



Major Applications Planning Committee

Date: TUESDAY, 17 SEPTEMBER 2013

Time: 6.00 PM

- Venue: COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8 1UW
- MeetingMembers of the Public andDetails:Press are welcome to attend
this meeting

This agenda and associated reports can be made available in other languages, in braille, large print or on audio tape on request. Please contact us for further information.

To Councillors on the Committee

Eddie Lavery (Chairman) John Hensley (Vice-Chairman) Janet Duncan (Labour Lead) David Allam Dominic Gilham Michael Markham John Morgan Brian Stead

Published: Monday, 9 September 2013

Contact: Danielle Watson Tel: 01895 277488 Fax: 01895 277373 democratic@hillingdon.gov.uk

This Agenda is available online at: <u>http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=325&Year=2013</u>

Lloyd White Head of Democratic Services London Borough of Hillingdon, 3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW www.hillingdon.gov.uk



Useful information for residents and visitors

Travel and parking

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room.

Accessibility

An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

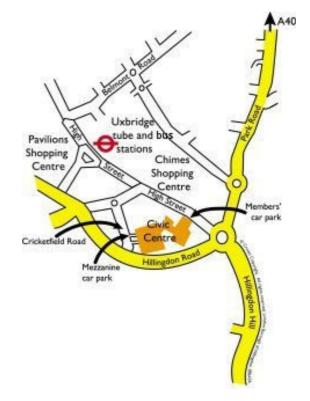
Electronic devices

Please switch off any mobile devices before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

Emergency procedures

If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt. Lifts must not be used unless instructed by a Fire Marshal or Security Officer.

In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



A useful guide for those attending Planning Committee meetings

Security and Safety information

Fire Alarm - If there is a FIRE in the building the fire alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT. **Recording of meetings** - This is not allowed, either using electronic, mobile or visual devices. **Mobile telephones** - Please switch off any mobile telephones and BlackBerries before the meeting.

Petitions and Councillors

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

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

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

How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- 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 <u>cannot</u> take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

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

Agenda

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 7 1 6 August 2013
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items marked in Part 1 will be considered in public and those items marked in Part 2 will be heard in private

Reports - Part 1 - Members, Public and Press

Major Applications without Petitions

	Address	Ward	Description & Recommendation	Page
6	Snowbase, Eastern Perimeter Road, Heathrow Airport - 45151/APP/2013/1768	Heathrow Villages	Expansion of the existing snow base to accommodate additional open parking and vehicle manoeuvring areas plus within the footprint of the existing approved snow base the erection of a new snow vehicle storage shed and erection of enclosures for glycol, diesel and stand cleaning liquid (Consultation Under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995). Recommendation: Delegated powers be given to the Head of Planning, Green Spaces and Culture.	7 - 20 Page 94 - 104

7	Land at Moorbridge Farm and Bedfont Court, Stanwell Moor Road, Longford - 69073/APP/2013/637	Heathrow Villages	Use of land for the extraction of sand and gravel, filling with inert waste and restoration to agriculture including associated works. (Application for a Certificate of Appropriate Alternative Development under Section 17 of the Land Compensation Act 1961, as amended) Recommendation: That the Committee resolve to issue a positive Certificate of Alternative Appropriate Development.	21 – 46 Page 105 - 108
8	Honeycroft Day Centre Site, Honeycroft Hill, Uxbridge - 6046/APP/2013/1834	Uxbridge North	Redevelopment of site to provide a three storey building comprising 36 residential units, consisting of 20 affordable units and a further 16 units for people with learning difficulties (including communal lounge, staff office and overnight room), as well as associated landscaping, access, parking and amenity space. Recommendation: Delegated powers be given to the Head of Planning, Green Spaces and Culture.	47 – 76 Page 109 - 127
9	Stockley Park Golf Clubhouse, Stockley Road, West Drayton - 37850/APP/2012/2743	Botwell	Provision of a hardstanding area on which to erect a marquee at Stockley Golf Course. Recommendation: Approval	77 – 92 Page 128 - 140

Plans for North Planning Committee

Pages 93 - 140

This page is intentionally left blank

Minutes

MAJOR APPLICATIONS PLANNING COMMITTEE

7 August 2013



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

	MEMBERS PRESENT:
	Councillors: Eddie Lavery (Chairman)
	John Hensley (Vice-Chairman)
	Janet Duncan (Labour Lead)
	David Allam
	Dominic Gilham
	Michael Markham
	Brian Stead
	Carol Melvin
	OFFICERS PRESENT:
	Matt Duigan, Planning Services Manager
	Adrien Waite, Major Applications Manager
	Manmohan Ranger, Transport Consultant
	Rory Stracey, Legal Advisor
	Nadia Williams, Democratic Services Officer
44.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies had been received from Councillor John Morgan and Councillor
	Carol Melvin attended in his place.
45.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS
	MEETING (Agenda Item 2)
	······································
	Councillor David Allam declared a non-pecuniary interest in item 8 – Former
	RAF Uxbridge, Hillingdon Road, Uxbridge; as he lived close to the
	application site. He remained in the room and took part in the decision of this
	item.
	item.
46.	TO SIGN AND RECEIVE THE MINUTES OF THE MEETINGS HELD ON 13
40.	JUNE AND 25 JUNE 2013 (Agenda Item 3)
	JUNE AND 25 JUNE 2013 (Agenda item 5)
	The minutes of the meetings held on 12 lune and 25 lune 2012 were
	The minutes of the meetings held on 13 June and 25 June 2013 were
	agreed as a correct record and signed by the Chairman.
47.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR UPCENT
41.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT
	(Agenda Item 4)
	There were no mottors potified in advence or urgent
	There were no matters notified in advance or urgent.

48.	TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED IN PUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (Agenda Item 5)	
	It was confirmed that all items marked Part 1 would be considered in public.	
49.	THE ARENA, STOCKLEY PARK, STOCKLEY ROAD, WEST DRAYTON 37800/APP/2013/161 (Agenda Item 6)	
	Development of Stockley Arena to provide additional office accommodation, including a single-storey extension to the central rotunda and to the southern wing to create a new second floor, together with a two-storey extension above the existing refuse storage and deliveries area to the north.	
	In introducing the report, officers directed the Committee to note the changes set out in the Addendum sheet and recommended additional condition to ensure adequate management of parking in the area.	
Concerns were raised about the parking design in the area, part where it was indicated that there had been parking along the access v		
	Officers advised that a parking survey had been provided by the applicant of parking spaces within the entire site and visitors may not be aware of where these were located. It was confirmed that details regarding parking in the site had been requested as part of the conditions. This would require the applicant to co-ordinate parking and to ensure availability for all users.	
	The Committee attached an additional condition requiring an electrical vehicle charging point and Condition 16 was amended to ensure that spaces were allocated to various retail users.	
	The recommendation was moved, seconded and on being put to the vote was agreed.	
	Resolved:	
	1. 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; AND subject to the Environment Agency formally withdrawing their objection, delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to the conditions set out in the officer's report and any additional conditions and/or informatives which may be required by the Mayor or the Environment Agency.	
	2. That subject to the changes in the Addendum sheet circulated at the meeting, additional Condition requiring provision of 1 electric vehicle charging point and amendment to Condition 16 to ensure spaces were allocated to the various retail users.	

50.	KNIGHTS OF HILLINGDON, UXBRIDGE ROAD, HILLINGDON 15407/APP/2013/1170 (Agenda Item 7)
	Retrospective planning application to vary condition 4 (that the development hereby permitted shall be carried out in accordance with the following approved plans) to outline planning permission (Ref 15407/APP/2009/1838) granted on appeal on 17 June 2010 for the "erection of new health centre and 12 residential units with ancillary car parking and landscaped amenity space" to seek retain the building as built including divergences from the approved scheme in respect to the roof profile that serves the lift shaft on the rear elevation of the building, the disabled car parking provision and the level access provided to the building entrance involving the introduction of a 'bridge structure' over a void adjacent to the rear elevation.
	In introducing the report, officers drew the Committee's attention to the changes set out in the Addendum circulated at the meeting.
	The recommendation for refusal was moved, seconded and on being put to the vote was agreed.
	Resolved – That the application be Refused for the reasons set out in the officer's report and subject to the changes set out in the Addendum.
51.	FORMER RAF UXBRIDGE, HILLINGDON ROAD, UXBRIDGE 585/APP/2013/979 (Agenda Item 8)
	Reserved matters (appearance, layout, scale and landscaping) in compliance with conditions 2 and 3 for Phase 1, Seventh Application (Eastern Side of District Park) of planning permission ref: 585/APP/2009/2752 dated 18/01/2012 for the proposed mixed-use redevelopment of St Andrews Park (Former RAF Uxbridge site).
	The recommendation for approval was moved, seconded and on being put to the vote was agreed.
	Resolved – That the application be Approved, subject to the conditions and informatives set out in the officer's report.
52.	NORWICH UNION HOUSE, 1 - 3 BAKERS ROAD, UXBRIDGE 8218/APP/2011/1853 (Agenda Item 9)
	Redevelopment of Norwich Union House to erect a 9 storey building comprising retail floorspace at ground floor level and 8 storeys of residential units (37 units) with associated gym, access and parking arrangements.
	The recommendation was moved, seconded and on being put to the vote was agreed.
	Resolved
	1. That the Council enter into a deed of variation with the

	applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:
	i) The provision of 37 Affordable Rented units delivered at
	not more than 80% of Open Market Rent (inclusive of service charges). ii) A financial contribution of £109,190 towards education
	facilities. iii) A financial contribution of £14,716.23 towards health facilities.
	iv) A financial contribution of £1,562.16 towards the expansion of the Borough's library programme.
	v) A financial contribution of £29,074.85 towards construction training or an in-kind scheme delivered during the construction phase of the development
	during the construction phase of the development. vi) A financial contribution equal to 5% of the total cash contributions for project management and monitoring.
	 A s278/38 agreement to be entered into to address any and all highways works as directed by the Council's highway's engineer.
	viii) A Refuse Management Plan detailing how the refuse collection via a private operator is to occur.
	2. That the applicant meets the council's reasonable costs in the preparation of the deed of variation and any abortive work as a result of the deed not being completed.
	3. That Officers be authorised to negotiate and agree the amended terms for the Affordable Housing Schedule in the Deed of Variation.
53.	PADCROFT WORKS, TAVISTOCK ROAD, WEST DRAYTON 45200/APP/2012/3082 (Agenda Item 10)
	Comprehensive redevelopment of site to provide three buildings of part 7 storeys and part 5 storeys comprising 208 residential units, 190 sq.m (approx) of Use Class B1 floorspace with associated public and private amenity space, hard and soft landscaping, lower ground floor parking for vehicles and bicycles, and alterations to 9 High Street to form new pedestrian route (involving demolition of all existing buildings other than no.9 High Street).
	Officers directed the Committee to note the changes set out in the Addendum sheet circulated at the meeting and recommended that Condition 7 be amended to require details of play spaces to be included, in order to ensure that the designing of spaces were safe and secure. An additional informative was also suggested to advise the applicant that this development in highways terms had been considered on its merits and any other development would need to be considered on its own merit.
	Members expressed concerns about the height, density and mass of the proposed development. Concerns were also raised about insufficient provision of amenity space and the usability and suitability of the proposed

roof-top amenity space.

Further concerns were raised that with the schemed being so crammed, it would not be possible for windows to be fitted at a 45 degree angle in one of the units, which would therefore require some re-designing.

Officers advised that one defensible space had been proposed on the ground floor and that all of the children's play space located on the ground floor were in accordance with the Mayor of London's requirement. The standards for children's play area accorded also with the London Plan. With regard to the roof-top areas, it was suggested these could be of benefit for future occupiers to sit out, so long as they were managed by management agent and balustraded. This had been covered by Condition 7 which required clear arrangements to show how this would be managed.

In response to queries raised about parking, officers advised that the proposed parking was compliant with the required parking standards and in line with the London Plan (July 2011).

The Legal Advisor added that with regard to Members' concerns about the issue of parking spaces and how this might impact on the highway, the Committee should note that future occupiers would not be entitled to apply for parking management scheme and the Council's parking management measures would help to mitigate parking pressures.

Members indicated that allocated parking should be provided for office and business units.

A Member suggested that details about car parking stackers should have been submitted with the application in order to ensure they met required standards, as the width of the stackers may affect the layout of parking. Officers advised that Members could ask for the details of parking stackers to be reported back to a Committee meeting to be discharged.

Members raised safety concerns about the pedestrian link and access to the High Street and the level of traffic emanating from Tavistock Road. Officers advised that the pedestrian crossing was staggered and based on additional trips, a total of 50 trips would be generated during peak hours.

A Member suggested that the two windows in the two-storey pitched roof building would need to be re-designed in order to be compliant. Officers advised that in relation to the scale of the development, minor changes could be resolved with Grampian conditions.

The Legal Advisor advised the Committee that where minor changes were being sort, these could be secured by condition, if however substantial changes were required, officers would need to go back to the applicant to agree the changes.

It was moved, seconded and agreed that the application be deferred for further details as follows:

It was moved, seconded and agreed that the application be deferred for further details as follows:

	Additional detail on design of, or the deletion of pedestrian link to the high street
	Further information on car park stackers
	Clarification on outlook of habitable room windows adjacent to Comag
	 Further information on play spaces, defensible and security
	Clarification on trip generation
	 Investigate provision of a car parking space for the B1 unit (office and business unit)
	 Further information on the management of the roof terraces.
	Resolved – That the application be deferred to enable further clarification to be sought from the applicant as set out above.
54.	ADDENDUM SHEET (Agenda Item 13)
	The meeting, which commenced at 6.00 pm, closed at 7.46 pm.

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

Agenda Item 6

Report of the Head of Planning, Sport and Green Spaces

Address SNOWBASE EASTERN PERIMETER ROAD HEATHROW AIRPORT

- **Development:** Expansion of the existing snow base to accommodate additional open parking and vehicle maneuvering areas plus within the footprint of the existing approved snow base the erection of a new snow vehicle storage shed and erection of enclosures for glycol, diesel and stand cleaning liquid (Consultation Under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).
- **LBH Ref Nos:** 45151/APP/2013/1768
- Drawing Nos: 16872-00-GA-902-000001 v3 Design and Access Statement 16872-00-GA-902-000002 v5 16872-00-GA-902-000002 v5 16872-00-DE-735-000002 v5 16872-00-GA-735-000004 v8 16872-00-GA-735-000005 v4 16872-00-GA-800-000016 v4 16872-00-SE-247-000001 9 0 16872-00-SE-247-000004_6 0 Geotechnical and Contaminated Land Risk Assessment Report (16872-XX-DS-911-000001) Version 2 Flood Risk Assessment Version 3 April 2013

Date Plans Received: 26/06/2013

Date(s) of Amendment(s):

Date Application Valid: 26/06/2013

1. SUMMARY

The application is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order) seeking to provide expanded and enhanced snow base facilities at Heathrow.

The proposals are directly related to the operation needs of the airport and are considered to represent permitted development.

The proposals would not result in any adverse impacts on the appearance or character of the airport or have any impacts on existing landscaping. Nor would the development give rise to any detrimental impacts on the amenity of residential properties or on the safe operation of the airport.

Subject to appropriate considerations there would be no detrimental impacts arising from the development in terms of contamination or flood risk.

Accordingly, no objection is raised to the proposal subject to considerations.

2. **RECOMMENDATION**

That delegated powers be given to the Head of Planning, Green Spaces and Culture to advise the applicant that no objection is raised to the Consultation,

subject to:

A) The applicant enters into a legal agreement to secure:

(i) A water management scheme

B) That the applicant meets the Council's reasonable costs involved in checking the adequacy of the legal agreement.

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

D) If the Legal Agreement has not been finalised within 3 months, delegated authority be given to the Head of Planning, Green Spaces and Culture to raise objection to the Consultation for the following reason:

'The applicant has failed to ensure that the proposal would not result in harm to water quality'

E) That if the Committee resolve to raise no objection the following considerations be communicated to applicant:

1 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16872-00-DE-735-000002 v5, 16872-00-GA-735-000004 v8, 16872-00-GA-735-000005 v4, 16872-00-GA-800-000016 v4, 16872-00-GA-902-000001 v3, 16872-00-GA-902-000002 v5, 16872-00-GA-902-000001 v3, 16872-00-SE-247-000001_9 0, 16872-00-SE-247-000004_6 0 D

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

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

2 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents: 16872-XX-DS-911-000001

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON

To ensure that the development complies with the objectives of Policies . Specify Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

3 NONSC Consideration 1

Gas protection measures shall be installed on all new buildings to the satisfaction of the Local Planning Authority. Details of the gas protection measures shall be provided in

writing to the Local Planning Authority and shall be agreed with the LPA prior to implementation.

REASON

Site investigations in 2012 have identified the presence of carbon dioxide a need for passive gas protection measures on new build.

4 NONSC Consideration 2

(i) Details of a watching brief to address undiscovered contamination shall be submitted to the Council prior to the commencement of development; and

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

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

REASON:

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

5 NONSC Consideration 3

The development hereby permitted shall not be commenced until such time as a scheme to ensure the maintenance and regular inspection of;

i. the tanks between walls leak detection system, high-level; filling alarm and automatic overflow protection device;

ii. pipe work carrying fuel and glycol;

iii. manual isolation valves, emergency shut off and non-return valves;

iv. and the fuel tanks secondary containment bund and its rainwater pump out schedule;

has been submitted to, and approved in writing by, the Local Planning Authority. Any such scheme shall be supported by detailed information, include a maintenance programme. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

REASON:

The proposed storage of hazardous substances in storage tanks poses a risk to the Principal Aquifer in the Taplow Gravels which underlie the site. The Taplow Gravels are part of the Lower Thames Gravels WFD groundwater body (GB40603G000300).

