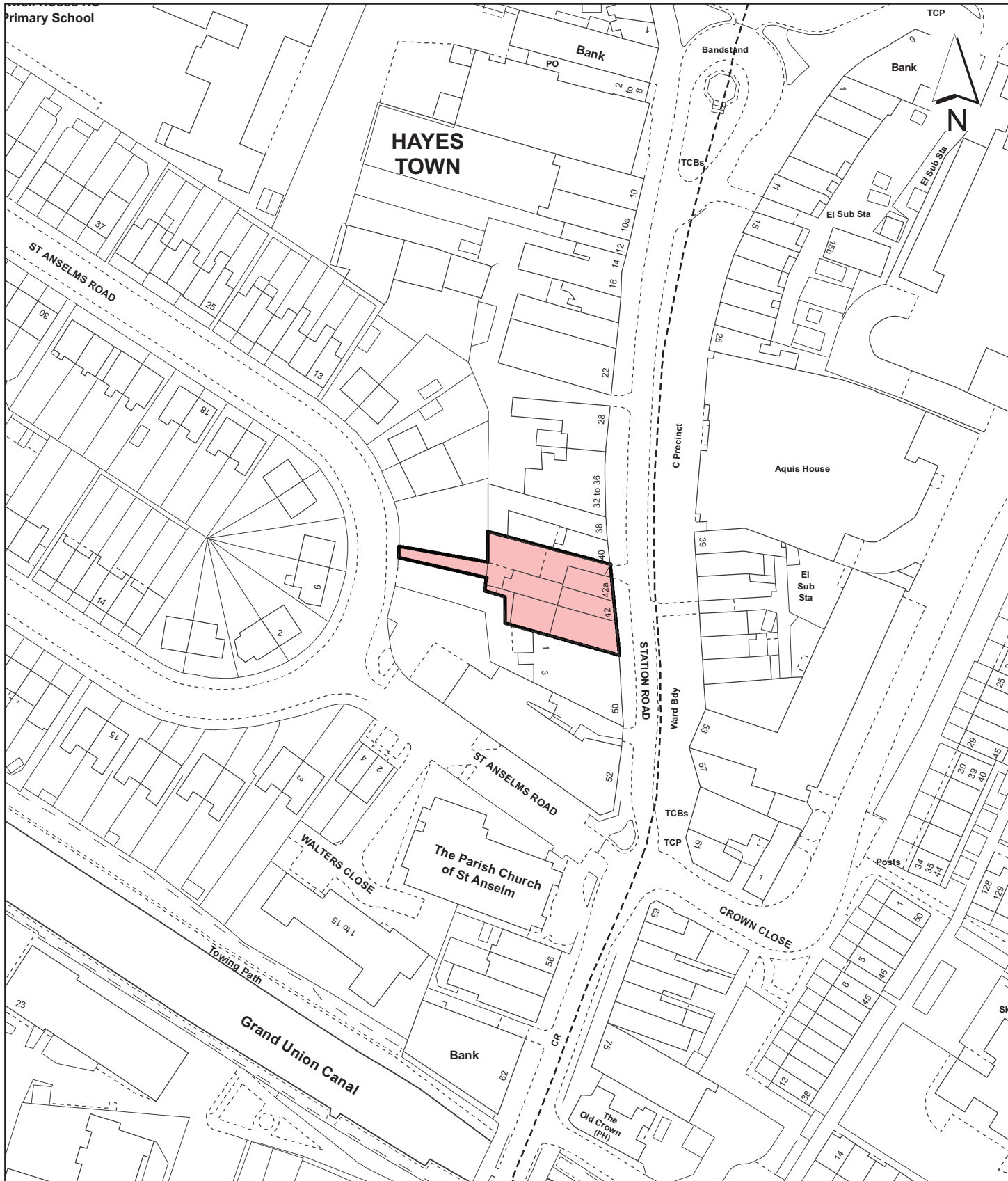
11. Reference Documents

National Planning Policy framework (March 2012)

London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS Accessible Hillingdon, January 2010
HDAS Residential Layouts 2006

Contact Officer: Warren Pierson

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**42 - 44 Station Road
Hayes**

Planning Application Ref:

11563/APP/2011/1621

Planning Committee

Central and South

Scale

1:1,250

Date

**March
2012**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address FORMER KMS GARAGE SITE, DAWLEY ROAD R/O 76 - 82 PRINCES PARK LANE HAYES

Development: Two storey detached building comprising of 2 x 2-bed self contained flats with associated parking and amenity space.

LBH Ref Nos: 3587/APP/2012/711

Drawing Nos: Design and Access Statement
2221 DP 320 Rev. A
2221 DP 300 Rev. A
2221 DP 110 Rev. B
DP 100 Rev. A

Date Plans Received: 26/03/2012 **Date(s) of Amendment(s):** 26/03/2012

Date Application Valid: 13/04/2012 05/04/2012
26/04/2012

1. SUMMARY

The application is for planning permission for the erection of a two storey detached building containing 2, two bedroom flats, with associated amenity space and parking.

A permission for a two storey detached building with 2 x studio flats and 1 x 1 bedroom flat was granted at the site on 15th October 2011 under application reference 3587/APP/2007/2478. A time extension to this permission was approved on 9th March 2012 under application 3587/APP/2011/2031, a development similar to the proposed is extant at the site.

The amended plans overcome previous concerns relating to overlooking and the level of provision of external amenity space. However, they would result in the provision of habitable bedrooms which would fail to provide an appropriate level of outlook. Further, a legal agreement is not in place to mitigate the impact of the development on local educational facilities. For these reasons, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of the provision of only high level windows to the bedrooms within apartment 2, would fail to provide an acceptable level of outlook to the detriment of the residential amenity of future occupiers of this unit. The development would therefore be contrary to Policies BE19 of the London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 3.5 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age, and therefore additional provision would need to be made in the locality due to the shortfall of places in educational facilities serving the area. Given a legal agreement at

this stage has not been offered or secured, the proposal is considered contrary to Policy R17 of the Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

H4	Mix of housing units
H12	Tandem development of backland in residential areas
BE13	New development must harmonise with the existing street scene.
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.
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 (2011) Optimising housing potential

LPP 3.4	
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The application relates to a 0.03 hectare plot of land located to the rear of 1-7 Dawley Parade. The site was previously occupied by KMS Garages, a car vehicle repair shop, although this building has since been demolished and cleared for development with the site being classified as brownfield land.

The site is bordered to the east by the retail parade of 1-7 Dawley Parade, with 6 of the 7 shops having self-contained residential accommodation above the units. These units have pedestrian access between the rear boundary lines of 1-7 and the eastern side boundary line of the site. To the west, the site is bordered by the rear gardens of 76-82 Princes Park Parade, with these dwellings further to the west.

To the south is the former Ram Public House site which is also in the ownership of the applicant. This site is in the later stages of development of 18 flats (incorporating 13 two-bedroom, 3 one-bedroom and 2 four-bedroom units) with associated parking and amenity space which was granted at appeal on 22nd July 2011. The northern boundary line of the site is bordered by a private driveway which provides access to garages servicing residential dwellings to the north of the site.

The site is situated within a Developed Area as identified in the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 **Proposed Scheme**

The application is for planning permission for the erection of a detached two storey building containing 2 x 2 bedroom flats. In addition, the site would be provided with 1 parking space per residential unit and amenity space, cycle stores and bin stores in front of the building.

The proposed building would have a largely rectangular design with a width of 8.75 metres at the principal elevation and a depth of 10 metres. The property would have two storey projecting section in the western side elevation with a width of 1.2 metres and a depth of 5.36 metres.

The property would have a low level pitched roof design set behind a parapet wall, giving the appearance of the flat roof building with a maximum height above ground level of 5.87 metres.

The development would provide a residential unit on both the ground and first floor with two bedrooms, a bathroom, a kitchen and a dining/living room provided for each flat.

In addition the site would be provide 1 parking space per residential unit, with access gained from the parking area associated to residential development to the south, and private amenity space for each residential unit in front of the building.

3.3 Relevant Planning History

3587/APP/2003/2049 Kms Motors R/O Dawley Parade Dawley Road Hayes
VARIATION OF CONDITION 5 (PERSONAL PERMISSION) OF PLANNING PERMISSION
REF. 3587E/92/141 DATED 13/05/1992: CHANGE OF USE TO WORKSHOP FOR VEHICLE
REPAIRS

Decision: 27-07-2004 Refused

3587/APP/2004/2427 Land At Site Of Kms Motors & R/O Dawley Parade Dawley Road Ha
REDEVELOPMENT OF THE SITE FOR THE ERECTION OF THREE NEW BUNGALOWS
FOR RESIDENTIAL PURPOSES (INCLUDING DEMOLITION OF EXISTING GARAGES AND
WORKSHOP) (OUTLINE APPLICATION)

Decision: 27-10-2004 Refused

3587/APP/2005/197 Land At Rear Of Dawley Parade And West Of Princes Park Lane Ha
NON-COMPLIANCE WITH CONDITION 1 (THE PREMISES SHALL NOT BE USED EXCEPT
BETWEEN 0800 HOURS AND 1800 HOURS MONDAYS TO FRIDAYS, BETWEEN 0800
HOURS AND 1300 HOURS ON SATURDAYS AND AT NO TIME ON SUNDAYS AND BANK
HOLIDAYS) OF PLANNING PERMISSION REF. 3587E/92/141 DATED 13.5.1992: CHANGE
OF USE TO WORKSHOP FOR VEHICLE REPAIRS (RETROSPECTIVE APPLICATION)
(APPEAL AGAINST ENFORCEMENT NOTICE; APPLICATION FOR PLANNING PERMISSION
DEEMED TO HAVE BEEN MADE PURSUANT TO SECTION 174 OF THE TOWN AND
COUNTRY PLANNING ACT 1990)

Decision: 24-04-2006 Refused **Appeal:** 24-04-2006 Dismissed

3587/APP/2005/199 Land At Rear Of Dawley Parade And West Of Princes Park Lane Ha
NON-COMPLIANCE WITH CONDITION 2 (NO VEHICLES ASSOCIATED WITH THE USE
HEREIN APPROVED ON THE APPLICATION SITE SHALL BE PARKED OTHER THAN
WITHIN THE PARKING AREAS SHOWN ON THE SUBMITTED PLAN. NO CARS SHALL BE
DISPLAYED FOR SALE OR OFFERED FOR SALE) OF PLANNING PERMISSION REF.
3587E/92/141 DATED 13.5.1992: CHANGE OF USE TO WORKSHOP FOR VEHICLE
REPAIRS (RETROSPECTIVE APPLICATION) (APPEAL AGAINST ENFORCEMENT NOTICE;
APPLICATION FOR PLANNING PERMISSION DEEMED TO HAVE BEEN MADE PURSUANT
TO SECTION 174 OF THE TOWN AND COUNTRY PLANNING ACT 1990)

Decision: 24-04-2006 Refused **Appeal:** 24-04-2006 Dismissed

3587/APP/2005/201 Land At Rear Of Dawley Parade And West Of Princes Park Lane Ha
NON-COMPLIANCE WITH CONDITION 5 (THE USE HEREBY PERMITTED SHALL BE
CARRIED OUT ONLY BY K SMITH/KMS MOTORS) OF PLANNING PERMISSION REF.
3587E/92/141 DATED 13.5.1992: CHANGE OF USE TO WORKSHOP FOR VEHICLE
REPAIRS (RETROSPECTIVE APPLICATION) (APPLICATION AGAINST ENFORCEMENT
NOTICE; APPLICATION FOR PLANNING PERMISSION DEEMED TO HAVE BEEN MADE
PURSUANT TO SECTION 174 OF THE TOWN AND COUNTRY PLANNING ACT 1990)

Decision: 24-04-2006 Refused **Appeal:** 24-04-2006 Dismissed

3587/APP/2007/2478 Land Rear Of Dawley Parade & Rear Of 76-82 Princes Park Lane, Ha
DEMOLITION OF EXISTING GARAGES AND ERECTION OF A NEW TWO STOREY

RESIDENTIAL BUILDING COMPRISING THREE UNITS (2 STUDIO FLATS AND 1 ONE-BEDROOM FLAT) WITH FOUR PARKING SPACES AND COMMUNAL AMENITY SPACES.

Decision: 31-10-2007 Refused **Appeal:** 15-10-2008 Allowed

3587/APP/2007/3449 Kms Motors R/O Dawley Parade Dawley Road Hayes

ERECTION OF A SINGLE STOREY BUILDING FOR USE AS STORAGE AND OFFICES, TOGETHER WITH PARKING AND LOADING BAYS (INVOLVING THE DEMOLITION OF THE EXISTING GARAGES).

Decision: 08-07-2008 Approved

3587/APP/2011/2031 Kms Motors R/O Dawley Parade Dawley Road Hayes

Application for a new planning permission to replace extant planning permission (Appeal Decision ref. APP/R5510/A/08/2071434 dated 15/10/2008.); demolition of existing garages and erection of a new two storey residential building comprising three units (2 studio flats and 1 one-bedroom flat) with four parking spaces and communal amenity spaces. (LBH Ref: 3587/APP/2007/2478 dated 07/08/2007)

Decision: 09-03-2012 Approved

3587/APP/2011/2285 R/O Dawley Parade & R/O 76-82 Princes Park Lane Hayes

Details in compliance with conditions 2 of the Secretary of State's Appeal Decision ref: APP/R5510/A/08/2071434 dated 15/10/2008 (LBH ref: 3587/APP/2007/2478, dated 06/08/2007); DEMOLITION OF EXISTING GARAGES AND ERECTION OF A NEW TWO STOREY RESIDENTIAL BUILDING COMPRISING THREE UNITS (2 STUDIO FLATS AND 1 ONE-BEDROOM FLAT) WITH FOUR PARKING SPACES AND COMMUNAL AMENITY SPACES.

Decision: 09-11-2011 Refused

3587/D/88/2595 R/O Dawley Parade & R/O 76-82 Princes Park Lane Hayes

Continued use of premises as a workshop for car repairs 21/11

Decision: 14-02-1989 ALT

3587/E/92/0141 Kms Motors R/O Dawley Parade Dawley Road Hayes

Change of use to workshop for vehicle repairs (retrospective application)

Decision: 13-05-1992 Approved

Comment on Relevant Planning History

Planning permission was granted at appeal on 15th October 2008 for the demolition of the garages which previously occupied the site and the erection of a new two storey residential building, comprising of 2 x studio flats and 1 x 1 bedroom flat, with four parking spaces and communal outdoor amenity space (LBH Reference 3587/APP/2007/2478).

This application was originally refused by the Local Planning Authority on the following grounds:

1. The proposed building by reason of its siting and design, would represent a cramped and incongruous form of the development, out of keeping with the pattern of surrounding development and character and appearance of the street scene and surrounding area being contrary to Policies BE13 and BE19 of the Unitary Development Plan and design principle 4.23 of the Council's Supplementary Planning Document Residential Layouts.