The Thames river basin district river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without the implementation of the above scheme, leaking tanks could cause deterioration of quality or prevent the recovery of Lower Thames Gravels WFD groundwater body (GB40603G000300). This is in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution

6 NONSC Consideration 4

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years plus climate change critical storm will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason:

To prevent the increased risk of flooding, both on and off site. The National Planning Policy Framework requires that the site-specific flood risk assessment must demonstrate that the development will not increase flood risk elsewhere and where possible will reduce flood risk overall. Without this information the FRA does not confirm that the increase in flooded volumes can be adequately contained within the site boundary and the run-off rates will not increase.

INFORMATIVES

1

The Environment Agency have reviewed the FRA Re-development of the Snow Base at Heathrow Airport V2 by Black and Veatch March 2012. The FRA demonstrates that increased pipe storage can be included to provide attenuation for the increase in flood volumes in low order events with a likelihood of around 1 in 5 chance in any year. From the 1 in 10 chance in any year event to the 1in 100 chance in any year event, including an allowance for climate change, the FRA demonstrates that an increase in flood volume is expected, up to 709m3 in the 1 in 100 chance in any year plus climate change.

The FRA recommends that mitigation is required in order to ensure that flood risk is not increased as a result of the development and suggests that this will be achieved as part of a wider strategic solution delivered by the 'storm water project', a separate project looking at Heathrow airport deals with rain falling into its catchment.

2

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.

3 160 **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)

4

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, Lighting near Aerodromes (available at

http://www.aoa.org.uk/policy-safeguarding.htm).

Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

5

This site, or part of this site, lies within the Public Safety Zone. Please refer to DFT Circular 1/2010 Control of Development in Airport Public Safety Zones for further information.

6 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).

7 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

A4	New development directly related to Heathrow Airport
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14 NPPF	(2011) Water quality and wastewater infrastructure

3. CONSIDERATIONS

3.1 Site and Locality

The site area comprises a total of 3.67 hectares, and comprises of the existing snow base area and surrounding land which is located airside. The snowbase consists of approximately 9,000sq.m of overall area. The concrete hardstanding is used for parking, storage and manoeuvring of snow vehicles; there are also buildings providing existing maintenance and welfare facilities and storage for limited amounts of runway de-icer (solid and liquid). In the immediate surrounds of the existing snow base are grassed areas, with live taxiways further to the south and west.

The application site is located within Heathrow Airport adjacent to the Enfield Road Roundabout (at the junction of East Church Road and the Eastern Perimeter Road) within the Airport Boundary as defined within the Development Plan.

The nearest residential property is approximately 460m from the site.

3.2 **Proposed Scheme**

The enlarged snowbase would consist of covered storage for the new and existing snow vehicles and additional storage capacity for de-icing materials and diesel. The existing maintenance building would be retained.

The new covered vehicle parking area would be sited along the northern boundary of the site and will be a 3-sided structure. The height of the vehicle shed would be 6.3m high, 14m wide and 98m long. The steel-framed structure would be finished with grey coloured cladding.

The existing vehicle wash would be relocated from its central location to the northern boundary of the site.

3.3 Relevant Planning History

Comment on Relevant Planning History

Heathrow has an extensive planning history.

The most relevant planning histyory to this application was the approval of a construction of an expanded snowbase that there was no objection to December 2012 (45151/APP/2012/664):- "Expansion of snow base to provide additional covered storage and parking for snow vehicles, a welfare and maintenance building and diesel and de-icer storage (Consultation Under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995)".

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.BE1	(2012) Built Environment
PT1.T4	(2012) Heathrow Airport

Part 2 Policies:

A4	New development directly related to Heathrow Airport
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage

LPP 5.14 (2011) Water quality and wastewater infrastructure NPPF

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 31st July 2013
- **5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

NATS SAFEGUARDING No objection.

BAA SAFEGUARDING No objection.

ENVIRONMENT AGENCY:

The proposed development will be acceptable only if considerations are included requiring the submission and subsequent agreement of further details, as set out below.

Consideration 1

The development hereby permitted shall not be commenced until such time as a scheme to ensure the maintenance and regular inspection of;

i. the tank s between walls leak detection system, high-level; filling alarm and automatic overflow protection device;

ii. pipe work carrying fuel and glycol;

iii. manual isolation valves, emergency shut off and non-return valves;

iv. and the fuel tanks secondary containment bund and its rainwater pump out schedule;

has been submitted to, and approved in writing by, the Local Planning Authority. Any such scheme shall be supported by detailed information, include a maintenance programme. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Reason 1

The proposed storage of hazardous substances in storage tanks poses a risk to the Principal Aquifer in the Taplow Gravels which underlie the site. The Taplow Gravels are part of the Lower Thames Gravels WFD groundwater body (GB40603G000300).

The Thames river basin district river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without the implementation of the above scheme, leaking tanks could cause deterioration of quality or prevent the recovery of Lower Thames Gravels WFD groundwater body (GB40603G000300). This is in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing

development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

Consideration 2

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years plus climate change critical storm will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason 2

To prevent the increased risk of flooding, both on and off site. The National Planning Policy Framework requires that the site-specific flood risk assessment must demonstrate that the development will not increase flood risk elsewhere and where possible will reduce flood risk overall. Without this information the FRA does not confirm that the increase in flooded volumes can be adequately contained within the site boundary and the run-off rates will not increase.

Advice to the Applicant

We have reviewed the FRA Re-development of the Snow Base at Heathrow Airport V2 by Black and Veatch March 2012. The FRA demonstrates that increased pipe storage can be included to provide attenuation for the increase in flood volumes in low order events with a likelihood of around 1 in 5 chance in any year. From the 1 in 10 chance in any year event to the 1 in 100 chance in any year event, including an allowance for climate change, the FRA demonstrates that an increase in flood volume is expected, up to 709m3 in the 1 in 100 chance in any year plus climate change.

The FRA recommends that mitigation is required in order to ensure that flood risk is not increased as a result of the development and suggests that this will be achieved as part of a wider strategic solution delivered by the 'storm water project', a separate project looking at Heathrow airport deals with rain falling into its catchment.

However as part of the planning application submission no details of the 'storm water project' or any assessment of alterations have been provided to confirm these will adequately mitigate the expected increase of flooding adequately mitigate the expected increase in flooding volumes on site or at the Eastern Balancing reservoir, or that run-off rates from the site area will be restricted to the existing rates

Contaminated Land

The contaminated land risk assessment report Ref: 16872-XX-DS-911-000001, dated May 2012 reviewed, did not report any contamination on site that would appear to pose a risk to the underlying principal aquifer in the Taplow Gravels. However, a watching brief should be in place during redevelopment works should they come across any contamination hotspots then this should be dealt with appropriately. We recommend that developers should follow the risk management framework provided in the ' Piling into Contaminated Sites'.

Internal Consultees

FLOOD AND WATER MANAGEMENT OFFICER:

Awaiting receipt of additional information from the applicant prior to making my final comments. However no objection subject to the unilateral undertaking agreed to address water management. Final comments wil be reported to Committee in the Addendum.

ENVIRONMENTAL PROTECTION UNIT:

The current Snowbase has been subject to two investigations in 2011 and 2012. The first was a small seven trial pit exercise to assess the ground conditions. The main investigation was a detailed borehole investigation reported in April 2012 by Soil Mechanics. The report on the investigation by Soil Mechanics was a factual report. TPS consultants, 'TPS' have used this report to produce an integretative report as referenced above.

I have reviewed the TPS report and the results of the investigations and chemical testing by Soil Mechanics as interpreted by TPS. There is made ground on the site with bricks, concrete and wood. However most of the geological strata comprises clay, gravels and hoggin. Groundwater appears to be below 3 metres in the Taplow gravels, a principle aquifer. Groundwater monitoring stand pipes have been installed at the site but the testing results in the report are for soil rather than water. The chemical testing of soil samples has not shown any contaminants at a level above the generic standards for a commercial end use and the end use is still the same but expanded with improved and expanded glycol and fuel storage facilities. I would advise that with the use of the site there could be contamination discovered during the excavation works. No Methane but some Carbon dioxide has been found hence the consultant has advised passive gas protection measures (Characteristic 2). I would advise the following considerations.

Conditions (Considerations)

Gas

Gas protection measures shall be installed on all new buildings to the satisfaction of the LPA.

Reason

Site investigations in 2012 have identified the presence of carbon dioxide a need for passive gas protection measures on new build.

Contamination

As no contamination for this use has been found in the site investigation I would advise applying the following condition.

Condition

(i) Details of a watching brief to address undiscovered contamination shall be submitted to the Council prior to the commencement of development; and

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

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

REASON:

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

Policies (November 2012).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order).

Following significant disruption caused by snowfall in December 2010, an Inquiry was set up with the objective of making recommendations to future snow events and was chaired by Professor David Begg. The findings of the Begg Enquiry were released in March 2011 and detailed 14 recommendations on how BAA and the Heathrow community could improve the airport's resilience to future snow disruption. The Capital Projects division of BAA established a programme to respond to a number of these recommendations.

A longer term requirement to address these recommendations is to provide a consolidated location for storage of the snow equipment and to provide facilities for the associated increase in vehicle maintenance, staff welfare and storage facilities for diesel and de-icer (glycol).

The current consultation seeks to expand and enhance the existing snowbase area at the airport in order to improve facilities for dealing with snow and reduce associated disruption. The scheme is comparable to an earlier consultation for an expansion of the snowbase in wake of the Begg Enquiry (45151/APP/2012/664). The current scheme is smaller in scale to the 2012 scheme, following a further review of the operational requirements of the snowbase by the airport operator.

The proposed development would clearly be directly related to the airport and would enhance the resilience of key facilities at the airport to adverse weather. The proposal is considered to represent permitted development and accordingly, there is no objection to the principle of the development.

7.02 Density of the proposed development

Residential density is not relevant to this application.

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

The application is not located within proximity to any Conservation Areas, Listed Buildings or Areas of Special Local Character.

7.04 Airport safeguarding

The application has been reviewed by both BAA Safeguarding and NATs Safeguarding who have raised no objections. As such, it is not considered that the application would have any adverse impacts on aircraft or airport safety.

7.05 Impact on the green belt

The application is not located within or on the boundary of the Green Belt.

7.07 Impact on the character & appearance of the area

The proposed development is located within the operational area of Heathrow Airport adjacent to the Enfield Road Roundabout (at the junction of East Church Road and the Eastern Perimeter Road).

The design and built form of the development, including the proposed materials palette, are considered to be consistent with the design rational of other operational buildings within the airport.

Accordingly, it is considered that the proposed development would appropriately harmonise with the character of the surrounding Airport development in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7.08 Impact on neighbours

The nearest residential property is located approximately 460m from the application site, which is located well within the boundary of Heathrow Airport. As such, the application would not result in any adverse impacts on the amenity of residential occupiers.

7.09 Living conditions for future occupiers

Not relevant to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Not relevant to this application.

7.11 Urban design, access and security

Design and access issues are dealt with elsewhere within this report.

The is located within the airport boundary and a secure airside/landside boundary would be provided. Accordingly, the proposal raises no concerns relating to security

7.12 Disabled access

Level access would be provided to all buildings.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, landscaping and Ecology

The application site is within the central terminal area of Heathrow airport. The is no landscaping with the exception of grassed areas, which are not of any landscape merit. The proposal is located within Heathrow Airport and does not propose any soft landscaping, however it is not considered that the proposal would necessitate any landscaping having regard to its context. It is considered that the proposal would comply with Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012

7.15 Sustainable waste management

The proposal would not necessitate any dedicated external waste storage. Any waste arising from use of the rest areas or workshops would be dealt with as part of the airport wide waste strategy. Accordingly it is considered that adequate provision would be made for waste and recycling provision.

7.16 Renewable energy / Sustainability

The proposal represents permitted development and, as such, there is no requirement for the development to comply with policies relating to renewable energy and sustainability. Nevertheless, the scheme would utilise modern design techniques such as high levels of insulation to minimise the buildings energy use.

No objection is therefore raised to the proposal in terms of sustainability

7.17 Flooding or Drainage Issues

The application is not located within an area identified as being at risk of flooding, however given the size of the application site and the proposed use, which would involve the storage of chemicals, consideration needs to be given to matters relating to sustainable drainage and potential groundwater contamination.

The scheme is supported by a detailed flood risk assessment. The Environment Agency have been consulted on the application. No objection has been raised by the Environment Agency subject to considerations being attached relating to the storage of chemicals on

the site and the provision of sustainable drainage.

Subject to these considerations the scheme would comply with London Plan 5.12, 5,13 and 4.14 and the requirements of the National Planning Policy Framework.

7.18 Noise or Air Quality Issues

The application site is located within the boundary of Heathrow Airport and approximately 460m from the nearest residential property. Accordingly, the development would not give rise to any concerns regarding noise impacts on residential occupiers.

It is not considered that the proposed development which would have any significant impacts on local air quality.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

The applicant has agreed in principle a unilateral undertaking to address:

(i) To accept the costs for the water management project pertaining to the Snowbase site;
(ii) To provide a timetable, prior to commencement on the current Snowbase scheme, to LBH for the production of a scope of works in respect of the Heathrow wide Water Management Project;

(iii) The timetable shall lay out in detail a set timeline (i.e. a calendar date) for the provision of a Scope of Works to London Borough of Hillingdon that is fit for purpose and serves the purpose for the applicant of issuing a tender document;

(v) A commitment to provide the Scope of Works to London Borough of Hillingdon and Environment Agency for agreement prior to the tender exercise for the works

(iv) A timetable for the implementation of the water management project works, including a phasing plan attached to a Heathrow Operations Site map

The final wording of the unilateral undertaking shall be reported to committee in the Addendum to the Majors Committee.

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'.

9. Observations of the Director of Finance

None.

10. CONCLUSION

The application is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order)seeking to provide expanded and enhanced snow base facilities at Heathrow.

The proposals are directly related to the operation needs of the airport and are considered to represent permitted development.

The proposals would not result in any adverse impacts on the appearance or character of the airport or have any impacts on existing landscaping. Nor would the development give rise to any detrimental impacts on the amenity of residential properties or on the safe operation of the airport.

Subject to appropriate considerations there would be no detrimental impacts arising from the development in terms of contamination or flood risk.

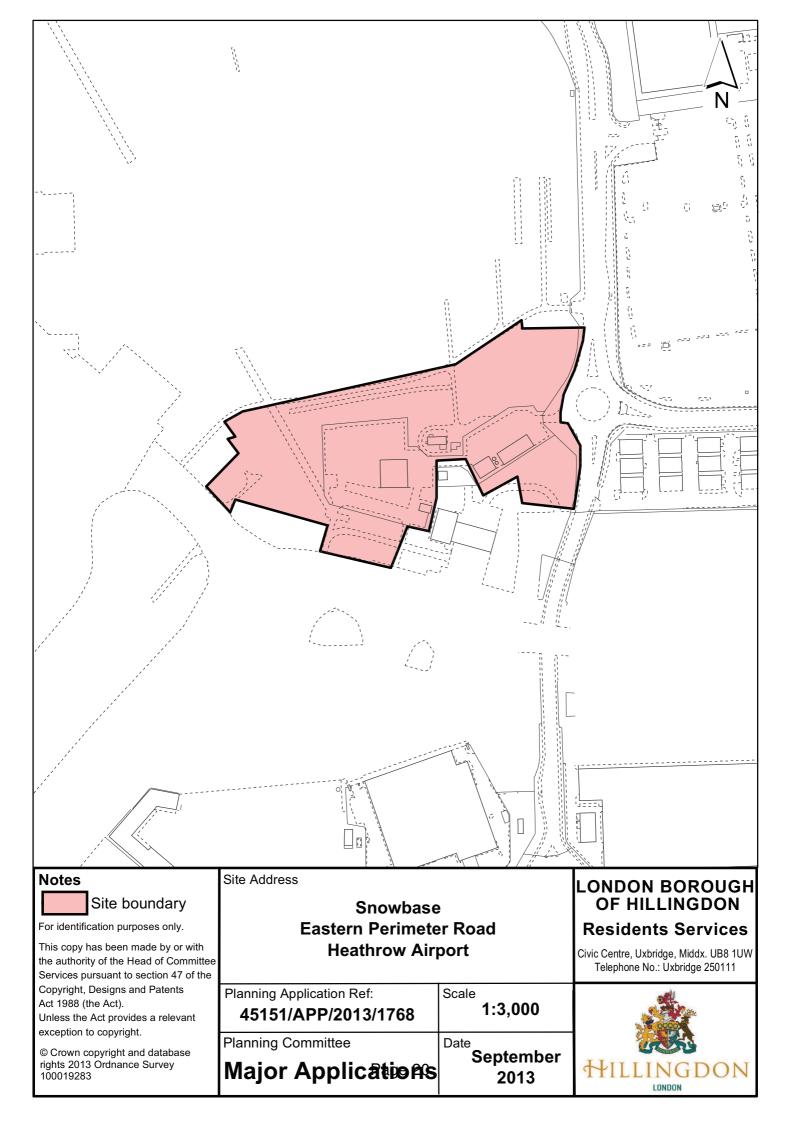
Accordingly, no objection is raised to the proposal subject to the considerations.

11. Reference Documents

Hillingdon Local Plan: Part One (November 2012) Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) London Plan (July 2011) National Planning Policy Framework (March 2012)

Contact Officer: Gareth Gwynne

Telephone No: 01895 250230



	Report of the Head of Planning, Green Spaces, and Culture
Address:	LAND AT MOORBRIDGE FARM AND BEDFONT COURT ESTATE, WEST OF STANWELL MOOR ROAD
Development:	Use of land for the extraction of sand and gravel, filling with inert waste and restoration to agriculture including associated works. (Application for a Certificate of Appropriate Alternative Development under Section 17 of the Land Compensation Act 1961, as amended)
LBH Ref Nos:	69073/APP/2013/637
Drawing Nos:	dt/12598/b Conceptual Access Design
Date Plans Received:	14-03-2013
Date Application Valid:	14-03-2013

1. SUMMARY

In 2002 a compulsory purchase order was made acquiring land to build the Heathrow Terminal 5 spur road to the M25 motorway. The Applicants have applied for a Certificate of Appropriate Alternative Development to assist with the valuation of the land. The Council as Mineral Planning Authority for the land is required determine the application and issue a certificate accordingly, after considering what uses of this land are appropriate in general planning terms at the relevant date. This is not an application for planning permission.