2. The proposal would result in the direct overlooking of the private garden area of No.8 Dawley Parade, Dawley Road resulting in a loss of privacy to existing occupiers of this property. The proposal is therefore, contrary to Policy BE24 of the Unitary Development Plan and design principles 4.12 and 4.13 of the Council's Supplementary Planning Document Residential Layouts.

3. The proposed amenity space would be directly overlooked by the first floor rear windows of the properties located at Nos.76-82 Princes Park Lane and the future occupiers of the ground floor studio flats. The proposal would therefore fail to provide adequate private amenity space for the future occupiers of the ground floor and first floor flat. The development is contrary to Policies BE23 and BE24 of the Council's adopted Unitary Development Plan.

4. The siting of the proposed flats in close proximity to the rear of parade of shops and surrounding service roads would result in a form of development which would fail to provide a satisfactory environment for the future occupier of the building by reason of noise, disturbance and smells. The proposal would therefore be contrary to Policy OE5 of the Council's adopted Unitary Development Plan.

In the appeal decision (appeal reference APP/R5510/A/08/2071434) the Inspector determined that the proposed design allowed for a reasonably spacious layout, avoiding any sense that the building had been squeezed uncomfortably into the site. Also the inspector determined that given the context of the site, the overlooking of amenity spaces would not be so harmful to residential amenities to warrant a refusal of the application. Furthermore, the inspector felt that the relationship between the residential units and the parade of shops would not be dissimilar to the existing relationship with other neighbouring residential properties. For these reasons, the appeal was allowed.

On 9th March 2012 planning permission was approved for a new permission to extend the time limit for implementation of application reference 3587/APP/2007/2478. (LBH Reference 3587/APP/2011/2031). Therefore, there is an extant permission for a two storey development at the site to create 3 residential units.

The proposal in this application differs from the extant permission in the following ways:

- The extant permission has the principal elevation facing north with vehicle access from between Nos.7 & 8 Dawley Parade. The proposed development would have the principal elevation facing south, with the vehicle access provided from the development to the south, which is also in the ownership of the applicant.
- The footprint of the proposed building has been slightly increased to an external footprint of 94 square metres, with the number of units reduced to 2 x 2 bedroom flats. The building has also been moved approximately 3 metres towards the rear boundary line of the plot.
- The number of parking spaces has been reduced from four to two.

- The amenity space has been subdivided into two separate spaces for the occupiers of each unit to the south of the building, including cycle and refuse stores.
- The design of the building has been changed from a chalet style bungalow with dormer windows to a modern looking two storey apartment block with a flat roof.

There have been a number of other applications at the site, none of which are considered to affect the determination of this application.

4. Planning Policies and Standards

No additional policies for consideration.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

H4 Mix of housing units

H12 Tandem development of backland in residential areas

BE13 New development must harmonise with the existing street scene.

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.

AM7 Consideration of traffic generated by proposed developments.

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

AM14 New development and car parking standards.

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

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

SPD-NO Noise Supplementary Planning Document, adopted April 2006

SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Site Notice: Erected 24th April 2012. Expired 15th May 2012.

25 Neighbouring occupiers were notified of the proposed development, 2 letters and a petition with 32 signatures received objecting on the following grounds:

- Overdevelopment of the application site.
- Loss of privacy.
- Loss of light.
- Impact to property during building works.

CASE OFFICER COMMENTS: The impact to the neighbouring properties during building works can be controlled by a condition relating to a construction management plan. Given that the site is bordered by buildings on all sides, a construction management plan would be required to show access and storage points for materials during construction works. Also this disturbance would only be temporary during construction works and would not be a material planning consideration. The other comments will be considered in the main body of the report.

In addition John McDonnell MP for Hayes and Harlington raised an objection to the proposed development on the grounds of overdevelopment of the site and the loss of residential amenity to neighbouring occupiers.

A consultation was carried out on the 14th August 2012 on the amended plans. No responses have been received.

External Consultees:

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

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the

developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

The site is wedge-shaped vacant plot situated between Dawley Parade and Princes Park Lane. It can be accessed via the new development to the west of 82 Princes Park Lane. There are no trees, protected or otherwise, and no other landscape features of merit which might constrain development.

The proposal is to erect a two storey detached building for use as flats. The layout provides two parking spaces and a limited area of external space including circulation space and some soft landscape.

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

No trees or other landscape features of merit will be affected by the development and the proposal provides some, albeit limited, space for landscape enhancement. A well-designed and detailed landscape scheme is required to complement this proposal. A landscape management/maintenance plan should be submitted to ensure that the communal landscape is established and maintained in accordance with good practice.

Recommendation: No objection, subject to the above considerations and condition RES9 (parts 1,2,4,5 and 6)

HIGHWAYS OFFICER:

The land to erect proposed dwelling is located at the rear of the residential properties of Princess Park Lane and Dallega close and is accessed from princes Park Lane which is unclassified road.

Princes Park Lane is publicly maintainable highway and is benefiting from 3.0m wide footway on both sides and over 9.0m wide carriageway with no parking restriction. The proposal is for a two storey building comprising of 2 x 2 bed self contained flats with total of two off street parking spaces and four secured and covered cycle parking spaces that comply with Policy AM14 of the Council's UDP.

Drawing no DP110 Rev. A, shows refuse bin store on the North West corner of the proposed building, 35m from the highway boundary. Waste collection vehicles should be able to access the waste refuse bin collection point.

Considering that there are sufficient unrestricted parking spaces available in the surrounding area, proposal is unlikely to result in an additional on street demand for car parking to the detriment of highway and pedestrian safety.

Consequently, no objection is raised subject to the location, details and provision of proposed refuse store be covered through a suitable planning condition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed development would make use of existing brownfield land to provide 2 x 2

bedroom residential units, in accordance with National Planning Policy Framework guidance on the location of new housing and Policy H4 of the adopted UDP (Saved Policies September 2007).

Furthermore, a previous application for the erection of residential dwellings at the site has been approved under the currently adopted UDP (Saved Policies September 2007). Therefore, the principle of a residential development has been established by the previous determinations at the site and the development would be in accordance with Policy H4 of the adopted UDP (Saved Policies September 2007).

7.02 Density of the proposed development

The proposed development would have a residential density of 63.7 units per hectare and 223 habitable rooms per hectare. This would constitute a reduction in the units per hectare when compared to the extant permission and would be in accordance with the density ranges in Policy 3.4 of the London Plan 2011. Therefore, no objection is raised over the density of the proposal.

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

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

7.04 Airport safeguarding

The application site is sufficiently distanced from the nearest aerodrome for the proposal not to impact on the safe operation of any airport.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Consideration in this matter needs to be given to the planning inspectors determination (appeal reference APP/R5510/A/08/2071434) at the site for the extant permission for a similar scheme.

In the determination of this appeal the inspector wrote:

"It seems to me that almost any physical solution to the development of the site would involve some compromises indeed, that it would result in a building which stood out to some extent from its neighbours. However, in my opinion, the proposed design allows for a reasonably spacious layout, avoiding any sense that the building had been squeezed uncomfortably into the site."

The proposal in this application is marginally larger in footprint and has been shifted approximately 3 metres to the northwest in the plot. However, in terms of site coverage, the development has not significantly increased and the proximity to neighbouring buildings has not been reduced to leave unacceptable gaps between buildings. Therefore, in accordance with the view of the Planning Inspector, the development would not be considered an overdevelopment of the plot. Since the Inspector's decision the 18 flat development to the south of the application site has almost been completed. The orientation of the proposal has been changed from the extant permission to face inwards to the built development, ensuring it would have the appearance as being part of this residential development and not an isolated block of residential dwellings, as was the case at the time of the inspectors report.

The design of the building has also been altered compared to the extant permission, with the chalet style two storey building replaced by a building more akin to a block of flats with

a flat roof. The change in design is more in keeping with the character and appearance of the newly erected three storey residential building than the terrace dwellings to the north and east. Therefore, given the re-orientation of the property to face southwards into the modern residential development, the change in design would be considered in keeping with the character and appearance of the surrounding area in compliance with Policy BE13 of the adopted UDP (Saved Policies September 2007).

7.08 Impact on neighbours

The proposed development would have a distance separation of only 14 metres to the rear elevation of No.82 Princes Park Parade. However, the building is set further back in the plot than the building approved under the extant permission and would be further away from this neighbouring property. The HDAS Residential Layouts requires a distance separation of more than 15 metres to ensure no significant loss of light would occur, with the development 1 metre short of this standard. However, given that the proposal would relocate the proposed building further west from these neighbouring dwellings, no objection would be raised to the proposed development due to loss of light to the neighbouring occupiers on Princes Park Parade.

The proposed development would retain a distance separation of 13 metres to the rear elevation of No.8 Dawley Parade, which would be approximately 3 metres closer than the extant permission. However, the orientation between these buildings, with the proposed property being set on a 45 degree visual splay from the rear elevation of No.8 Dawley Parade, would ensure that sufficient sunlight and daylight would still be received into this neighbouring building. Therefore, the development would comply with Policies BE20 & BE21 of the adopted UDP (Saved Policies September 2007).

No significant harm to the residential amenity of the occupiers of 1-7 Dawley Parade would occur from loss of light or loss of outlook by the proposed development.

The two storey building would have no windows in the side elevations facing Dawley Parade or Princes Park Parade. Therefore, the development would create no significant overlooking of these neighbouring occupiers or their amenity space.

Due to the orientation of the proposed building within the plot, the 45 degree visual splay from the first floor windows in the rear elevation would not overlook the rear elevations of Nos. 8 & 9 Dawley Parade within a 21 metres distance separation. The first residential dwelling on this sight line would be No.10 at a distance separation of 24 metres. Therefore, no residential dwelling would be within a 21 metres distance separation on a 45 degree visual splay, as detailed within the HDAS Residential Extensions.

The proposed development would have windows facing the rear amenity space of Nos.8-10 Dawley Parade within the 21 metre guideline. However, these have been amended to be high level windows within the amended plans and accordingly, subject to a condition to ensure they were of an appropriate height, would not result in any overlooking of these properties. However, the windows do raise other concerns which are addressed elsewhere in the body of this report.

Overall it is not considered that the proposal cause an unacceptable loss of privacy to this neighbouring occupier, and the scheme would accord with Policy BE24 of the adopted UDP (Saved Policies September 2007).

7.09 Living conditions for future occupiers

INTERNAL ENVIRONMENT

The proposed residential units would have internal floor areas of 72.6 square metres and

76.3 square metres for the downstairs and upstairs units respectively. Therefore, both units would meet the 70 square metres internal floor areas standard required for a 2 bedroom flat, in accordance with Policy 3.5 of the London Plan 2011.

The amended plans show that both bedroom units within apartment 2 would be served only by high level windows, in order to prevent overlooking of neighbouring occupier, however this means that all of the bedrooms which form habitable accommodation within this apartment would benefit from no outlook. This would lead to a development which provides poor living conditions for all potential future occupiers of these properties contrary to Policies BE19 of the Saved Policies UDP, the Supplementary Planning Document HDAS: Residential Layouts, and Policy 3.5 of the London Plan.

AMENITY SPACE

The development would provide over 25 sq.m of accessible private amenity space for each of the units which would accord with the level of space required by the HDAS Residential Layouts for a bedroom flat, contrary to Policy BE23 of the adopted UDP (Saved Policies September 2007).

Whilst the amenity space would be overlooked by the first floor flats on Dawley Parade and the two storey dwellings on Princes Park Parade, this would be no worse than the previous appeal at the site, where this overlooking was not considered so harmful as to warrant a dismissal of the appeal by the inspector.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed development would make use of the existing parking area of the residential development to the south to provide vehicle access to the two parking spaces for the proposed dwellings. The parking spaces and vehicle access for the residential development to the south are conditioned as part of the appeal decision reference APP/R5510/A/11/2147802 to be retained for the existence of the development. The highways officer has raised no objection to the proposed vehicle access and it is considered to have an acceptable impact on the pedestrian and highway safety in accordance with Policy AM7 of the adopted UDP (Saved Policies September 2007).

The proposed site layout plan shows the location of a bike store within the amenity space allocated for each dwelling. However, no details have been provided over their capacity or appearance. Therefore, these details would be required to be secured by condition prior to the commencement of works if consent were granted.

7.11 Urban design, access and security

SECURE BY DESIGN

A condition would be added to any approval that the development should be designed to be capable of achieving the secure by design accreditation.

7.12 Disabled access

The provided floor plans fail to show how the development meets the 16 Lifetime Homes Standards, however the Council's Access Officer is minded that this could be secured by condition were the development to be approved.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

No trees or other landscape features of merit will be affected by the development. The proposal would provide limited space for landscape enhancement of the site and a condition relating to landscaping scheme for the site would be added to any approval granted. With this condition attached, the development would be considered to comply

with Policy BE38 of the adopted UDP (Saved Policies September 2007).

7.15 Sustainable waste management

The highways officer has raised an objection to the proposed scheme due to the distance from the proposed bin store to the refuse collection point on Princes Park Parade. Given that an existing residential scheme with an extant permission has been approved with the bin store located in the northern corner of the development, no objection could be sustained in this matter, subject to a condition being imposed on any consent relating to a refuse management plan at the site, with bin stores to be located to the rear of the building and collection made from Dawley Parade.

7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan 2011 requires the highest standards of sustainable design and construction to be achieved. To ensure the development complies with this policy a condition will be added for the development to be built to Code for Sustainable Homes Level 4, with an interim certificate and specification provided before the commencement of works.

7.17 Flooding or Drainage Issues

The site falls outside of a flood zone and is not considered to be at increased flood risk. Furthermore, a condition relating to sustainable urban drainage systems would ensure the development would comply with Policy OE8 of the adopted UDP (Saved Policies September 2007) and Policy 5.3 of the London Plan 2011.

7.18 Noise or Air Quality Issues

The proposed residential use would not give rise to unacceptable noise disturbance to the neighbouring residential occupiers, in compliance with Policies OE3 & OE5 of the adopted UDP (Saved Policies September 2007).

7.19 Comments on Public Consultations

No further comments for consideration.

7.20 Planning obligations

The proposed development would create two new dwellings with 7 habitable rooms across the two properties (with rooms of more than 20 square metres counted as two rooms). Therefore, in accordance with the Council's Supplementary Planning Document Planning Obligations and the Revised Chapter 4 relating to education contributions, the development would be required to make a payment of £4,669 toward educational facilities in the area.

In an e-mail on 26th April 2012, the applicant detailed that they are willing to meet this contribution and a condition relating to this could be added to any approval.

However, as no legal agreement has been finalised a reason for refusal is recommended to protect the Council's position in the event of an appeal.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues for consideration.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application

10. CONCLUSION

The application is for planning permission for the erection of a two storey detached building containing 2, two bedroom flats, with associated amenity space and parking.

A permission for a two storey detached building with 2 x studio flats and 1 x 1 bedroom flat was granted at the site on 15th October 2011 under application reference 3587/APP/2007/2478. A time extension to this permission was approved on 9th March 2012 under application 3587/APP/2011/2031, a development similar to the proposed is extant at the site.

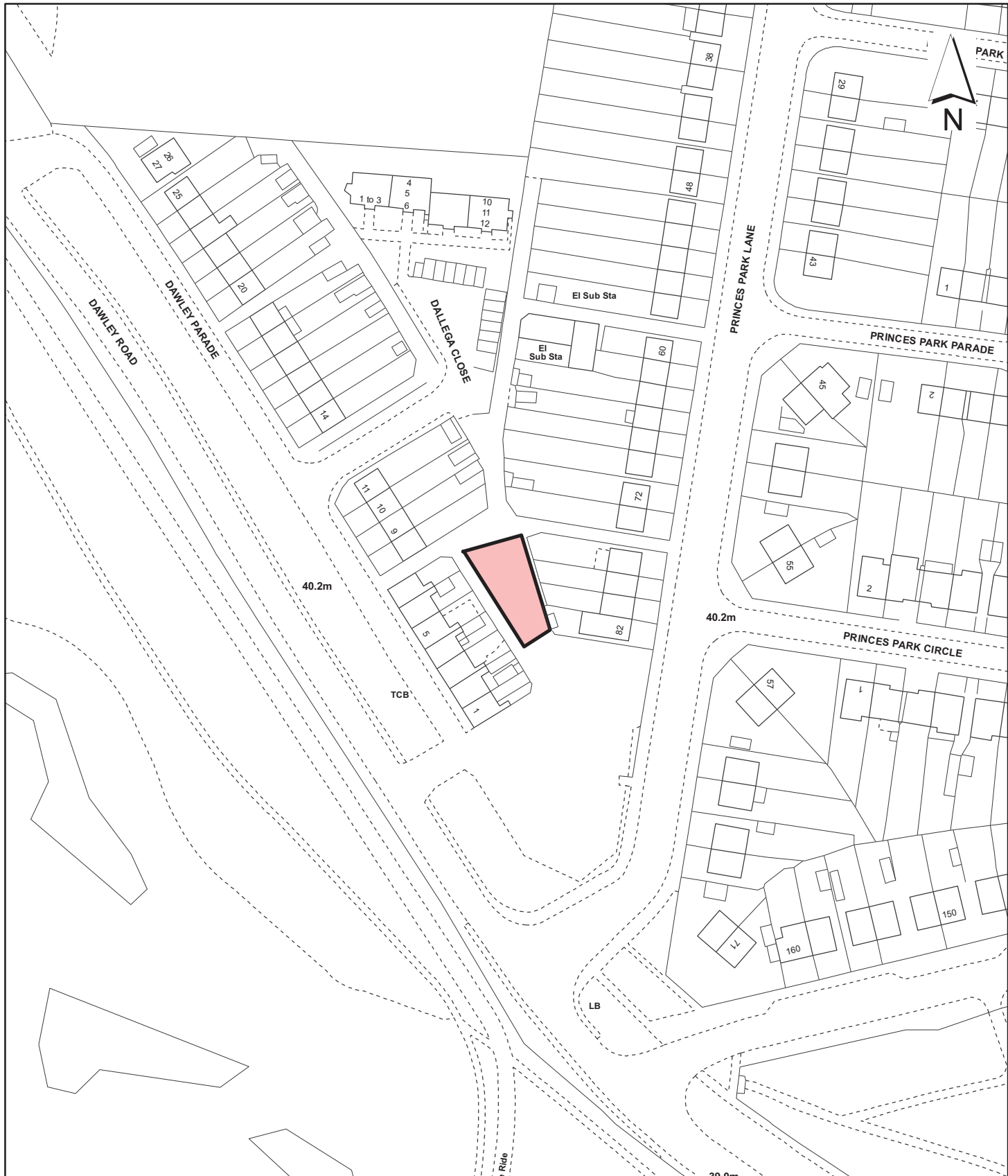
The amended plans overcome previous concerns relating to overlooking and the level of provision of external amenity space. However, they would result in the provision of habitable bedrooms which would fail to provide an appropriate level of outlook. Further, a legal agreement is not in place to mitigate the impact of the development on local educational facilities. For these reasons, the application is recommended for refusal.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
Hillingdon Design and Access Statement 'Residential Layouts'.
Supplementary Planning Document 'Accessible Hillingdon'.
Supplementary Planning Document Noise.
Supplementary Planning Guidance Planning Obligations.
Supplementary Planning Guidance Planning Obligations - Revised Chapter 4 Education Contributions.
The London Plan 2011.
National Planning Policy Framework

Contact Officer: Alex Smith

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Former KMS Garage Site Dawley Road
Rear of 76 - 82 Princes Park Lane
Hayes**

Planning Application Ref:

3587/APP/2012/711

Scale

1:1,250

Planning Committee

Central and South

Date

**June
2012**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 14 MOORFIELD ROAD COWLEY UXBRIDGE

Development: 3 x two storey, 3-bed terrace dwellings with habitable roofspace including associated parking and amenity space, installation of 3 x vehicular crossovers to front involving demolition of existing detached bungalow

LBH Ref Nos: 34264/APP/2012/1322

Drawing Nos: PL/ASB/1
PL/ASB/1
Design and Access Statement

Date Plans Received: 30/05/2012 **Date(s) of Amendment(s):** 30/05/2012

Date Application Valid: 02/07/2012

1. SUMMARY

Planning permission is sought for the erection of three, two storey terrace houses each comprising three bedrooms, along with associated parking and amenity space and the installation of three crossovers to the front following the demolition of the existing detached bungalow.

It is considered that the proposals would constitute a cramped and incongruous form of development, harmful to the character and appearance of the surrounding area and the amenity of nearby residents. Moreover the development would fail to accord with the Council's off-street parking standards and the proposed parking spaces are considered to be substandard.

Finally, the applicant has failed to provide a contribution towards the improvement of education facilities as a consequence of demands created by the proposed development.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of its siting, design, layout, bulk, massing and overall size, would result in a cramped form of development, which is visually incongruous and over dominant, therefore failing to harmonise with the established character of the surrounding area. The proposal is therefore contrary to Policies BE13, BE19 and BE22 of the Hillingdon Unitary Development Plan (Saved Policies September 2007), the Council's Supplementary Planning Document HDAS: Residential Layouts and Policy 3.4 of the London Plan (2011).

2 NON2 Non Standard reason for refusal

The proposal, by reason of its location in close proximity to the site boundaries, design (including in particular the proposed roof form), extensive coverage by car parking and bin storage provision would result in an overdevelopment of the site which would detract from the open character and appearance of the surrounding area and the visual amenities of the street scene. The proposal is therefore contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

3 NON2 Non Standard reason for refusal

The proposed dwellings, by reason of their height, position and proximity, would result in an overly dominant feature that would result in loss of outlook to the neighbouring property at No.12 Moorfield Road, and as such would result in a visually intrusive and an un-neighbourly form of development. Therefore the proposal would be contrary to policies BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and to the Council's Supplementary Planning Documents HDAS Residential Extensions.

4 NON2 Non Standard reason for refusal

The proposed development fails to provide sufficient off street parking provision in accordance with the Council's approved parking standards to service the proposed dwellings. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted car parking standards.

5 NON2 Non Standard reason for refusal

In the absence of a Flood Risk Assessment in accordance with the Environments Agency's Standing Advice, the application has failed to satisfy the issues regarding flood risk. The proposal is therefore contrary to policy OE7 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

6 NON2 Non Standard reason for refusal

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education facilities). The scheme therefore conflicts with Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document for Planning Obligations.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern side of Moorfield Road and is occupied by a detached bungalow. To the front of the property there is a small garden which is completely paved to provide space for up to two vehicles and to the rear there is a substantial garden which backs onto the Metropolitan Green Belt and a Nature Conservation Site of Borough Grade II or Local Importance.

No. 16, the neighbouring property to the north is one of a terrace of three Victorian cottages, each with an L-shaped footprint and set within a narrow plot. The other neighbouring property to the south (No. 12) is one of a pair of semi-detached inter-war period dwellings which has not been extended to the rear.

The application site lies within the Developed Area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) where the character of the area is residential in character comprising of a mix of housing types.

3.2 Proposed Scheme

Planning permission is sought for the erection of a terrace of three two storey dwellings

following the demolition of the existing detached bungalow.

It is proposed that all three houses would be of the same height, width and depth measuring 5.8m wide, 14m deep (10m deep at first floor level) and 7.7m in height. Cumulatively the terrace would have a width of 17.4m and would be set-in from the side elevation of No. 12 by 1.1m and set-in from the side elevation of No. 16 by 0.8m. They would be set away from the public foot path by 3m and would extend approx 3m beyond the rear elevation of No. 16 and approx 6.6m beyond the rear of No. 12 at ground floor level.

The front elevation of each dwelling would have a recess which would allow for the parking of one vehicle accessed via a proposed new crossover. An area for the storage of waste and recycling would also be provided in front of each dwelling. Each dwelling would have its own private garden.

Internally, the dwellings would comprise a living room/dining room, kitchen and W/C on the ground floor. Two bedrooms and a bathroom on the first floor, and a bedroom with en-suite in the roof space.

3.3 Relevant Planning History

Comment on Relevant Planning History

No comment.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.
AM14 New development and car parking standards.
BE13 New development must harmonise with the existing street scene.
BE14 Development of sites in isolation
BE15 Alterations and extensions to existing buildings
BE19 New development must improve or complement the character of the area.
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.
BE24 Requires new development to ensure adequate levels of privacy to neighbours.
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC3 Potential effects of development on sites of nature conservation importance
OE5 Siting of noise-sensitive developments

OE7	Development in areas likely to flooding - requirement for flood protection measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 5.12	(2011) Flood risk management

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Nine neighbours were notified by way of letter and a site notice was also posted at the site. A petition has also been received with thirty five signatures, the petition raises objection to the scheme.

Six separate responses were also received, commenting as follows:

- The proposal has a poor layout.
- The proposal would constitute an overdevelopment of the plot.
- The development would cause harm to the amenity of nearby residents and occupants through overbearing impact and overshadowing.
- The proposed houses would be at risk of flooding.
- There would be an insufficient level of off-street parking for the development and the development will lead to additional congestion.
- It is considered that the proposal would have a negative impact upon the visual amenity of the area.
- Insufficient gaps would be preserved between the proposed and existing houses for maintenance purposes.
- The owner of the proposed will likely rent the properties to student in order to make money.

Concerns relating to the potential for the houses to be rented out to students are not considered to be relevant in this case, given that the plans show that the dwellings would be used as separate residential units, nor are the financial benefits of the development to the applicant a material planning consideration. All other concerns are dealt with further in the report.

Internal Consultees

Highways and Transportation

The site is located in a PTAL 2 (low) area. The proposed three bedroom houses would attract families. Considering the low PTAL rating, and the type and size of the proposed dwellings, it is considered that off-street car parking of 2 spaces per dwelling, in accordance with the Council's maximum standards should be applied on the proposed development.

The development is proposed to provide 1 off-street car parking space per dwelling, which is considered to be unsatisfactory. Moreover, the transfer space where the proposed car parking spaces are proposed to be recessed into the structure will be tight and therefore unsatisfactory.

It is evident from the heavy on-street parking on Moorfield Road that there is a high reliance on car use in this location, which is another reason why the proposed dwellings should have 2 off-street car parking spaces each.

In the absence of adequate off-street car parking, the overspill on-street parking from the future occupiers and visitors associated with the proposed development will only make the situation worse, leading to situations prejudicial to highway and pedestrian safety.

Consequently, the application is recommended to be refused as it is considered to be contrary to the Council's policies AM7 and AM14.

Access Officer

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

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Level access should be achieved. The entrances to the proposed dwelling houses are shown to be stepped, which would be contrary to the above policy requirement.
2. The principal entrance internal configuration as proposed is tortuous and would likely be inaccessible to many wheelchair users. The stairs and narrow hallways should be reconfigured to provide a straightforward means of access for visiting or residing wheelchair users.
3. The entrance level WC would need to be relocated and/or resized in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
4. To allow the entry level WC and first-floor bathroom to be used as a wet room in future, plans should indicate floor gulley drainage.
5. The proposed development should indicate on plan a convenient location for a future through-floor lift.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home standards.

Conclusion: unacceptable

The proposed footprint is certainly sufficiently sized to accommodate the Lifetime Home Standards, and it may be appropriate to attach a suitable Condition to any grant of permission. In any case, the following Planning Condition should be attached to any approval.

1. The development hereby approved shall ensure that the principal entrance is level and otherwise designed in accordance with Approved Document M to the Building Regulations 2000 (2004 edition).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within the Developed Area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) where the prevailing character of the immediate area is residential.

Both London Plan policies and the National Planning Policy Framework (NPPF) encourage the delivery of new homes and the use of previously developed land, therefore the principle of the proposal is acceptable subject to its compliance with all other relevant policies and guidance relating to the impact of the proposal upon the character and appearance of the existing area, the amenity of nearby residents and the future occupants of the proposed dwellings as well as parking provision, access arrangements and the provision of adequate waste and recycle facilities. These considerations are discussed below.

7.02 Density of the proposed development

London Plan Policy 3.4 states that development should optimise housing output for different types of location within the relevant density range as shown in table 3.2 of the plan. According to the density matrix the site would have the potential to accommodate 200 to 450 habitable rooms per hectare, given its urban location and Public Transport Accessibility Level (PTAL).

The proposed development would equate to 156.25 habitable rooms per hectare. Whilst, numerically the development would fail to comply with London Plan Policy 3.4, given the constraints of the site and concerns relating to the position and height of the proposed houses in relation to neighbouring dwellings and their impact upon the visual amenity of the area as discussed below it is considered that it would not be appropriate to refuse this application on the grounds of this policy.

Moreover the development is to replace an existing dwelling on site, where a reduced density would be on balance acceptable.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

UDP Policy OL5 states that the LPA will normally only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not injure the visual amenities of the Green Belt. Likewise paragraph 79 of the NPPF states that the essential

characteristics of Green Belts are their openness and permanence.

The proposed development would be separated from the Green Belt boundary by a substantial rear garden and would have a similar relationship to the Green Belt boundary as other houses on Moorfield Road. It is therefore not considered that the proposed development would harm the openness of the Green Belt.

7.07 Impact on the character & appearance of the area

UDP Policies BE13 and BE14 resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

At present the existing property within the site is single storey in height and although not of architectural merit is fairly unique in that it is one of only two bungalows within the street. It is also considered that the existing bungalow provides an important visual break between the terrace of Victorian cottages to the north and the inter-war period semi-detached houses to the south. It also emphasises the varied character of this part of Moorfield Road.

Whilst there are no concerns in relation to the loss of the existing bungalow, it is considered that any replacement would have to be of a high quality design.