This application seeks a Certificate of Appropriate Alternative Development, which is an application for a certificate under s17 of the Land Compensation Act 1961. This is a land compensation valuation procedure following confirmation that the land is to be/has been compulsorily acquired. Under the terms of the Land Compensation Act 1961, the appropriate alternative uses of the land have to be considered in a 'no scheme world' by considering what land uses might have been permitted had the land not been compulsorily purchased (i.e. that at the time of the decision to compulsorily purchase the land there was no proposal for T5 at Heathrow Airport and thus no link road was required connecting the M25 motorway to T5). For the purpose of this application the relevant date is the 9th May 1996, which is the date on which the draft Compulsory Purchase Order was published. The order related to land required for the purpose of constructing a spur road connecting Terminal 5 at Heathrow Airport to the M25.

In relation to the consideration of applications for alternative appropriate developments Circular 06/2004 "Compulsory purchase and the Crichel Down Rules" Paragraphs 8 and 9 of Appendix P state:

"8. The First Secretary of State ('the Secretary of State') considers it important as far as possible that the certificate system should be operated on broad and common-sense lines; it should be borne in mind that a certificate is not a planning permission but a statement to be used in ascertaining the fair market value of land. An example of how the system could work might be where land is allocated in the development plan as part of an open space or a site for a school, and is being acquired for that or a similar purpose. If there had been no question of public acquisition, the owner might have expected to be able to sell it with

planning permission for some other form or forms of development. The purpose of the certificate is to state what, if any, are those other forms of development. In determining this question, the Secretary of State would expect the local planning authority to exercise its planning judgement, on the basis of the absence of the scheme, taking into account those factors which would normally apply to consideration of planning applications eg. the character of the development in the surrounding area, any general policy of the development plan, and national planning policy along with other relevant considerations where the site raises more complex issues which it would be unreasonable to disregard. Only those forms of development which for some reason or other are inappropriate should be excluded. Local planning authorities will note from section 17(7) that their certificate can be at variance with the use shown by the development plan for the particular site.

9. Where there is no adopted development plan, regard should be had to the draft plan, the decisions given on other planning applications relating to neighbouring land (including land unaffected by the proposed acquisition), and the existing character of the surrounding area and development."

In this case the applicant seeks confirmation that the Council would have considered it acceptable to use the site for the extraction of sand and gravel, filling with inert waste and restoration to agriculture.

In arriving at the appropriate alternative uses, the process must consider what uses would have been granted permission at the date of the serving of the Compulsory Purchase Order. The assessment is based on planning policy in place at relevant date, consideration of permissions granted prior to the relevant date and information available at that date. Taking all these factors into account it is considered that the use of the site for the extraction of sand and gravel, filling with inert waste and restoration to agriculture would have been acceptable. As such, approval of the certificate is recommended.

2. RECOMMENDATION

That the Committee resolve to issue a positive Certificate of Alternative Appropriate Development, and note that had a planning permission been granted for the proposal in 1996 the following planning obligation and conditions would have been imposed:

Planning Obligations

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

(i) The provision of any off site highway works necessary to create the accessway into the site.

Planning Conditions

B. That if the application is approved, the following conditions be imposed:

1. Time Limit

The development hereby permitted shall be commenced within one year of the date of this permission.

REASON

To comply with the application as submitted.

2. Accord with plans

The development hereby permitted shall be carried out in full accordance with the submitted documents and plans (including the access design plan) except where expressly varied by the terms of this permission.

REASON

For the sake of clarity

3. 14 Bedfont Court

No development shall commence until a 75m buffer zone has been created around no. 14 Bedfont Court, should that property continue to be occupied. The details of the buffer zone shall be submitted to and approved in writing by the Mineral Planning Authority.

There after the development, including the buffer zone, shall be implemented in accordance with the approved details.

REASON

To accord with the application and in the interests of amenity.

4. Noise and hours of work 1

No plant or machinery, other than water pumps necessary for the approved disposal of water shall be operated, nor shall any work be undertaken in connection with the stripping of soil, extraction of minerals, despatch or movement of plant, transporting materials, maintenance of plant, or subsequent restoration except between the following times:

0800 and 1800 Mondays to Fridays

0800 and 1600 Saturdays

and no such operations shall be carried out on Sundays and Bank Holidays.

REASON

In the interests of amenity.

5. Noise and hours of work 2

Subject to the prior agreement of the Mineral Planning Authority, works may be carried out on Sundays between 0800 and 1600 for general maintenance of equipment which cannot reasonably be carried out during the hours detailed in Condition 5.

REASON

In the interests of amenity

6. Noise and hours of work 3

The following enabling activities may take place between 0700 and 1900 hours Monday to Friday, and between 0700 and 1600 hours Saturday:

- arrival and departure of workforce on site
- deliveries and unloading
- refuelling of plant and machinery
- site inspections and safety checks

- site clean up

REASON

In order to maximise the work that can be undertaken within the hours permitted under condition 5 and in the interests of amenity.

7. Timing for work with soil

The stripping, handling and replacement of topsoil and subsoil shall only take place in fine, dry weather and when the material is in a dry friable condition, with the minimum of working and compacting, in order to prevent the loss of soil structure.

REASON

To ensure the satisfactory restoration of the site.

8. Storage on site

A maximum of 300,00m3 of sand, gravel and clay shall be permitted to be stored on the site at any time.

REASON

To accord with the application and in the interests of amenity.

9. Stockpiles 1

The only materials that may be stockpiled on the site are:

- topsoil and subsoil from the site

- sand and gravel extracted from the site and awaiting processing or transportation to the T5 development site, and

- sand, gravel and clay extracted from the T5 development site

REASON

To accord with the application.

10. Stockpiles 2

No topsoil or subsoil stockpile on site shall exceed a height of 3m and no other stockpile shall exceed a height of 17m.

REASON

To accord with the application and in the interests of amenity.

11. Archaeological work

No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved by the Mineral Planning Authority.

REASON

To protect any archaeological interest which may be present on the site.

12. Archaeological recording

No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological recording of the standing historic buildings, in accordance with a written scheme of investigation which has been submitted to and approved by the Mineral Planning Authority.

REASON

To protect any archaeological interest which may be present on the site.

13. Noise 1

The development shall not be begun until a scheme, which specifies the provisions to be made for the control of noise emanating from the site at all times during the period of operations, has been submitted to and approved by the Mineral Planning Authority.

REASON

In the interests of amenity.

14. Noise 2

Permissible noise levels during the operation of the site at the facades of occupied dwellings are as follows:

Monday - Friday 0700 - 1900 & Saturday 0700 - 1600 Time period 1 hour, noise limit 55LAeq,T (Db)

REASON

In the interests of amenity.

15. Noise 3

The rating level of noise emitted from any generator or compressor determined using the guidance of BS4142:1997, 1m from the facade of the nearest noise sensitive premises, shall be at least 5dB(A) below the existing LA90, T noise level.

REASON

In the interests of amenity.

16. Noise 4

A noise monitoring regime shall be agreed with the MPA before development commences. Once the programme of works has commenced on site, the applicant shall carry out noise monitoring in accordance with the approved regime, in order to determine the impact on nearby residents, The results of such monitoring shall be supplied to the MPA following any reasonable request.

REASON

In the interests of amenity.

17. Noise 5

Where the results of the noise monitoring indicate that construction noise levels exceed the levels referred to in Conditions 15 and/or 16, the applicant shall

(i) notify the Council's Environmental Protection Unit as soon as reasonably practical;

(ii) review the noise monitoring results in order to identify the activities/plant responsible for the exceedences

(iii) take measures to prevent recurrence of the exceedences.

REASON

In the interests of amenity.

18. Dust

Prior to the commencement of development a scheme for controlling and minimising dust emissions from operations at the site, and for auditing the operation of the measures proposed, shall be submitted for the written approval of the Mineral Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved.

REASON

In the interests of amenity.

19. Smoke

All plant used on the site shall be regularly maintained to ensure that emissions of smoke are minimised. No plant shall be operated on the site that emits black smoke.

REASON

In the interests of amenity.

20. Fires

No bonfires shall be lit on the site.

REASON

In the interests of amenity.

21. Landscape and Planting Management Plan

Within 3 months of the commencement of development, a Landscape and Planting Management Plan shall be submitted for the approval of the Mineral Planning Authority. This Plan shall include (but not necessarily be limited to)

- details of proposed tree survey

- a method statement for works in proximity to trees a scheme for the treatment of individual trees within the groups identified in the Tree Survey

- a planting strategy for both trees and hedgerows, including details of the positions, species, density and initial sizes of all new trees, shrubs and hedgerows, together with the programme of implementation of the scheme

- a strategy for the management and maintenance of all existing trees, shrubs and hedgerows that are to be retained, and of all new planting proposed on the site. The strategy is to cover a minimum period of 25 years and detail typical operations and frequencies.

The approved scheme shall thereafter be implemented in accordance with a programme and phasing plan to be submitted to and agreed with the MPA prior to the commencement of development.

REASON

To ensure the satisfactory development of the site, as insufficient details have been provided with the application.