The proposed dwellings would fail to reflect the character of the street scene in that they would not preserve an adequate visual gap with the neighbouring properties, in particular with No. 16 where a gap of only 0.8m is proposed. This would be exacerbated by the fact that the proposed dwellings would be two storeys in height. Such a narrow gap means that the proposed houses would appear cramped and incongruous when viewed within the street.

It would appear that an attempt has been made to reflect the appearance of the terrace of Victorian cottages to the north of the site; however, the fenestration and recess proposed in the front elevation means that they would fail to complement those houses. In addition the overly bulky roof form is out of character with the surrounding area and clearly indicative of an overdevelopment of the site. It is also considered that the small frontages which would be used mainly for parking would provide very little opportunity to incorporate soft landscaping to reduce the visual impact of the parking. Moreover, it is considered that the use of the frontages for the storage of waste and recycling is inappropriate and should be located within the rear garden of each site.

Overall it is considered that the proposal would be harmful to the character and appearance of the existing site and its wider setting, contrary to Policies BE13 and BE19 of the UDP.

7.08 Impact on neighbours

UDP Policy BE21 of the adopted Hillingdon Unitary Development Plan states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss in residential amenity. Likewise UDP policies BE22 and BE24 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

The proposed development would only extend 3m beyond the rear elevation of No. 16 at ground floor level and would be situated behind this property at first floor level. As a result it is considered that the proposal would not impede upon the daylight serving this property or result in loss of outlook. However, the proposal would extend 6.6m beyond the rear

elevation of No. 12 at ground floor level and 2.6m beyond the rear elevation of this property at first floor level and would be close to its boundary.

Whilst the closest ground floor window in the rear of this property is a secondary kitchen/dining room window and the first floor window serves the bathroom, it is considered that its depth, height and close proximity to the boundary would constitute a rather un-neighbourly form of development resulting in loss of outlook and overbearing impact.

No side facing windows are proposed that would result in loss of privacy to the neighbouring properties and there are no dwellings within 21 metres of the proposed houses at the rear.

As a result it is considered that the proposal would be harmful to the amenity of nearby residents at no.12 Moorfield Road through loss of privacy and overbearing impact, contrary to UDP Policies BE21, and BE22.

7.09 Living conditions for future occupiers

London Plan Policy 3.5 seeks to ensure that all new housing development is of the highest quality, both internally and externally and in relation to their context.

The London Plan sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. The London Plan recommends that for a three bed, five people house with three floors a minimum of 102sq.m should be provided. The total internal floor area for each of the proposed houses would exceed 102sqm and therefore they are in accordance with this aspect of the London Plan.

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The minimum level of amenity space required for a house with three bedrooms is 100sq.m. The gardens proposed for all three houses would exceed 100sq.m in accordance with the HDAS.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Annexe 1 of the Council's adopted UDP states that the maximum number of off-street parking spaces for a house set within its own curtilage is two spaces. Given that the Public Transport Accessibility Levels (PTAL) for the site is poor and there is evidence that there is already an issue with heavy on-street parking on Moorfield Road, it is considered that the maximum level of off-street parking should be provided.

Only one space is proposed per dwelling which would constitute a shortfall of three off-street parking spaces. This would lead to overspill on-street parking from future occupiers and visitors associated with the proposed development, prejudicial to pedestrian and highway safety, contrary to UDP Policies AM7 and AM14.

7.11 Urban design, access and security

London Plan Policy 3.8 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

While the scheme as shown does not meet the relevant 'Lifetime Homes' criteria the

Council's Access Officer is of the view that the unit is adequately sized and this matter could be addressed by way of condition. Accordingly, it is not considered that refusal on these grounds is justified.

7.12 Disabled access

See paragraph 7.11.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

It is considered that the development would not impact upon nearby landscape or topographical features and its location means that it would not impact upon the Nature Conservation Site of Borough Grade II or Local Importance located to the rear of the site, 35m away. It is therefore considered that the development would be in accordance with UDP Policies EC3 and BE38 which seek to protect such features.

7.15 Sustainable waste management

Full details of the proposed refuse facilities have not been provided however, this could be secured by way of a suitable planning condition and the plans are indicative that an appropriate quantum of storage space could be provided, in accordance with policy BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.40 of the Hillingdon Design & Accessibility Statement: Residential Layout.

It is, however noted that there are concerns relating to the location of refuse facilities.

7.16 Renewable energy / Sustainability

No details have been submitted, however, this could be secured by way of a condition in the event of an approvable scheme.

7.17 Flooding or Drainage Issues

The site falls within Flood Zone 2 and therefore any proposed development is at potential risk of flooding. UDP Policy OE7 states that in areas liable to flooding, permission will not be granted for new development or the intensification of existing development unless the developer is prepared to implement flood protection measures as part of the proposal.

Given that the proposal does not constitute a major development nor has a site area of more than 1ha, consultation with the Environment Agency is not required. However, Standing Advice provided by the Environment Agency states that developments of this scale which fall with Flood Zone 2 should be accompanied by the Flood Risk Assessment. A Flood Risk Assessment has not been provided and therefore the development is contrary to Policy OE7.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning obligations

Policy R17 of the Unitary Development Plan Saved Policies 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 educational facilities through planning obligations in conjunction with other development proposals.

Based on the information provided, capacity enhancements will be required in local

schools in order to cope with additional demand generated by the development. The level of contribution necessary would equate to £24,050.

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development, in particular in respect of education facilities. As such, the scheme would conflict with the above Policy. Accordingly, it is recommended that planning permission also be refused for this reason.

The proposed development would exceed 100sq.m; therefore there would be a requirement to make a CIL contribution.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

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

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

10. CONCLUSION

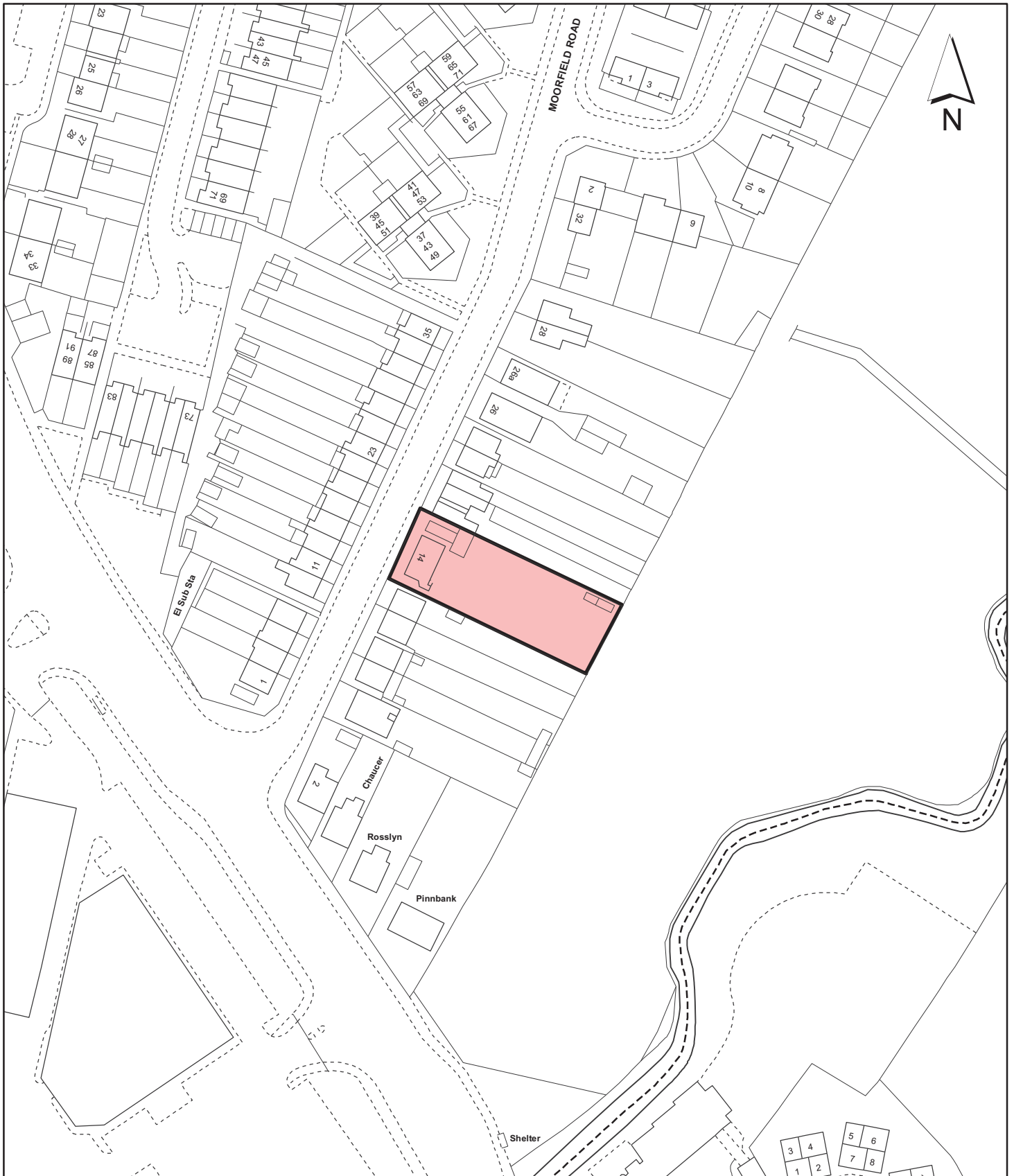
It is considered that the development would harm the character and appearance of the area, it would result in harm to the amenity of future residents and occupants as well as the amenity of adjoining occupiers and would fail to provide an adequate level of off-street parking in accordance with the Council's parking standards. The applicant has also failed to provide a Flood Risk Assessment. The proposals are therefore contrary to UDP policies BE13, BE14, BE15, BE19, BE21, BE22 and AM14..

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
Hillingdon Design and Access Statement 'Residential Extensions'.
Hillingdon Design and Access Statement 'Residential Layouts'
The London Plan 2011.
Supplementary Planning Document 'Accessible Hillingdon'
National Planning Policy Framework

Contact Officer: Kelly Sweeney

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**14 Moorfield Road
Cowley**

Planning Application Ref:

34264/APP/2012/1322

Planning Committee

Central and South

Scale

1:1,250

Date

**August
2012**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 9 PRINCES PARK PARADE HAYES

Development: Change of use to a House in Multiple Occupation (Use Class C4).(Part Retrospective)

LBH Ref Nos: 23300/APP/2012/530

Drawing Nos: 2012009/03 Rev A
2012009/01 Rev A
2012009/02 Rev B

Date Plans Received: 05/03/2012 **Date(s) of Amendment(s):** 09/07/2012

Date Application Valid: 13/04/2012

1. SUMMARY

The application is for part retrospective planning permission for the change of use of the building to an HMO. The application premises was converted from a single dwellinghouse into 7 self contained flats with cooking facilities without planning permission, with the garage also converted into habitable accommodation in breach of condition.

The applicant was prosecuted on 12th June 2012 for failing to comply with the enforcement notices for the restoration of the building back into a single dwelling and the restoration of the garage within the building.

The applicant now seeks to gain consent to regularise the building by restoring the original garage back into the premises and to turn the property into an HMO with 5 ensuite rooms and a communal living area with kitchen.

The proposed development fails to provide an adequate and workable parking provision and as such refusal is recommended.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision to the Councils approved car parking standard, leading to possible on-street parking /queuing to the detriment of pedestrian and highway safety and contrary to policy AM14 of the Hillingdon Unitary Development Plan (Saved Polices September 2007) and to the Hillingdon's Adopted Parking Standards (Hillingdon UDP, Saved Policies, September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the

Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 153 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
H7	Conversion of residential properties into a number of units
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2011) Quality and design of housing developments
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a two storey semi-detached dwelling located in the cul-de-sac of Princes Park Parade. The external walls of the building are coated in pebbledash render and the property has undergone a part two storey / part single storey side extension, finished with a hipped roof. The single storey element of the side extension is tapered along the side boundary line, giving an incongruous appearance between the ground and first floor. A single storey extension with flat roof has been erected on the rear elevation of the building.

At the time of the site visit the integral garage had been converted into habitable accommodation and the dwelling had been converted into 7 self-contained flats, with cooking facilities and en-suites without permission.

In front of the principal elevation is an area of hardstanding which provides space to park one car within the curtilage of the site. To the rear of the building is a garden area which provides amenity space for the occupiers of the dwelling.

The site is situated within a Developed Area as identified in the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The application is for part retrospective planning permission for the change of use of the building to a 5 bedroom HMO (Use Class C4) with a communal living area and kitchen. The development would also involve the restoration of the garage within the building, by removing the existing wall and window and replacing it with a garage door.

Parking would be provided in a stacked arrangement, one car within an internal garage and one parked in the front set back, in front of the proposed internal garage.

3.3 Relevant Planning History

23300/A/79/2180 9 Princes Park Parade Hayes
Householder development - residential extension(P)

Decision: 25-01-1980 Approved

23300/APP/2009/962 9 Princes Park Parade Hayes
Change of use (Retrospective application).

Decision: 05-08-2009 NFA

23300/APP/2010/397 9 Princes Park Parade Hayes
GARAGE CONVERSION

Decision: 07-05-2010 NFA

Comment on Relevant Planning History

Planning permission for the extensions to the building were approved under application reference 23300/A/79/2180 dated 25th January 1980.

Condition 2 of this permission required the garage to be used for the storage of motor vehicles ancillary to the dwellinghouse only. The garage was subsequently converted into habitable accommodation and a Breach of Condition Notice reference 3E04/HS/12721/9 (BCN) dated 24th October 2011 was served. The applicant failed to meet the requirements of this notice and was prosecuted on 12th June 2012.

Furthermore, the applicant converted the property into 7 self contained studio flats without permission. Enforcement Notice reference ENF/12721/9HS dated 24th October was served on the applicant for the material change of use. The applicant failed to meet the requirement of this notice to turn the property back into a single dwelling and was prosecuted on 12th June 2012.

The Enforcement Officer has reviewed the proposal to regularise the premises and is

satisfied the development would be acceptable from an enforcement stand point.

The Council's Enforcement Officer requested that conditions be imposed specifying timescales for aspects of the works which would rectify enforcement breaches.

While the scheme is acceptable from an enforcement perspective, it is unacceptable from a planning perspective in that the parking arrangements are inadequate.

4. Planning Policies and Standards

On 1st October 2010 the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010 granted permitted development rights between C3 to C4 use.

As the proposed development would create a HMO with 5 bedrooms (C4) the change from the original dwelling to the proposed use could be done without consent. Therefore, this would form a material consideration in the determination of this application.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.
BE15 Alterations and extensions to existing buildings
BE19 New development must improve or complement the character of the area.
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
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.
H7 Conversion of residential properties into a number of units
AM7 Consideration of traffic generated by proposed developments.
AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14 New development and car parking standards.
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5 (2011) Quality and design of housing developments
LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Site Notice: 24th April 2012 - 15th May 2012.