22. Restoration Proposals

Within 3 months of the commencement of development, detailed Restoration Proposals shall be submitted for the approval of the MPA. The scheme shall incorporate relevant details of the landscape and planting management plan. The Restoration Proposals shall include, but not necessarily be limited to,

- details of proposed depths of subsoil and topsoil, and of their replacement and cultivation

- existing and proposed levels across the site following restoration and the typical gradients

- treatment of all land including areas for grassland/pasture, cultivation, nature conservation, recreation and/or planting

- location and type of proposed fencing

- locations and surfacing of any rights of way proposed

- details of trees, shrubs and hedgerow planting proposed as part of site restoration, including a specification, plant schedule and numbers

- details of seed mixes for meadow areas not covered by condition 28

- further details of the landscape enhancements.

The approved scheme shall thereafter be implemented in accordance with a programme and phasing plan to be submitted to and agreed with the MPA prior to the commencement of development.

REASON

To ensure the satisfactory development of the site, as insufficient details have been provided with the application.

23. Aftercare 1

Within 1 year of the date of this permission, an Aftercare Scheme requiring that such steps as may be necessary to bring the land up to the standard for its intended after-use shall be submitted for the approval of the Mineral Planning Authority. The scheme shall, among other matters, including provision for cultivation, stocking and husbandry; seed mixes and seed bed preparation; the programmes of cultivation, fertilising, planting, seeding and weed control within each successive planting season following soil placement; an efficient drainage system as may be necessary to bring the restored land up to the required standard for agricultural after-use; the monitoring of surface water drainage; and remedial measures to be adopted in the event of any failures of any part of the aftercare scheme. The approved scheme shall be implemented in full to an agreed programme and phasing plan following completion of site restoration.

REASON

To ensure the satisfactory aftercare of the site.

24. Aftercare 2

The aftercare of the site shall be carried out for a period of five years following the completion of restoration operations or approval of the aftercare scheme, whichever is the later.

REASON

To ensure the satisfactory aftercare of the site.

25. Aftercare 3

Before 31 August in every year during the aftercare period, a report shall be submitted to the Mineral Planning Authority recording the operations carried out on the land during the previous 12 months and setting out the intended operations for the next 12 months. This report shall include a schedule of defects in establishment including plant material that has failed in the current growing season and needs to be replaced in the following autumn/winter.

REASON

To ensure the satisfactory aftercare of the site.

26. Aftercare 4

Every year during the aftercare period the developer shall arrange a site meeting to be held before 30 November to discuss the details of the annual aftercare programme and annual report prepared in accordance with condition 25. Those invited to the meeting shall include the Mineral Planning Authority, the owners of the land within the site, all occupiers of land within the site, and (if judged appropriate after discussion with the Mineral Planning Authority) representatives of the Council's agricultural advisers and/or DEFRA.

REASON

To ensure the satisfactory aftercare of the site.

27. Seeding and maintenance

Prior to commencement of development details of the seeding and maintenance of the temporary topsoil bund shall be submitted for approval of the Mineral Planning Authority.

REASON

Insufficient details have been provided with the application.

28. Notice

The Mineral Planning Authority shall be given not less than 7 days and not more than 21 days written notice of the date on which the development hereby permitted commences.

REASON

In order to retain effective planning control over the development.

29. Temporary flood defence bund

The development shall not commence until a scheme for the construction of a temporary flood defence bund, to prevent an increased risk of flooding to the south, is submitted to and approved in writing by the Minerals Planning Authority. The works shall proceed in accordance with the approved scheme, unless otherwise agreed in writing by the Minerals Planning Authority. Measures shall be implemented to protect the bund from harm during the development.

REASON

To prevent any increased risk of flooding during the development.

30. Walls

No sheetpiled protection walls should be installed on site until details of the walls have been submitted to and approved in writing by the Minerals Planning Authority, in consultation with the Environment Agency. The walls shall then be constructed and maintained in strict accordance with the approved details, unless otherwise approved in writing by the Minerals Planning Authority.

REASON

To ensure that the effect of dewatering on groundwater levels is minimised and to maintain the integrity of the buffer zone of natural ground.

31. Hydrological regime

No development shall commence until measures to protect the hydrological regime of the Holme Lodge Ditch have been submitted to and approved in writing by the Minerals Planning Authority, in consultation with the Environment Agency. Measures shall then be installed in accordance with the approved details, prior to any other works commencing on site, unless otherwise agreed in writing by the Minerals Planning Authority.

REASON

To protect the hydrological regime of the Holme Lodge Ditch.

32. Management ditch

A groundwater level management ditch shall be installed, in accordance with details to be submitted to and approved in writing by the Minerals Planning Authority. The ditch shall be shall be maintained in accordance with the approved details throughout the development.

REASON

To prevent the increased risk of flooding on land during the development; to prevent the build-up of groundwater and to maintain groundwater levels.

33. Groundwater monitoring

No development approved by this permission shall be commenced until a monitoring scheme for groundwater has been submitted to and approved by the Minerals Planning Authority. The monitoring shall then proceed in strict accordance with the approved scheme.

REASON

To prevent pollution of the water environment.

34. Drainage

The construction of the surface water drainage system shall be carried out in accordance with details submitted to and approved in writing by the Minerals Planning Authority before the development commences.

REASON

To prevent pollution of the water environment.

35. Surface water source control

Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Minerals Planning Authority, before development commences.

REASON

To prevent the increased risk of flooding and to improve water quality.

36. Method statement

A method statement for the construction of the stockpiles and the measures to be implemented to prevent runoff containing high suspended solid content entering the watercourses shall be submitted to and approved in writing by the Minerals Planning Authority, before the development commences. The development shall then proceed in strict accordance with the method statement.

REASON

To prevent pollution of the water environment.

37. Site investigation works

Before the development is commenced further site investigation works shall be carried out to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Minerals Planning Authority, prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Minerals Planning Authority before development commences. The development shall then proceed in strict accordance with

the measures approved.

REASON

To prevent pollution of the water environment.

38. Buffer zones

No development shall commence until a 20 metre buffer zone adjacent to the River Colne main river, and an 8 metre buffer zone adjacent to the Holme Lodge Ditch main river, and a 15 metre buffer zone around the British Pipeline Authority Oil Pipeline have been established. The buffer zone adjacent to the River Colne should be measured from the top of the bank of the watercourses on both sides. The zones should be demarcated by fences, with a wooden "kick-board", or similar protection, applied along the base of the fence for a height of >250mm. The fences and kick-boards shall remain in place throughout the development. The zones shall contain no structures or hard surfacing and there should be no storage of materials and no access available to plant, machinery or vehicles. The design of the fences shall be agreed in writing by the Minerals Planning Authority before they are erected.

REASON

To protect the nature conservation value of the watercourses.

39. Lighting

All artificial lighting shall be designed to be directional and shall not spill light onto any local watercourses.

REASON

To minimise any adverse impacts on the ecology of these watercourses.

40. Restoration works

Within one year of the grant of planning permission, a scheme for the restoration works shall be submitted to and approved in writing by the Minerals Planning Authority. The restoration scheme

shall be designed to:

1. Prevent an increased rate of surface water run-off.

2. Include the removal of unnecessary structures, above and below ground, that are no longer required.

3. Manage groundwater from the north of the site in a groundwater level management channel or by including alternative acceptable measures to deal with the impedance of groundwater flow.

4. Prevent a loss of floodplain storage capacity on a level for level basis.

5. Allow the development of ecologically valuable grassland habitat, typical of lowland river meadows.

REASON

To prevent an increase in flood risk or, the retention inappropriate structures; to manage groundwater flow and to enhance the ecological value of the site.

41. Landscape Management Plan 1

The Landscape Management Plan shall contain assurances that blocks of planting will be thinned over time in such a manner as to ensure a 3m spacing of shrubs and 6m spacing of trees.

REASON

To avoid endangering the safe operation of aircraft through the attraction of birds.

42. Landscape Management Plan 2

The Landscape Management Plan shall contain assurances that any flood water will be quickly drained from the site and not retained in any way that would lead to the creation of wet habitats.

REASON

To avoid endangering the safe operation of aircraft through the attraction of birds.

43. Nature conservation

Within 3 months of the commencement of development, a scheme for the protection of the nature conservation interest of the site including the remaining Sites of Metropolitan Interest within and adjacent to the application site during operations, including but not limited to the retention and safeguarding of the habitat of the Tree Sparrow and bats in the area adjacent to the River Colne, shall be submitted for the approval of the Mineral Planning Authority. The scheme shall include a programme for the works proposed. The approved scheme shall thereafter be implemented in accordance with the agreed programme.

REASON

To safeguard ecological/biodiversity interests within and adjacent to the site.

44. Aircraft Safeguarding

Planting as part of the restoration scheme shall avoid berry bearing species. Any bird boxes shall be of a design to ensure the apertures cannot be widened to provide access to bird species larger than sparrows.

The extraction of minerals from the site shall only be undertaken in a phased manner, to prevent ponding of water.

At no time shall any landforms, stockpiles or structures exceed 15m in height when measured from natural ground level.

REASON

To avoid endangering the safe operation of aircraft.