Press Advertisement: Not applicable

7 neighbouring occupiers were notified of the proposed development on 16th April 2012. By the close of the consultation period, one neighbouring occupier has objected to the proposed development. This objection was on the following grounds:

- Increased noise and odour disturbance.

CASE OFFICER COMMENTS: A condition would be added to any approval requiring sound insulation measures to be incorporated prior to first occupation. It is anticipated that this plan would provide sufficient details for the control of noise from the residents and no objection is raised in these matters.

Internal Consultees

HIGHWAYS OFFICER

Princes Park Parade is a residential area that is accessed from Judge Heath Lane via Princes Park lane.

The property is currently benefiting from a drop kerb leading into a garage via hard standing front garden.

Proposal is to convert existing garage into habitable room and change the use of existing dwelling from C3 into a multi occupation house (SG) with six habitable rooms and provision of two off street parking spaces in the front garden which do not comply with policy AM9 and AM14 of the Hillingdon Council's UDP.

Policy AM9 of the UDP requires one covered and secured cycle space per two habitable rooms, and policy AM14 of the Council's UDP requires one parking space per two habitable rooms. Furthermore, the access, orientation and depth of proposed car park space 2 is insufficient and highly problematic and parking arrangement shown in drawing 02 Rev.A is therefore considered to be unsafe, and contrary to policy AM7(ii) of the adopted Hillingdon Unitary Development Plan, saved policies, September 2007, and is recommended to be refused.

Proposed vehicle crossover and parking arrangement shown in submitted drawing is considered to be dangerous, and contrary to the Policies AM7(ii) of the adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007, and the application is therefore recommended to be refused.

CASE OFFICER COMMENTS: The comments provided from the Highways Officer were provided

on the original plans, which was for the change of the garage to habitable accommodation and two parking spaces in front of the principal elevation of the site.

The original scheme was amended to include one space internally within an internal garage and one space in the front set back. The Council's Highway officer considered this revised arrangements and still raises objection to the proposal in that as an HMO, different persons (not of the same family) would be reasonably expected to own the cars, and as such co-ordination of movement of one car to get the other out of the garage could not be easily assumed, and because of this for HMO development tandem car parking arrangements are not acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

On 1st October 2012 the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010 granted permitted development rights between C3 to C4 use.

As the proposed development would create a HMO with 5 bedrooms (C4) the change from the original dwelling to the proposed use could be done without consent. Therefore, no objection would be raised to the principle of the conversion to a HMO.

Furthermore, by granting consent for the HMO under this application it would retain control over imposing conditions at the site. rather than allowing the applicant to convert the dwelling into a HMO under permitted development, once the property is restored back to its original single dwelling.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The site is not located within the Green Belt.

7.07 Impact on the character & appearance of the area

The proposed development would restore the appearance of the building back to the design approved under application reference 23300/A/79/2180. Therefore, the development would be considered to have an acceptable impact on the appearance of the property and wider streetscene, in compliance with Policies BE13, BE15 and BE19 of the adopted UDP (Saved Policies September 2007).

7.08 Impact on neighbours

The proposed development would not increase the size of the building and is considered to have an acceptable impact on the residential amenity of the neighbouring occupiers in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, the development would comply with Policy BE20, BE21 & BE24 of the adopted UDP (Saved Policies September 2007).

7.09 Living conditions for future occupiers

Policy 3.5 of the London Plan (July 2011) requires a two storey dwelling with four bedrooms to provide 107 square metres of space of internal floor space, with an additional 10 square metres required per additional bedroom. The 5 bedroom HMO would have an internal floor area of 137 square metres, which would provide more than the 117 square metres required by the London Plan (July 2011).

The 5 bedroom HMO would have a 248 square metre garden to the rear of the premises. Which ensures sufficient outdoor amenity space would be provided for the occupiers of the premises, in compliance with Policy BE23 of the adopted UDP (Saved Policies September 2007).

The proposed HMO would provide 23 square metres of communal living area within the ground floor of the property, in compliance with the guidance contained within the Council's Supplementary Planning Guidance Houses in Multiple Occupation.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The adopted Car Parking Standards requires a maximum standard of 1 car parking space per 2 habitable rooms. The development would provide two car parking spaces, with one contained within the garage and one on the hardstanding in front of the building. The provision of two car parking spaces would be acceptable for the 5 bedroom HMO at a site with a PTAL score of 2.

The original scheme was amended to include one space internally within an internal garage and one space in the front set back. The Council's Highway officer considered this revised arrangement and still raises objection to the proposal in that as an HMO, different persons (not of the same family) would be reasonably expected to own the cars, and as such co-ordination of movement of one car to get the other out of the garage could not be easily assumed, and because of this, tandem parking arrangements are not acceptable for HMO developments.

Cycle storage could be provided within the site boundaries, and as such subject to a condition being imposed on any consent, no objection would be raised.

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

The application is for redevelopment of an existing dwelling which is not compliant with the lifetime homes standard. Therefore no objection would be raised to the proposal on these grounds.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The applicant has provided no detailed landscaping plan or planting schedule for the site. However, the rear garden of the site is already grassed and under the circumstances, no additional landscaping conditions would be required for the development to comply with Policy BE38 of the adopted UDP (Saved Policies September 2007).

7.15 Sustainable waste management

The provided block plan shows that the waste awaiting collection would be located on the hardstanding in front of the principal elevation. The original dwelling made use of the land in front of the principal elevation for the collection of waste.

Therefore, a condition required a screened refuse store on the land in front of the principal elevation would be added to any approval, to ensure the protection of visual amenities of the surrounding area.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The development would lead to an intensification of use of the building. However, the premises would still remain in residential use and the development would be considered not to cause unacceptable noise disturbance to neighbouring occupiers. However, the level of intensification is one which is acceptable under the GDPO without requiring planning permission. As such, it is not considered that any unacceptable impacts would arise in terms of noise or disturbance.

7.19 Comments on Public Consultations

No additional comments.

7.20 Planning obligations

None required.

7.21 Expediency of enforcement action

None required.

7.22 Other Issues

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

None required.

10. CONCLUSION

The proposed development would regularise the existing unauthorised use and would

provide a 5 bedroom HMO with an acceptable standard of living for future occupiers.

The proposed parking arrangements are not considered workable and as such refusal is recommended.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
Supplementary Planning Document 'Accessible Hillingdon'
Supplementary Planning Document Noise
Supplementary Planning Guide Homes in Multiple Occupation.
The London Plan (July 2011).

Contact Officer: Alex Smith

Telephone No: 01895 250230



Notes

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Site Address

**9 Princes Park Parade
Hayes**

Planning Application Ref:

23300/APP/2012/530

Scale

1:1,250

Planning Committee

Central and South

Date

**July
2012**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address BARRA HALL WOOD END GREEN ROAD HAYES

Development: Listed building consent for alterations, repair works (including to roof), rendering of gables, internal decoration and refurbishment and associated works to Barra Hall.

LBH Ref Nos: 8134/APP/2012/268

Drawing Nos: 2012 BH/02
Design and Access Statement
Schedule of Works
2012BH/P/03 Rev. C
2012 BH/01
2012BH/P/05
Schedule of Additional Works dated 31 July 2012

Date Plans Received: 06/02/2012 **Date(s) of Amendment(s):**

Date Application Valid: 07/03/2012

1. CONSIDERATIONS

1.1 Site and Locality

Barra Hall is a Grade II Listed Building located within the Hayes Village Conservation Area close to the junction of Wood End and Botwell Lane. The two-storey building is located within the north-western corner of Barra Hall Park which is identified as Metropolitan Open Land and forms part of the Hayes Village Conservation Area as designated by the UDP.

Barra Hall is owned and operated by Hillingdon Council and is used primarily as a Childrens Centre but is also used as a general community facility/resource centre for local residents.

1.2 Proposed Scheme

The proposed works to Barra Hall requiring listed building consent involve external repair to the roof following damage from vandalism. The works involve re-roofing, the rendering of gables and internal works that consist of decoration, refurbishment and associated works.

The work to the duo pitched roof will ensure that the finish detail will match the original features including the use of reclaimed tiles. The valleys that were of lead will be replaced by a substitute material.

The gables originally of render with a lead covering will be changed will have the render made good in a sand/cement/lime mix with waterproofing additive to match the original roof features. This approach has been developed in discussion with English Heritage and their officers who are happy with the approach and the intended finished results.

The internal works including decoration are a result of water penetration.

1.3 Relevant Planning History

Comment on Planning History

There have been previous works and alterations to Barra Hall but these are not relevant to this listed building consent application.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

A site notice was displayed and 14 neighbouring owner/occupiers were consulted in writing on the scheme. No written responses were received from residents.

EXTERNAL:

ENGLISH HERITAGE: No objection

HAYES CONSERVATION AREA ADVISORY PANEL:

I am writing on behalf of the Hayes Conservation Area Advisory Panel.

We have no objection to the replacement of the lead flashings etc with an alternative material in positions where it will not be visible; the test area seems to have worked well. These proposals will not materially change the appearance of the building from ground level so will have no effect on its surroundings. The alterations are symptomatic of the age in which we live and will hopefully reduce the risk of further damage to the building.

INTERNAL:

CONSERVATION OFFICER

These works are required as a result of the lead being stolen from the roof of the building and subsequent water damage. The works have been subject to discussion with English Heritage and are as agreed with them.

CONCLUSION: No objection, as this is a Council application a Committee resolution will be required and forwarded together with the relevant paperwork, including the English Heritage response, to the Dept Communities and Local Government for approval.

A condition should be attached to any approval to ensure that the plasterwork repairs to the interior are like for like and utilise traditional materials and techniques.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.

Part 2 Policies:

BE4 New development within or on the fringes of conservation areas

BE9 Listed building consent applications for alterations or extensions

5. MAIN PLANNING ISSUES

The main consideration with this application concerns the impact of the scheme upon safeguarding the historic fabric; respecting the building's architectural integrity; and upon its external visual appearance from the ground. It is considered by the Conservation Officer and officers of English Heritage that the scheme will not have a negative impact upon the appearance or historic integrity of the listed building. The scheme is necessary to secure the building from further damage from water penetration and reduce the threat of further theft and vandalism. In conclusion the scheme is considered to comply with Policies BE4 and BE9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

RECOMMENDATION:

As the application is for works to a Listed Building and the building is owned by the London Borough of Hillingdon, the application needs to be referred to the Secretary of State for Communities and Local Government for a formal decision. Thus it is recommended that the committee do not raise objection to the grant of Listed Building Consent and the application is thus referred to the Secretary of State for Communities and Local Government

6. RECOMMENDATION

APPROVAL subject to the following:

That the committee do not raise objection to the grant of Listed Building Consent and the application is referred to the Secretary of State for Communities and Local Government, with a recommendation that the following conditions be attached:

1 RES3 Time Limit

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

REASON

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 RES4 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 2012 BH/01, 2012 BH/02, 2012BH/P/03 Rev. C, 2012BH/P/05 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 CAC14 Further Details Inspection of the Works

Further details or samples of materials, as appropriate, in respect of the following shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

- (a) internal works
- (b) external render

All works prior to a decision on their precise execution works shall be discussed with the Local Planning Authority Conservation Team and if necessary further site inspections made as when appropriate prior to and during (as appropriate) the execution of the works.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Non Standard Condition

The plasterwork repairs to the interior shall be on a like for like and utilise traditional materials and techniques.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 SP01 Council Application Standard Paragraph

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

INFORMATIVES

- 1** 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 do refer and not raise an objection to the Secretary of State approval of Listed Building Consent has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011)

and national guidance.

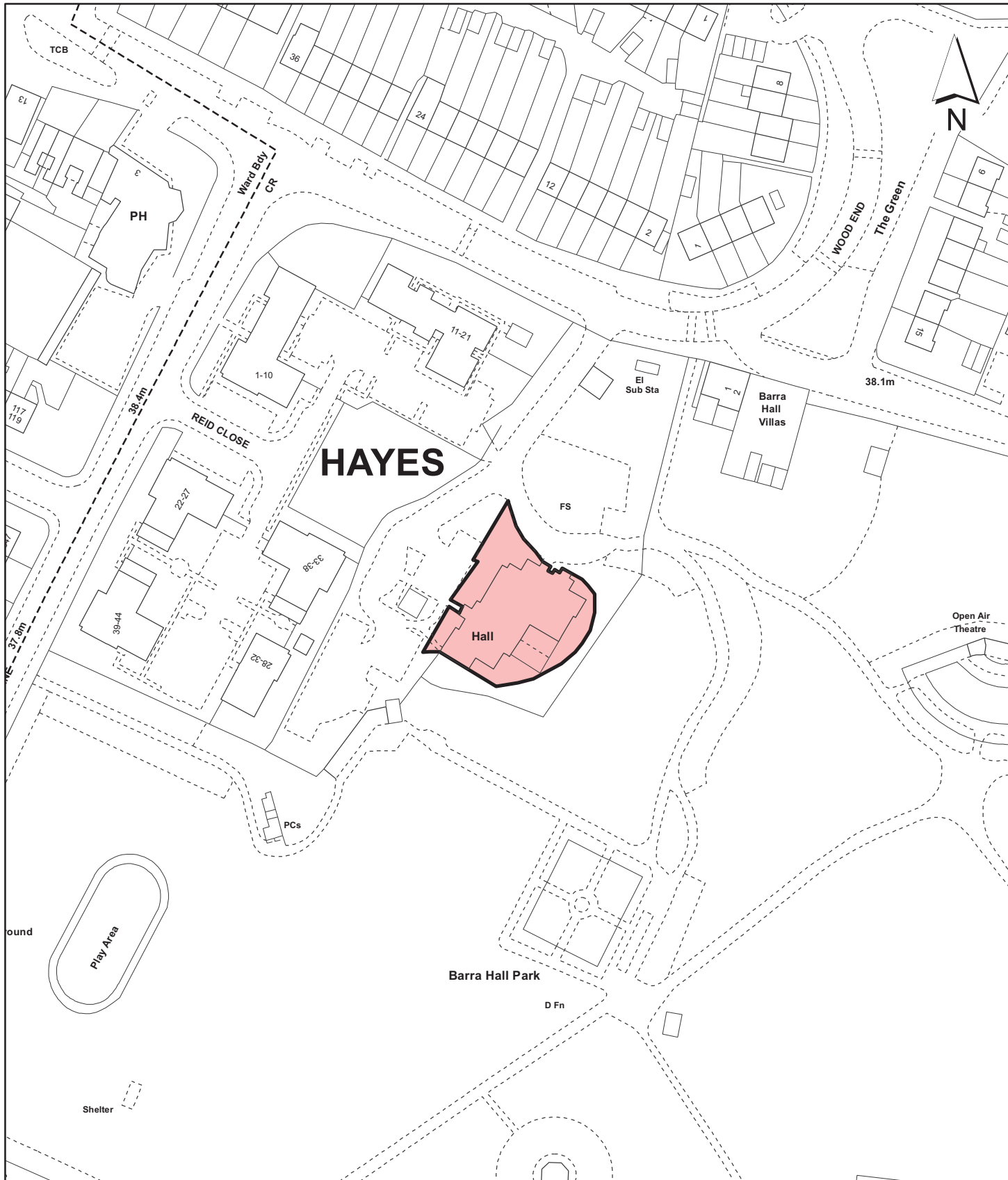
BE4 New development within or on the fringes of conservation areas


BE9 Listed building consent applications for alterations or extensions

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

Contact Officer: Gareth Gwynne

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">Barra Hall, Wood End Green Road</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">8134/APP/2012/268</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">Central and South</p>	<p>Date</p> <p style="text-align: center;">August 2012</p>	



HILLINGDON
LONDON

Report of the Head of Planning & Enforcement Services

Address 12 MAYLANDS DRIVE UXBRIDGE MIDDX

Development: Part two storey, part single storey rear extension, single storey side extension, front entrance with canopy and alterations to existing garage roof at side

LBH Ref Nos: 64809/APP/2012/332

Drawing Nos: 12002
12003 Rev. 002
12004 Rev. 002
12001

Date Plans Received: 14/02/2012 **Date(s) of Amendment(s):** 02/03/2012
Date Application Valid: 19/04/2012 14/07/2012

1. CONSIDERATIONS

1.1 Site and Locality

The application site is situated in a residential close in north Uxbridge consisting of modern semi-detached houses with garages on both sides to the turning head and forms part of the designated North Uxbridge Area of Special Local Character.

No. 12 Maylands Drive is separated at the front from No. 14 by their two adjacent garages and has a splayed northern boundary creating a plot that narrows from approximately 12 metres at the front to 4m at the back. The other half of this staggered pair, No. 10, the rear wall of which finishes behind No. 12, has been extended on two floors to the side and by a conservatory adjoining the shared boundary with No. 12.

1.2 Proposed Scheme

The proposal, as amended, is for the erection of a part two storey, part single storey rear extension and a single storey side extension, alterations to the existing garage roof and a new front entrance with canopy. The existing rear conservatory would be demolished.

In summary, since the previous application, the first floor part of the side extension has been deleted whilst the rear extension is reduced in width to just over half that of the original house and the footprint of the proposed ground floor side extension has been squared off to align with the house rather than the splayed boundary.

In effect therefore, the scheme now proposes an infill single storey extension between and behind the garage, carried round across the full width at the rear of the house with a partial first floor (or two storey) element.

The lines of the side extension would be parallel to the footprint of the house and would be set in by 0.55 metre from the boundary with No. 14 at its rear corner. The side extension would have a shallow pitched roof (max. height 3.4 metres).

The rear extension would be 3.6 metres deep x 7.25 metres wide x 3.4 metres high at ground floor and 2.0 metres deep x 3.3 metres wide at first floor level, finishing approximately 0.65 metre beyond that of the two storey rear projection of No. 10 Maylands Drive. The two storey part of the rear extension would have a hipped/pitched roof set 1.25 metres down from the main roof with matching angle of slope and the ground floor a 3.4 metres high shallow roof continued round from the side extension. The extensions would be finished externally in materials to match the existing.

The other alterations proposed to this property are to the front, comprising a sloped roof to the garage (maximum 3.4m in height) which is to be carried around all three sides to the single storey elements; and a new front entrance door, re-positioned from the side of the house, with a pitched roof open canopy (3.4m high).

1.3 Relevant Planning History

64809/APP/2011/2801 12 Maylands Drive Uxbridge Middx

Part two storey, part single storey, part first floor side/rear extension, alterations to garage roof, new front entrance with canopy and conversion of roofspace to habitable use to include a rear dormer and 2 x side rooflights, involving demolition of existing rear conservatory.

Decision Date: 18-04-2012 **Refused** **Appeal:**

Comment on Planning History

The previous application for a part two storey part single storey side and rear extension, garage roof alterations, entrance canopy and roof conversion incorporating a rear dormer and side rooflights (Ref. 64809/APP/2011/2801) was refused in April 2012 for the following reasons:

1. The proposed side extension, by reason of its siting, size, bulk, scale and design, would result in an incongruous addition which would not be subordinate to the original dwelling to the detriment of the architectural composition of the existing building, the visual amenities of the street scene, and the character and appearance of the North Uxbridge Area of Special Local Character. The proposal would therefore be contrary to policies BE5, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

2. The proposed two storey rear extension by reason of its size, siting, bulk, excessive width and design, would fail to appear as a subordinate addition, to the original dwelling to the detriment of the architectural composition of the existing building, the visual amenities of the street scene and the character and appearance of the North Uxbridge Area of Special Local Character. The proposal would therefore be contrary to policies BE5, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

3. The proposed side extension, by reason of its overall size, scale, bulk and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property, giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the open character and appearance of the North Uxbridge Area of Special Local Character. The proposal is therefore contrary to policies BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted

Supplementary Planning Documents HDAS Residential Extensions.

4. The proposed development by reason of its overall size, scale, height, bulk, length of projection and proximity to boundary in relation to the adjoining property, 14 Maylands Drive, and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

5. The proposed dormer window, by reason of its size, scale, position, bulk and design would result in a discordant and intrusive feature that would be harmful to the character and appearance of the original dwelling and the character and appearance of the North Uxbridge Area of Special Local Character. The proposal would therefore be contrary to policies BE5, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Documents HDAS Residential Extensions.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

10 neighbouring occupiers and North Uxbridge Residents Association (NURA) have been consulted (20.4 2012). Three letters were received in response to the original plans, with the following comments:

1. infill of visual open gap (detrimental to street scene/character of area);
2. increase by 50% in size of dwelling (multiple family occupation/out of scale/character) but would not object to rear and single storey side extensions;
3. design of apex roofs (side extension/porch) out of keeping with the close;
4. inadequate off road parking;
5. incongruous splay of first floor side extension would be unsympathetic/appear visually disjointed in the street and Area of Special Local Character;
6. unneighbourly.

Ward Councillor: Requests that the application is reported to committee.

Urban Design & Conservation Officer:

The current scheme is only marginally different from the refused scheme. The single storey infill extension would not be visible from the main frontage and as such would be acceptable in this instance. However, the first floor side extension would result in an oddly shaped extension with an angular footprint. This would not relate to the main house and would be considered intrusive in terms of design. The extension would be visible from the street and the adjacent properties, and would be considered detrimental to the character and appearance of the area. It is, therefore, unacceptable.

To the rear, whilst the width of the first floor extension has been reduced, the single storey

extension would still follow the plot boundary and the shape of the garage. This again, would result in an oddly shaped extension that does not relate to the main house or the pair as a whole, and would be unacceptable.

Given the angular plot, the scope of extensions is limited. It is suggested that the rear/side extensions should follow the footprint of the house and not the plot so as to appear more cohesive in relation. To the rear, the single storey element should again follow the footprint of the house and not the garage.

Officer Comments: Amended plans have been received which comply with the above comments.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

BE5 New development within areas of special local character

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

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

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

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

AM14 New development and car parking standards.

CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

LPP 3.5 (2011) Quality and design of housing developments

LPP 5.3 (2011) Sustainable design and construction

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original building, and its impact on the local street scene and amenity

of the surrounding residential area. The potential impact on the residential amenities of neighbouring occupiers is also assessed together with those of future occupants of No. 12 in terms of parking and amenity space.

Within Areas of Special Local Character all extensions are expected to respect the symmetry of the original building (Hillingdon Unitary Development Plan, Saved Policy BE5) and furthermore to harmonise with the existing local street scene (Policy BE13) and complement the amenity of the residential area (BE19) in which it is situated.

The starting point for meeting these aims is how the extensions would appear in relation to the scale, form and proportions of the original property. In this regard, UDP Saved Policy BE15 is read in conjunction with the Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement - Residential Extensions which sets out the criteria in terms of size, dimensions and proportions. Thus single storey extensions should be no more than 3.6m in depth or 3.4m high whilst two storey rear extensions should not protrude out too far from the rear wall and have parallel roof lines with a ridge height at least 0.5m lower than the original. The primary aim of this guidance throughout is that all such extensions should appear subordinate to the original house. Front canopies utilising matching materials are acceptable if no harm would be caused to the visual amenities of the street scene.

In seeking to meet the adopted guidance therefore, the current proposal has been amended and now differs from the previously refused scheme in three significant ways. The first floor part of the side extension has been deleted altogether whilst the rear extension is now reduced in width to just over half that of the original house enabling it to be finished with a roof that matches the angle of slope on the existing main roof. Finally, the footprint of the proposed ground floor side extension has been squared off to align with the house rather than the splayed boundary behind the garage.

It is considered that the amended proposal, by respecting the symmetry of the original building would preserve the street scene and thus the visual amenity and character of this part of the North Uxbridge Area of Special Local Character. The size and scale of the proposed extensions are also subordinate in appearance to the original and in this regard the proposal therefore fully accords with HDAS and achieves the objectives of the relevant UDP Policies BE5, BE13, BE15 and BE19.

The impact of the proposed extensions on the amenities of the occupiers of adjoining properties are considered in terms of their potential effect on the amount of daylight/sunlight (UDP Saved Policy BE21), levels of privacy (BE24) and general outlook (BE20).

It is noted that No. 10 Maylands Drive, the other half of this semi-detached pair, has already been extended at ground floor level, by a conservatory with a high sloped parapet wall, to a similar depth as the proposal hence the proposed ground floor extension would have no effect on light received to their nearest windows. At first floor level, the proposed part two storey rear extension would project out by 0.5 metre beyond the existing rear wall of No. 10, again with no identifiable impact on the outlook for those occupants or the amount of light received.

The other adjoining dwelling, No. 14, which is to the north-east, is separated sufficiently from the proposal for their daylight and sunlight to be unaffected by the proposed single storey side extension which would be set in from the boundary and have a relatively

shallow roof. For these reasons, it is considered that the proposal would safeguard the neighbouring occupiers' amenities and thus complies with HDAS and UDP Saved Policies BE20, BE21 and BE24 in these respects.

The amenities of future occupants of the dwelling would be maintained by the retention of approximately 105 square metres of external amenity space in accordance with UDP Saved Policy BE23 and HDAS. In addition, there are no significant landscape features of merit likely to be affected (UDP Saved Policy BE38).

In accordance with the sustainable and quality design objectives of the London Plan Policies 3.5/ 5.3 and with UDP saved Policy BE20, the proposal would also ensure that there is adequate daylight and sunlight able to penetrate between the adjoining dwellings into habitable rooms and thus safeguards the amenities of future occupants in this regard.

There would be parking provision for two vehicles including one in the retained garage for the enlarged dwelling in accordance with UDP Saved Policy AM14.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12003 Rev 002 and 12004 Rev 002.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 14 Maylands Drive.

REASON

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

INFORMATIVES

Standard 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 Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP,

Saved Policies, September 2007)

LPP 3.5 (2011) Quality and design of housing developments

LPP 5.3 (2011) Sustainable design and construction

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building Control,
3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;

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

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

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

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

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

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

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

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

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

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

11 To promote the development of sustainable building design and construction

methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.


- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Daniel Murkin

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address	
12 Maylands Drive, Uxbridge	
Planning Application Ref:	Scale
64809/APP/2012/332	1:1,250
Planning Committee	Date
Central and South	August 2012

**LONDON BOROUGH
OF HILLINGDON**
 Planning,
 Environment, Education
 & Community Services
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
LONDON

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Report of the Head of Planning & Enforcement Services

Address 55 HIGH STREET COWLEY

Development: Alterations and additions to the existing building to create a single storey shrine in front of the existing building, the construction of a single storey side and rear extension to the existing building with associated alterations to the external finish of the whole of the existing building, alterations to the car parking and access arrangements and involving the removal of the existing temporary building.

LBH Ref Nos: 64184/APP/2011/2428

Drawing Nos: APP/082/01
Travel Plan
Design and Access Statement
ARP Supporting document of agents ' relevant projects profiles' dated 4 May 2011
ARP/01288
ARP/01285 Rev. A received 21 August 2012
ARP/01284 Rev. B received 21 August 2012
Details of current visitor numbers received 21 August 2012

Date Plans Received: 06/10/2011 **Date(s) of Amendment(s):** 07/10/2011
Date Application Valid: 21/10/2011 21/08/2012

1. SUMMARY

The proposed scheme would involve:

- (i) removal of the existing portable cabin (which benefited from a temporary planning permission that lapsed on 6 July 2011),
- (ii) the erection of a new shrine building attached to the existing permanent building but set forward of the existing building,
- (iii) the construction of a small side and rear extension to the existing building,
- (iv) changes to the existing car parking & building access arrangements.

The new building the facing High Street would be finished with a dome and a separate 11.4m high tower. In marked contrast to the design and external finish of the existing buildings the new build would be richly decorated following the intricate designs and proportions associated with a traditional Hindu Vimana tower.

The scheme would bring a net increase in total internal floor space of 67sq.m, if the loss of the existing temporary cabin is included in the calculations.

The existing portable cabin was retained following the quashing of an Enforcement Notice by the Planning Inspector who ruled the provision of 3 on-site car parking set alongside the impact of an additional 3 cars displaced upon the local highway network and streets [on weekends only] would not be detrimental to highway safety or upon off-street car parking based on his observations of unrestricted parking in several adjacent roads that are within easy walking distance of the appeal premises.

Policy R9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that the Local Planning Authority will permit proposals for buildings and extensions

to buildings to be used for religious and cultural purposes if:-

- (i) They provide adequate parking in accordance with the Local Planning Authority's adopted standards;
- (ii) Any proposed new buildings or extensions harmonise with or complement the scale and appearance of existing and neighbouring properties;
- (iii) They are sited where they do not prejudice the amenities of neighbouring occupiers by reason of noise, traffic or visual amenity;
- (iv) Access arrangements are satisfactory; and
- (v) The proposed use does not conflict with the other policies of this Plan.

The proposed scheme will provide for 2 independently accessible off-street car parking spaces and provide a net additional 67sq.m of internal floor area compared to existing. On balance and following a review of the internal layout proposed involving substantial areas assigned to shrines and thereby not available for general group congregational use it is not considered the scheme would result in any significant increase in congregational attendance/visiting numbers and therefore pressure on visitor car parking spaces compared to what is existing. Accordingly Policy R9 (i) is satisfied.

The new building to the front with its tower would form a landmark in the area. However this contrast in design to the suburban residential built form of the area is not considered to be unacceptable when viewed alongside the landscaping improvements that form part of the scheme and will overall represent a visual improvement in respect to the site's aspect as viewed from Cowley High Street. The dome and tower contrast with the surrounding built form, however the scale is not considered excessive for the size of the building and is commensurate scale to other religious buildings in the wider area. Given the separation distances involved from the nearest residential neighbours no residential amenity issues apply. Therefore the scheme is considered to comply with all sub-sections of Policy R9 and other relevant local planning policies and as such is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 Time Limit

Within 3 months of the development hereby approved shall the portacabin be removed from the site in accordance with plan ARP/01284 Rev. B received 21 August 2012.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in accordance with the details shown on the submitted plans APP/082/01, ARP/01284 Rev. B, ARP/01285 Rev. A (and in particular the areas shown to be used to accommodate statues and shrines shall not be used for any other purpose). Thereafter the development shall be retained/maintained in accordance with the approved details for as long as the development remains in existence.