45. Inert Waste

All imported materials used for filling excavated areas must be inert

Before any filling of excavated areas is undertaken, imported materials shall be independently tested for chemical contamination to demonstrate materials are inert, and the results of this testing shall be submitted and approved in writing by the Local Mineral Authority. All soils used for restoration and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that only inert material is used to fill excavated areas.

3. CONSIDERATIONS

3.1 Site and Locality

The Application relates to land known as Moorbridge Farm and Bedfont Court Estate, located to the West of Heathrow Airport and bounded roughly by the Bath Road to the north, the A3044 to the east, the River Colne to the West and Spout Lane North to the South.

The Bedfont Court estate, consisted of neglected pasture, agricultural buildings, light commercial industrial buildings and 13 dwellings. These were let on agricultural tenancies. Nos 1, 2, 4 and 14 Bedfont Court were not in the ownership of Surrey.

The land to the north (Moorebridge farm) consisted of pasture.

To the east was the A3044, a classified distributor road. On the other side of the A3044 was the Western Perimeter Road of Heathrow airport and Perry Oaks sewage works. To the west was the River Colne, a main river beyond which was the M25 and landfilled gravel sites. To the north was the A4. To the south was Spout Lane North and Spout Arch, landfilled gravel works.

The land was of limited nature conservation value. The Holme Lodge Ditch, classified by the Environment Agency as a main river, crossed the land in a north-south direction. This was subject to a 20m Environment Agency consultation zone.

An Environment Agency flood bund/ditch ran from north to south to the west of Bedfont Court.

Most of the land (including the land taken) was in the flood plain of the River Colne.

A British Pipeline Authority oil pipeline crossed the eastern side of land in a broadly northsouth direction.

The applicant has advised that the land contained workable deposits of sand and gravel, namely course to fine, rounded to sub-angular flint, quartz and quartzite gravel with subordinate amounts of sandstone and occasional limestone pebble. The gravel was intimately mixed with a medium to course clean flint and quartz sand. The recorded thickness of the sand and gravel were approximately 2 metres to 5 metres. The tonnages in the land taken were 320,000).

Access to the land was from (i) Bedfont Court/Spout Road North; (ii) an unmade track from the A4 and (iii) a vehicle crossover for light agricultural use on the A3044, near its junction with the A4.

The land is designated as Green Belt and is subject to a height restriction of 15m.

3.2 **Proposed Scheme**

This is an application for a Certificate of Appropriate Alternative Development. The certificate seeks confirmation that at the 9th May 1996 planning permission would have been granted for development on the application site, comprising some 26 hectares, for:

· Construction of access from A3044

 \cdot Soil stripping; storage of soil in bunds around edge of extraction area

• Phased extraction of about 1.2 million tonnes of sand and gravel over a period of about 8 years, working from the north

- · On-site processing
- · Importation of inert fill
- · Restoration to agricultural use with hedge and tree planting

· Retention of access for agricultural purposes

4. PLANNING POLICIES AND STANDARDS

The following policy documents are relevant to the consideration of this application:

National:

MPG 1: General and Development Planning MPG2: Applications, Permissions and Conditions MPG6: Guidelines for Aggregates Provision in England MPG11: The Control of Noise at Surface Mineral Workings PPG2: Green Belts PPG9: Nature Conservation

Regional:

RPG3: Strategic Guidance for London Planning Authorities RPG9: Regional Planning Guidance for the South East(March 1994)

Local:

· The Hillingdon Heathrow A4-M4 Local Plan 1985

· Borough Planning Strategy 1989, and 1990 amendments

· Deposit Draft Hillingdon UDP 1993

5. ADVERTISEMENT AND SITE NOTICE

Advertisement Expiry Date: Not applicable

Site Notice Expiry Date: Not applicable

6. CONSULTATIONS

6.1 External Consultees

Representation from the acquiring authority (The Highways Agency) have been received which sets out the context within which the application is made, a description of the site and surrounding area, guidance on the determination of s17 certificates, a description of the site including existing features and properties and the constraints relating to it such as the River Colne on the western boundary, the SINC's and the Longford-Walton oil pipeline along the eastern boundary of the site. It then goes on to set out the policies and guidance at national

and local level, applicable to the determination of the application. It then sets out the grounds and arguments as to why permission would not have been granted at the relevant date. The full representation is attached as Appendix A to this report, however its grounds of representation are set out as follows:

"6 Representations by the Acquiring Authority

6.1 The Acquiring Authority makes reference to the current national guidance on mineral working in MPG's and the development plan policy context for this s17 application as referred to above as they applied on 9th May, 1996. The acquiring authority represents that had a planning application been made for sand and gravel extraction on the Claimant's land and determined on the 9th May, 1996, then planning permission would have been refused. It follows that the positive s17 certificate sought by the Claimant's cannot be issued by LBH as mineral planning authority because:

i. The application is predicated upon an incomplete review of the policies of the adopted development plan for the site applying on 9th May,1996, and as such is fundamentally flawed;

ii. Applying s54A of the 1990 Act, a planning application for sand and gravel extraction from the site as at the 9th May, 1996, would have been contrary to policies of restraint on such development and environmental protection policies in the adopted and emerging development plan for the site, with no material considerations indicating otherwise, and as such would have been refused;

iii. The application is not accompanied by the detailed level of information advised in MPG's 2 and 6, and as required by adopted and emerging development plan policy, demonstrating the existence of the claimed quantities of workable sand and gravel reserves (1.2 million tonnes) are, as a matter of fact, contained within the application site;

iv. Absent the requisite Environmental Assessment or equivalent planning assessment to accompany this application, the mineral planning authority have no basis for determining that adverse environmental impacts of the proposed development could have been dealt with in a satisfactory way such that the development could have proceeded;

v. The application site on 9th May, 1996, included a residential property in third party ownership but the application itself makes no provision for safeguarding the residential amenity of the residents and their access to that property or ensuring that they and the property would not have been put at increased risk of flooding as a result of the development;

vi. The application makes no reference to assessing then safeguarding, as appropriate, the residential amenities of any other residential property in the vicinity of the application site on 9th May, 1996, such that adverse impacts of the development on the residents of those properties would have been avoided;

vii. The application contains insufficient information to demonstrate that in May 1996, in the no-scheme world, sufficient and suitable restoration material would have been available to restore the site in-step with the rate of extraction proposed, thereby avoiding unacceptable risks of bird strike to aircraft using the adjoining Heathrow Airport site;

viii. The application contains no evaluation of the quality of the agricultural land in the site in May 1996 or whether restoration to a similar agricultural grading might be achieved and, as such, any grant of planning permission would have been contrary to development plan policies protecting Grades 1, 2 and 3a land from mineral working;

ix. The application contains no evaluation of the natural habitats that would have been found within the site in May 1996 in the no-scheme world or whether the nature conservation interest of the site as a whole could be safeguarded, including by mitigation of impacts or translocation of habitats, and as such the proposals would have been contrary to development plan policies for safeguarding nature conservation interests;

x. The application contains no information to demonstrate that the development could have occurred without adverse consequences for the hydrological and hydrogeological regimes

on and around the site in May 1996, including mobilising possible contaminants in the land, contrary to development plan policy;

xi. In the absence of certainty about the availability of restoration material in May 1996, and given the location of the site in the Colne Valley Park and the proximity of derelict and degraded land, there is no assurance that satisfactory and timely restoration and landscaping of the site would occur such that adverse visual and landscape impacts would not arise contrary to development plan policy, and particularly policy for safeguarding the Metropolitan Green Belt; and

xii. Absent information contained in the application relating to the quantity and quality of the sand and gravel deposits within the site, or that it would have made a significant contribution to meeting the local need for concreting aggregates for the construction industry, there is no basis for offsetting the above development plan and other policy objections in May 1996."

Planning Officer Comment

Concerns are raised that inadequate information has been provided as part of the application. In practice, had a real planning application have been submitted for assessment in 1996, it would have necessarily been accompanied by an Environmental Assessment. Environmental Assessment contains significant analysis and details, and obviously one does not exist from 1996. Officers have taken a pragmatic approach, and to make best use of the information and evidence that is available.

It is worth noting that in 2003 an Environmental Statement was produced an accompanied the approved application for mineral extraction at the application site. Whilst this obviously post dates 1996, and therefore can not provide actual evidence of ground conditions in 1996, there were not any material changes at the site between 1996 and 2003 (nothing, which would make the 2003 Environmental Statement irrelevant).

Officers have done their very best to find information (including from the 2003 Environmental Statement) to inform this assessment, and consider that the approach has been consistent with the Circular 06/2004 "Compulsory purchase and the Crichel Down Rules".

Concern is raised that insufficient proof is available to show that suitable restoration material would have been available to restore the site. There is no evidence to suggest that material could not be sourced, and subject to conditions to control the way extraction occurs (to make sure there is not ponding which would attracting birds), there would be no reason that planning permission would be refused. It is worth noting that consent was granted to mineral extraction at the site in 2003.

Other concerns raised are addressed in body of the report.

6.2 Internal Consultees

SUSTAINABILITY OFFICER:

Background

The following comments are in response to an application for a Certificate of Appropriate Alternative Development.