REASON

To control the floorspace available for persons to congregate in the interests of highway safety and to ensure that the development presents a satisfactory appearance in

accordance with Policies AM7, AM14 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To control the floorspace available for persons to congregate in the interests of highway safety and to ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 MCD13 Kitchen for reheating purpose only and no flue installation

The kitchen shown on the approved plans shall be used only for the purpose of reheating pre-cooked food and no on-site cooking and involve no erection of a chimney or external extract vent.

REASON

In order to safeguard the physical and visual amenities of the development and that of occupants of adjoining properties and the general amenity of the area in accordance with Policies OE1 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1 and 7.14.

5 RES6 Levels

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

REASON

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

6 RES9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Notwithstanding the details submitted and shown on plan details of Hard Landscaping including
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments

- 2.d Car Parking Layouts
- 2.e Hard Surfacing Materials
- 2.f External Lighting and external CCTV provision

3. Living Walls and Roofs

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

7 DIS2 Access to Buildings for People with Disabilities

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

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1, 3.8 and 7.2

8 NONSC Details of scheme for security including CCTV provision

The development shall not be occupied until details of a scheme for the security of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include CCTV, boundary treatment and other passive and active measures as are necessary to secure the site.

There after the development shall be carried out in accordance with the approved scheme.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998

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

9 DIS3 Parking for Wheelchair Disabled People

Notwithstanding the submitted plans of a disabled parking bay development shall not commence until revised details of parking provision for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

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

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

10 H8 Marking out of car parking bays

The development hereby approved shall not be occupied until details of the car parking bays have been details have been submitted 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 AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

11 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

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

12 SUS6 Green Travel Plan

Notwithstanding the Travel Plan submitted prior to the commencement of the development hereby permitted a robust Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as submitted shall follow the current Travel Plan Development Control Guidance issued by Transport for London and

will include:

(1) targets for sustainable travel arrangements targets including quantifiable measures and targets (a) to avoid the need for people to travel to the site by private motor vehicle, (b) discourage the patrons of the temple using on-street parking in the vicinity, (c) to secure the use of mini buses to transport people to and from the site who are unable to use public transport, cycle or walk (d) to increase cycling as a mode of transport to/from the site to 4% in 2013/14.

(2) effective measures for the ongoing monitoring of the Travel Plan;

(3) a commitment to delivering the Travel Plan objectives; and

(4) effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development

REASON

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan (July 2011) Policies 6.1 and 6.3

13 RES25 No floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 of the Hillingdon Unitary Development Plan; and

To protect the ecological value of the area in accordance with Policy EC3. (delete as appropriate)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
OE1	Protection of the character and amenities of surrounding properties and the local area

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R9	Proposals for the use of buildings for religious and cultural purposes
R16	Accessibility for elderly people, people with disabilities, women and children
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LPP 6.9	(2011) Cycling
LPP 6.13	(2011) Parking

3 I1 Building to Approved Drawing

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

4 I2 Encroachment

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

5 I12 Notification to Building Contractors

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

6 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section

61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

7 I23A Re-instatement of a Vehicle Access.

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

8 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

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

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

9

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

3. CONSIDERATIONS

3.1 Site and Locality

The site has an area of approximately 430sq.m and is located to the west of Cowley Road and immediately to the north of Cowley Recreation Ground. The site comprises an existing double storey brick building which is used as a temple, together with a connected portable cabin type structure to the front of the building, which forms the subject of this application.

Between Monday to Friday peak attendances is at 7.00pm (arti) prayers when around 20 devotees attend. On Saturdays the peak is at 7.00pm when up to 35 devotees attend. On Sunday the peak is 5.00pm when up to around 55 devotees typically attend.

There is a temporary portable cabin type structure used as additional space in the front set back of the property.

The remaining space to the front of the site is hard-surfaced and provides vehicular access and parking. The only vegetation comprises shrubs and scrub to the south of the building which slopes down to a boundary fence with the Recreation Ground. The existing gross internal floor space is 167sqm, used as a D1 Non-residential institution.

The site is located within the residential area of Cowley, and is directly accessed from the High Street. It is adjacent to a undistinguished single storey club house to one side (north and the Cowley Hall Recreation Grounds to the other (south).

The site has a Public Transport Accessibility Level (PTAL) score of 1b on a scale of 1 to 6 where 6 represents the highest level of accessibility. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area, as shown on the Proposals Maps of the Hillingdon Unitary Development Plan (Saved Policies 2007).

3.2 Proposed Scheme

The proposed development consists of a building scheme to

- (i) erect a new shrine building attached and set forward of the existing building that faces the High Street;
- (ii) erect a single storey side and rear extension to the existing building;
- (iii) involve alterations to the existing car parking and access arrangements;
- (iv) and the removal of existing 'porta-cabin' temporary building.

The side (south facing) and rear extension to the existing building is a modest extension and would occupy an external additional footprint of 75sq.m and would be no greater in height than the existing building. The side and rear extension would internally serve a small entry foyer to the temple as a whole, a set of 4 toilets (including 2 wheelchair accessible toilets), a small kitchen (for re-heating purposes only) and a windowless store to the rear.

The new building would be almost square in footprint, occupy 100sq.m measured externally and be 10m deep built off the front of the existing permanent site building. This newly attached building would have an external dome rising to a height of 7.1m from the street ground level and a tower rising to 11.4m in height from the street level. The latter is of a traditional Hindu Vimana design and would be set to the rear of the dome and off centre in respect of alignment on the front elevation.

The proposed new building to the front of the existing hall is designed to house a series of individual shrines and as such will have only a limited area for people to circulate within and this is for the purpose of private prayer and is not intended, or readily capable, of providing additional floorspace for group congregational activity. The group congregational activity of the site will remain confined to the existing hall to the rear.

In total the net change in internal floor area (including the additional toilet facilities and a new store room) on the site, taking into account the internal floor area lost as a result of the temporary building that would be lost as part of the proposed development is approximately 67sq.m

3.3 Relevant Planning History

42969/89/0109 Adj Cowley Ex-Service And Social Club High Street Cowley Uxbridge
Erection of single storey worship hall and associated car parking.

Decision: 19-09-1989 Approved

64184/APP/2008/3114 55 High Street Cowley
Erection of a single storey rear extension and the installation of 6 new high level windows to side elevations of existing building

Decision: 05-01-2009 Approved

64184/APP/2008/515 55 High Street Cowley
ERECTION OF A SINGLE STOREY REAR EXTENSION AND SITING OF A PORTACABIN TO FRONT OF BUILDING FOR A TEMPORARY PERIOD (PART RETROSPECTIVE APPLICATION).

Decision: 09-04-2008 Refused

64184/APP/2009/606 55 High Street Cowley
The change of use of the land for stationing of a portacabin type structure not benefiting from planning permission (Appeal against Enforcement Notice; Application for planning permission deemed to have been made pursuant to Section 174 of the Town and Country Planning Act 1990).

Decision: **Appeal:** 28-07-2009 Allowed

64184/APP/2010/2511 Mataji Temple 55 High Street Cowley
Variation of condition 1 of the Secretary of State's appeal ref: APP/R5510/C/09/2097949 dated 28/07/2009 (LBH ref: 64184/APP/2009/606) to extend time period for the siting of the temporary building (The change of use of the land for stationing of a temporary building not benefiting from planning permission.)

Decision: 31-01-2011 Refused

Comment on Relevant Planning History

The site has a long established use as a place of worship (D1 Use Class) that predates its use by the current occupiers. Planning permission was granted (42969/89/0109) in 1989 for the existing permanent building on site that was used as a Friends (Quaker) Meeting House.

An Enforcement Notice was issued by the Council on 12 January 2009 (Ref: EN/08/60). The breach of planning control alleged in the notice was for the change of use of the land for stationing a portable cabin type structure that did not benefit from planning permission. The notice required the cease of the use of the land for siting a portable cabin type structure.

An appeal to the notice was made to the Planning Inspectorate, by the same applicant of this application, seeking permission for a temporary two year period.

The appeal was allowed (Appeal Ref APP/R5510/C/09/2097949) 28 July 2009), quashing the enforcement notice and planning permission was granted for the stationing a portable cabin type structure, subject to the following condition:

(1) The use permitted shall be discontinued and the land restored to its former condition within two years from the date of this decision.

The temporary permission has now expired and the applicant has submitted this application in an attempt to provide a comprehensive solution to the facilities space requirements and the Council's concerns over the appearance of the porta cabin.

In arriving at his decision the Inspector stated on his report "I have no reason to disagree with the appellant's undisputed statement that during the week[days] only one or two car parking spaces are required with greater demand at weekends. Therefore I must consider the impact of an additional three cars upon local highway safety at weekends. To that end I have no details of the parking demand form, or capacity of, road nearby. However, I was able to see unrestricted parking in several adjacent road within easy walking distance of the appeal premises. Also the site is well served by public transport. In my view, given the information before me and the unrestricted parking nearby, the addition at weekends, of three cars to roads in the vicinity, would be unlikely to lead to an unacceptable demand for parking spaces, or be detrimental to highway safety."

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

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.

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

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

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

R9 Proposals for the use of buildings for religious and cultural purposes

R16 Accessibility for elderly people, people with disabilities, women and children

AM7 Consideration of traffic generated by proposed developments.

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

AM14 New development and car parking standards.
LPP 6.9 (2011) Cycling
LPP 6.13 (2011) Parking

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 15th November 2011

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The owner/occupiers of 38 neighbouring properties were consulted on the scheme. No written comments received from the public.

Thames Water: No objection

Metropolitan Police Crime Prevention Officer:

No objection. The scheme will improve the external environs of the site which is beneficial from a crime prevention perspective. Any approval should attach a planning condition to provide a scheme for site security including adequate external CCTV provision for the site and secure boundary treatment most notably in respect to the southern boundary to the recreational ground following the scheme's welcome removal of the unsightly palisade fence.

Internal Consultees

CONSERVATION AND URBAN DESIGN TEAM:

Background: The site is located within the residential area of Cowley, and is directly accessed from the High Street. It is adjacent to a single storey club house to one side and the Cowley Hall Recreation Grounds to the other, from where there are long views of the building. The site comprises a one and half storey brick building well set back from the front, and a later single storey temporary cabin to the front. In design terms, it is not considered to be of high architectural or visual quality.

Comments: Following previous pre-application discussions, the scale of the proposed development has been reduced considerably. The scheme proposes a shrine area to replace the existing portacabin in traditional Hindu Vedic design, whilst retaining the existing community hall.

Position:

The shrine would sit in front of the existing brick structure, albeit set back from the street frontage. The footprint of the shrine would roughly follow the area of the existing temporary structures and would in fact be a neater arrangement which would sit well with the existing building. This would be acceptable in principle, and would help in resolving the street frontage of the site.

The scheme also proposes a wrap around extension to the existing hall, to accommodate a foyer, kitchen and store area. This would sit very tight on the boundary and concerns re the same were raised during pre-app discussions. Climbers and vertical landscaping have been proposed mitigate the visual impact and would be acceptable.

Scale:

Following the pre-application comments, the proposed traditional towers (Vimana and Gopuram) have been reduced to one in number, albeit much taller and more intricate in architectural detailing.

Setting

The traditional tower and the entrance dome would be a unique addition to the skyline of the street scene and would help screen the existing building.

Design

Given the established use of the site, there would be no objections in principle to a traditional Hindu Shrine. Whilst a simplified design would be preferred, the distinctive appearance would add visual interest to the area.

CONCLUSION

Overall, there are no objections in principle to the scale, design and appearance of the proposed shrine. The following revisions are requested-

1. Further details would be required re location and materials of any flues, refuse storage etc for the proposed kitchen.
2. To ensure that the proposed structure appears integrated to the existing hall, it is advised that the facade of the existing building is rendered in the same finish/colour as the shrine. The existing interlocking tiles are removed and the roof is finished with dark slates/slate coloured tiles. This would again ensure the distinct appearance of the shrine. This should be shown in the drawings.

In addition, following should be conditioned:

3. High quality materials and craftsmanship would be required to ensure the architectural distinctiveness of the proposed structure. Whilst a medium colour stone (such as ashlar or sand stone) would be appropriate, this would need to be assessed on the basis of samples.

CASE OFFICER COMMENTS:

In respect to Conservation Officer request for revisions:

SUGGESTED REVISION 1: The applicant has confirmed no commercial scale extract system or flue will be required as the kitchen will only be used to reheat pre-cooked foods. A planning condition to control flues and to limit the kitchens use would be attached should the scheme be approved.

SUGGESTED REVISIONS 2 + 3: The matter can be dealt with by planning condition with submission of external finish details to the altered existing building as well as the new build extension.

ACCESS OFFICER:

Having evaluated the plans in light of the Council's Supplementary Planning Document Accessible Hillingdon, the details submitted pertaining to accessibility are commensurate with a development of this size and scale. Add informative relating to the Equalities Act.

TRAVEL PLAN OFFICER:

The Travel Plan submitted with the application is lacking sufficient detail to approve. I suggest that the robustness of the Travel Plan can be adequately dealt with by planning condition.

The relative scale of the additional Adhya Shakti Mataji Temple development is limited and the established use on the site appears not to have occurred significant traffic issues.

HIGHWAY ENGINEER:

The current proposal is to replace the existing portacabin with a permanent structure of a not disproportionate floor area. The portacabin was allowed on appeal at which the inspector concluded that the site is well served by public transport and given the unrestricted parking in several adjacent streets within easy walking distance of the site the loss of on site parking would be unlikely to lead to an unacceptable demand for parking spaces, or be detrimental to highway safety.

The size of the congregation hall remains the same and the numbers of devotees is not to increase as the new extension houses a shrine for private worship.

The site can accommodate 2 independently accessible parking spaces. A Condition is required to ensure they are marked and one is a designated 'disable' bay.

Cowley Road is served by 3 buses, U5, 459 and 220.

Subject to the submission of a satisfactory Travel Plan no objections are raised on highway grounds.

ENVIRONMENTAL PROTECTION UNIT:

Subject to the proposed intensification of this existing premises would not result in higher volume of vehicle trip to and from the premises, EPU do not have an objection to the proposed scheme. If is considered that planning approval be granted please impose a Construction Environmental Management Plan condition and add a construction site informative.

TREES AND LANDSCAPE OFFICER:- CONCLUSION: No objection.

Landscape Context:

The site is occupied by a large plain brick community hall, situated towards the rear of the plot. A temporary portable cabin occupies part of the space in front of the brick building, with vehicle access to the north.

The only vegetation on the site is the strip of unkempt grass embankment (with occasional shrubs) along the southern boundary which slopes down to an unsightly boundary fence (galvanised steel palisade) to the south of which lies the Cowley Recreation Ground.

Trees on the site are not protected by TPO or Conservation Area designation. However, trees to the west / rear of the site are protected by TPO No. 408.

Proposal:

The proposal is to remove the portable cabin and replace it with a traditional shrine which would be located in front of the retained community building. A side extension on the southern facade will fill the space between the level ground of the main site and the embankment along the southern boundary.

Landscape Considerations:

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

· No trees of merit will be affected by the development. However, the proposed side extension will sit hard on the southern boundary and remove the green embankment and an attractive specimen Holly which currently softens the appearance of the building on the higher level.

- The development proposal includes the provision of climbing plants against the buildings. However, it is not clear how this can be established and maintained given the proximity of the extension to the fence line. A strip of at least 1200mm should be provided along the boundary to facilitate access for maintenance purposes.
- The landscape proposal includes the removal of the steel palisade fence and replacement with a green wall. These come in many guises. While the removal of the unsightly fencing is welcome, some sort of secure boundary may be required along this boundary to prevent intrusion onto the site or interference with the planting.
- Hard and soft landscape details should be provided along the front of the site to improve the relationship with Cowley Road.
- A landscape management / maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

Recommendations:

No objection, subject to the above considerations and use of an appropriate planning condition.

CASE OFFICER COMMENT: The scheme has been amended to safeguard the attractive holly.

SUSTAINABILITY OFFICER:

I have no objections due to the scale and nature of the development.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that the Local Planning Authority will permit proposals for buildings to be used for religious and cultural purposes if:-

- (i) They provide adequate parking in accordance with the Local Planning Authority's adopted standards;
- (ii) Any proposed new buildings or extensions harmonise with or complement the scale and appearance of existing and neighbouring properties;
- (iii) They are sited where they do not prejudice the amenities of neighbouring occupiers by reason of noise, traffic or visual amenity;
- (iv) Access arrangements are satisfactory; and
- (v) The proposed use does not conflict with the other policies of this Plan.

PARKING

With regard to criterion (i), the adopted standards state that for places of worship and community centres falling within Class D1, proposals will be assessed on an individual basis using a transport and travel plan. Given the Inspector's decision, that the temporary portable cabin structure would not result in an unacceptable demand for parking spaces, and that this proposal does not significantly increase the intensity to which the site can be used, over that enabled by the existing portable cabin structure, no objection is raised.

COMPLEMENT CHARACTER & STREET SCENE

Refer to Section 7.07 of this report.

PREJUDICE NOISE, TRAFFIC OR VISUAL AMENITY

With regard to criterion (iii), subject to conditions, which are recommended, it is not considered that the proposal would prejudice the amenities of neighbouring occupiers by reason of noise.

With regard to the issue of traffic, as noted above, given the Inspector's decision, that the temporary portable cabin structure would not result in an unacceptable traffic impacts, and that this proposal does not significantly increase the intensity to which the site can be

used, over that enabled by the portable cabin structure, no objection is raised. It is considered this criterion would be met.

With regard to criterion (iv), there is no objection to the proposed access arrangements. This criterion would therefore be met.

With regard to criterion (v), the proposal is not considered to conflict with layout and appearance development policies. This criterion would therefore be met.

In conclusion there is no objection in principle to the proposal.

7.02 Density of the proposed development

Not relevant in this case.

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

Not relevant in this case.

7.04 Airport safeguarding

Not relevant in this case.

7.05 Impact on the green belt

Not relevant in this case.

7.07 Impact on the character & appearance of the area

The presence of a proposed traditionally designed Hindu temple located within a residential London suburban setting will necessarily represent a departure from the typical built form of the locality. Furthermore the temple's visual presence in the streetscene and wider locality will be not insignificant with the the addition of a 11.4m high traditionally detailed Vimana tower. Long views of the site and the tower will be readily available from the south given the Cowley Hall Recreation Ground is located immediately to the south and west of the site. Notwithstanding the above it is not considered the scheme will be an inharmonious addition to the streetscene or be detrimental to the apperance and character of the locality given the schemes attention to detail in its general external design, its proportions, and the fact it will help mask the existing building towards the rear of the site. The existing building provides an essentially blank and unattractive elevation/aspect to the street and has limited architectural or urban design merit.

7.08 Impact on neighbours

To the south of the site lies the recreation ground with no immediate residential properties in the vicinity.

To the east of the site the nearest residential properties are No 37 Belgrave Mews and Dellfield House and these properties are both set over 30 metres away from the proposed new build and located across a street so there are considered no residential amenity issues arising in respect to over-dominance, loss of daylight/sunlight and overshadowing to these properties.

To the west of the site the flank wall of a residential (Nos. 13- 30 Bullrush Grove) that lies over 35m away from the element of the scheme that would be built over 4.5m in height. Accordingly to these properties it is not considered any residential amenity issues pertain from over-dominance, potential loss of daylight/sunlight or from overshadowing.

To the north of the site the nearest residential properties are at No. 2 - 16 (evens only) Shepherd Close. The minimum distance from existing habitable rooms to the proposed tower is over 26m and with the Caesars club sandwiched between these properties and the development it is not considered the scheme will give rise to adverse physical amenity issues in respect of over-dominance, loss of daylight/sunlight or overshadowing on this

frontage either.

Accordingly in view of the above site assessment in respect to the development in relation to neighbouring residential properties it is considered the scheme complies with BE20, BE21 and BE24 of the Saved Policies of the Unitary Development Plan (September 2007).

7.09 Living conditions for future occupiers

Not directly relevant as not a residential use scheme. However a condition is recommended to ensure the scheme complies with disabled access standards in terms of level thresholds and so forth.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The existing use of the site as a place of worship has space for 3 off-street car parking places parked back to back with the existing temporary portable cabins in situ. The temple is most frequently visited on Saturdays and Sundays. The Council has no record of the existing use causing traffic congestion problems on Cowley Road or creating stress to on-street parking problems on the surrounding residential side streets that have uncontrolled on street car parking.

The proposed scheme will provide 2 marked out independent car parking spaces. This arrangement will provide for an improved car parking arrangement to the existing parking arrangement on site, notwithstanding the loss of 1 car parking space, as the new arrangement will provide for (i) independently accessible parking spaces thereby avoiding the blocking in of cars as the existing arrangement requires), (ii) the provision of a disabled parking bay, (iii) opportunities for landscaping on existing forecourt hardstanding) and (iv) opportunity for marked out and defined parking bay spaces constraining additional informal on site car parking.

In light of no evidence of a stress to on-street car parking spaces in the surrounding streets arising from the existing use on the site and given the scheme's proposed small net increase in floor area earmarked primarily for private worship and shrine space thereby limiting the risk of an increase in visitor numbers on balance, and in light of the Inspectors previous decision that remains relevant, it is considered the scheme does not raise highway safety issues or undue parking provision issues. The Highway Engineer has no objection to the scheme and it is no noted no objections been raised to the scheme following public consultation on parking [or upon other] grounds.

Attached to any approval is recommended a condition submission of a Travel Plan that imposes robust measures to reduce year on year numbers arriving to the site by private motor car.

The scheme provide for secure cycle stands and a appropriately sized disabled car parking bay.

7.11 Urban design, access and security

URBAN DESIGN: Dealt with in Section 07.07 of this report.

ACCESS: Dealt with in Sections 07.1- and 07.12 of the report.

SECURITY:

Subject to planning conditions ensuring site security is addressed through Secure by Design accreditation and further details submitted by means of condition in respect of CCTV it is considered the scheme present no undue site security issues. The loss of the

palisade boundary fence and the provision of a new secure boundary treatment on that boundary is addressed in the landscape condition attached.

The Metropolitan Police Crime Prevention Design Advisor has been consulted on the scheme and had raised no objection to the scheme on security grounds.

7.12 Disabled access

The Access Officer has reviewed the scheme and the floor plans that do make provision for 2 wheelchair accessible toilets and a level threshold access to the building. A disabled user's car parking bay is provided on the forecourt.

In conclusion it is considered the scheme is acceptable and consistent with Policy R16 of the Saved Policies of the Unitary Development Plan (September 2007)

7.13 Provision of affordable & special needs housing

Not relevant in this case.

7.14 Trees, landscaping and Ecology

The site itself is virtually devoid of greenery except a strip of unkempt grass along the steep embankment on the southern boundary which slopes down to an unsightly steel palisade fence alongside the Cowley Recreation Ground.

The scheme will effect no trees on site and a revised plan has been provided to safeguard scheme an attractive specimen Holly which currently softens the appearance of the building on the higher level.

The Landscape Officer raises no objection to the scheme and the officer welcomes scheme's proposed removal of the south side boundary palisade fence with a replacement green wall although.

Subject to further details of a landscaping scheme, including the precise nature of the green wall planned on the south boundary and a robust landscape management maintenance plan, addressed by attaching a planning condition to any approval it is considered the development would improve the site's relationship to the High Street and provide a satisfactory relationship to the recreational ground to the south.

7.15 Sustainable waste management

The existing arrangement to deal with waste and recycling presents no amenity or other issues and is considered are adequate to address the additional development.

7.16 Renewable energy / Sustainability

The Design and Access Statement makes reference to the proposed scheme providing for a series of water saving measures, that is welcomed.

As the comments received from the Sustainability Officer record, it is not considered given the scale and nature of the proposed built scheme that would be attached to an existing building it is appropriate to require on site renewable energy measures or other sustainable measures imposed by planning condition.

7.17 Flooding or Drainage Issues

Not relevant in this case. The site lies outside flood zones 2 or 3.

7.18 Noise or Air Quality Issues

Given both the scale of the scheme (in terms of footprint) and the nature of the development it is not considered the scheme will give rise to any noise or air quality issues.

7.19 Comments on Public Consultations

No written comments received from the public.

7.20 Planning obligations

Not relevant in this case.

7.21 Expediency of enforcement action

Should the scheme be approved as recommended the stationing of the portcabin that remains on-site and was given 2 years temporary planning permission by the Planning Inspectorate on 6 July 2009 would be removed upon implementation.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

In summary, it is considered the proposal would not result in a material loss of amenity to the surrounding area or neighbouring properties, would not result in stress to on street car parking in the surrounding streets, would provide for a distinctive and attractive landmark tower visible in the locality area and a new building that would help mask an existing unattractive 'shed like' building from Cowley High Street, thereby complying with the relevant policies contained in the Unitary Development Plan (Saved Policies September 2007) and the London Plan and therefore the proposal is recommended for Approval subject to suitable planning conditions.

11. Reference Documents

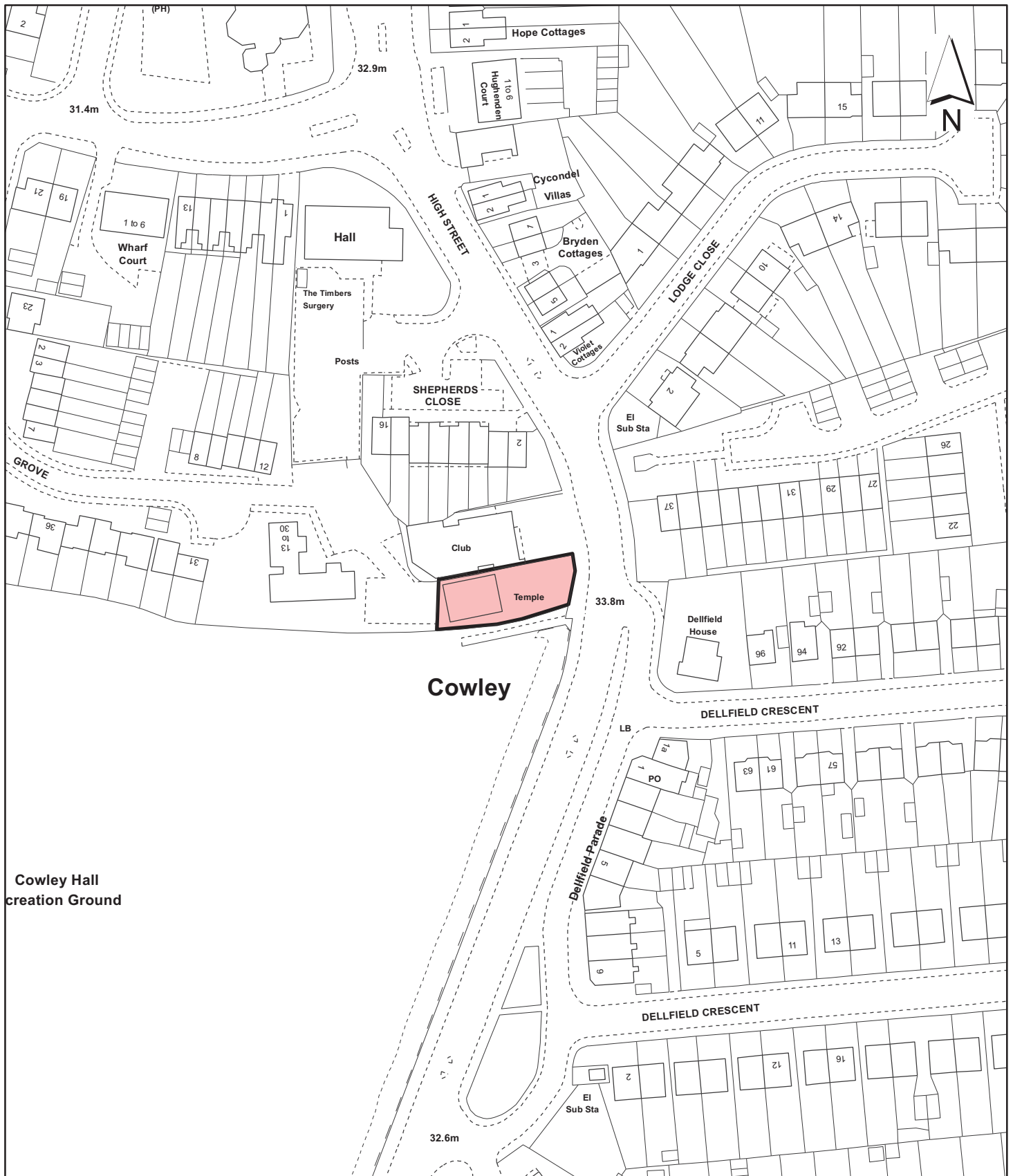
Hillingdon Unitary Development Plan Saved Policies (September 2007)

London Plan (July 2011)


Hillingdon HDAS Supplementary Planning Document:"Accessible Hillingdon" (adopted January 2012)

Contact Officer: Gareth Gwynne

Telephone No: 01895 250230



Cowley Hall
creation Ground

Notes
 Site boundary
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Site Address	
55 High Street, Cowley	
Planning Application Ref:	Scale
64185/APP/2011/2428	1:1,250
Planning Committee	Date
Central and South	August 2012

**LONDON BOROUGH
OF HILLINGDON**
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