The processing of the application for this particular certificate requires consideration of a proposal for sand and gravel extraction as if applied for in 1996. The following comments are written as if made at that time.

Environmental Impact Assessment

The development is likely to require Environmental Impact Assessment by virtue of Schedule 2(c) of the Assessment of Environmental Effects Regulations (1988).

Ecology Observations

The principle guidance for considering nature conservation comes from Planning Policy Guidance Note 9: Nature Conservation. This document sets out a requirement to ensure development should consider nature conservation values.

Local planning authorities should not refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features, or if other material factors are sufficient to override nature conservation considerations.

Where there is a risk of damage to a designated site, the planning authority should consider the use of conditions or planning obligations in the interests of nature conservation. Conditions can be used, for example, to require areas to be fenced or bunded off to protect them, or to restrict operations or uses to specific times of year. Planning obligations can accompany permissions in order to secure long-term management, to provide funds for management, or to provide nature conservation features to compensate for any such features lost when development takes place. Full guidance on planning conditions is provided by DoE Circular 1/85 and on planning obligations in DoE Circular 16/91.

The Council does not consider that there are sufficient ecological reasons to refuse an application as the site itself and immediate surroundings are not overly sensitive. However, the proposed development is in close proximity to two locally designated sites, the Lower Colne Valley metropolitan site of importance for nature conservation (SINC) and the Perry Oaks Sewage Works Borough Grade 1 SINC. The citations for these SINCS and the relevant maps are included in the appendix.

The development will need to incorporate a vegetated buffer between the site and Lower Colne Valley SINC on the western side of the site boundary. The development should also be managed in such a way as to minimise any harm to the SINCs.

Of particular importance will be the need to restore the site to a land use that increases the habitat quality in the area.

A condition will be required to secure environmental improvements and specific wildlife habitat areas as part of the restoration plan.

An onsite management plan shall demonstrate no encroachment of harmful emissions such as noise, odour, dust or pollutants into the SINCS.

Pollution Prevention

A condition will be required to ensure that there are adequate plans for pollution prevention including the discharge of foul waters and any waters from washdown of materials.

HIGHWAY OFFICER:

There were three existing accesses to the site :

- 1. Bedfont Court/Spout Road North
- 2. A track from the A4 and

3. A vehicle crossover on the A3044, Stanwell Moor Road, near its junction with Bath Road, Longford.

The existing accesses 1 and 2 for a variety of reasons, stated in the submission, were not considered suitable for upgrading into acceptable accesses to serve the development. The option submitted is for an access off the A3044.

LB Hillingdon are the highway authority for the A3044 Stanwell Moor Road which is a dual carriageway, with a speed limit of 50 mph along the stretch of highway off which an access is proposed. The access as shown on the submitted plan provides adequate visibility and acceleration and deceleration lanes commensurate with the speed limit of the main road. The access are of sufficient width to accommodate HGV and 16.6 m low loaders movements.

120 daily two traffic HGV movements are envisaged. This is a worst case scenario based on an assumption that empty lorries will come in to remove sand and gravel and lorries bringing inert fill to the site will leave empty. Based on a 10 hour working day, Monday to Friday (1/2 day Saturday) there would be 12 HGV two way trips during the AM peak hour. This level of trips in not considered to have any material impact on the surrounding Hillingdon highway network. As such no objections are raised on highway grounds.

7. MAIN PLANNING ISSUES

7.1 The Principle of the Development

A Section 17 application requires a look back to an historic date and set of circumstances but differ from planning applications because there is no intention that the alternative development will be carried out. What is required is a degree of clarity on land use and the acceptable form of development, together with the identification of any constraints or requirements that could impact on value, but there is no need for the applicant and LPA to resolve all the details of the development envisaged.

A more pragmatic approach, as to whether permission would have been granted at the relevant valuation date, is therefore appropriate which requires officers to exercise their judgement based not just on a re-reading of the policies and guidance that were extant at the valuation date but also on their or their colleagues experience of how these policies were in practice being applied at that date. This is particularly important when considering four issues in this case:

1. Whether the grant of permission would have been contrary to policies of restraint on such development in the adopted and emerging development plan for the site;

2. Whether there is sufficient level of information demonstrating the existence of the quantities of workable sand and gravel reserves (1.2 million tonnes) are contained within the application site;

3. Whether sufficient and suitable restoration material would have been available to restore the site in-step with the rate of extraction proposed.

4. Whether the loss of existing housing would have been acceptable.

Taking each of these issues in turn:

1. Policy

National Policies

National policy on minerals was contained in MPG1 (1988), this required Unitary Development Plans (UDP's) to recognise that local, regional and national requirements for minerals should be met and that each authority should make a contribution to this (paragraph 25).

Authorities were required to provide a land bank to allow for at least 10 years of extraction of aggregates (paragraph 56).

MPG6 (1994) (sand and gravel) stated that Mineral Planning Authorities in the South East should provide for the production of 420 million tonnes of sand and gravel in the period 1992-2006 (paragraph A3.3) and should make provision for landbanks consistent with this level of production (paragraph 81).

It is quite clear that there was a national remit for pursuing mineral extraction.

Regional Policies

Regional policies relating to mineral extraction in 1996 were contained in Regional Planning Guidance (RPG's). RPG3 (May 1996) (London) required that provision should be made in London for the extraction of workable mineral reserves and anticipated an increase in demand. Boroughs were required to demonstrate that they had considered the need for minerals.

It is quite clear that there was a regional policy remit for pursuing mineral extraction.

Local Policies

The policy situation was in a state of flux at the relevant date in that part of the site had originally been within the administrative boundaries of Surrey County Council but had transferred in April 1994 to the London Borough of Hillingdon.

Thus, whilst there were policies within the Surrey Structure Plan and the Surrey Minerals Local Plan which may have been applicable to the site, the whole area was now within the boundaries of the London Borough of Hillingdon and thus it is not stretching a point to argue that the policies of the emerging Hillingdon Unitary Development Plan should take precedence.

Policy MIN1 of the Hillingdon Unitary Development Plan had evolved from the original, which restricted production of sand and gravel to not significantly more than 50% of the London expectation, to a restriction of no more than 150 hectares of land south of the M4 being subject to planning consent, as set out in Policy MIN3, by the relevant date and had increased to 165 hectares by the time of adoption.

The deposit draft UDP of 1994 quoted a figure of 147 hectares as having extant planning permission, however there are no figures available as to the exact area of land with extant permission at the relevant date. However, it is significant to note that soon after the relevant date, in December 1996, permission was granted for an additional 22.2 hectares on land south of Sipson Lane. This would appear to indicate that there was capacity within the 150 hectare ceiling at the relevant date or that the Mineral Planning Authority did not consider a breach of this figure to be significant. In any event, at the relevant date there would not appear to have been a reason in terms of Policies MIN 1 and MIN3 as to why permission should not have been granted in principle for the application site.

The portion of the site which had been in the ownership of Surrey Council had been identified as a Category 1 potential working site in the Surrey Mineral Local Plan, in relation to which there was a presumption in favour of mineral working (Policy 10).

Policy M2 of the Heathrow A4/M4 Local Plan provided that, proposals for the extraction of minerals would be assessed against various criteria. These were general environmental criteria, and subject to conditions, including conditions to ensure restoration no objection to the scheme in policy terms would be raised.

The 1989 Hillingdon Borough Strategy recognised that pressure on mineral bearing land would be likely to increase It is important to recognize that where mineral extraction is refused planning permission, this has the effect of increasing pressure for supply at other sites, this is a consideration which should be taken into account in the assessment of mineral extraction applications.

There were not any policies prohibiting mineral extraction.

2. Quantities of sand and gravel

With regard to whether information was available as to the existence of sufficient quantities of sand and gravel, the emerging UDP identified that part of the site within Hillingdon's boundaries as a site containing reserves of sand and gravel and that part within Surrey's boundaries was identified by Surrey as a preferred site for mineral extraction.

Thus there does not seem much doubt that the site contained sufficient deposits at the relevant date. This was borne out by subsequent permissions granted on the site.

3. Sufficient and suitable restoration material

On the issue of whether sufficient and suitable restoration material was available at the relevant date, there is no information available either way on this matter. It should be noted that the sites being worked before and up to the relevant date had sufficient material available and that, in researching applications around the time of the relevant date and some time before, there does not appear to have been any applications refused on the basis that insufficient fill material was available.

Again this was borne out by subsequent permissions granted on the site. Subject to conditions to ensure the site would not attract birds (which might be a hazard to aircraft), there would be no objection to the proposal in terms of how long it might take to find suitable restoration material.

Loss of Housing

The proposal would result in the demolition dwellings (i.e. the loss of residential accommodation). Policies H1 and H2 of the Unitary Development Plan seek to safegaurd existing housing. The supporting text to these policies sets out when an exception to policies H1 and H2 may be acceptable. The exemptions include where an existing dwelling or small isolated group of dwellings is located so close to an established use which causes nuisance or disturbance that a satisfactory residential environment cannot practically be achieved.

It is considered that this policy exception applies in this particular case. The small, isolated group of dwellings at Bedfont Court is located close to the ends of the two main runways of Heathrow Airport in a noise environment that is unsatisfactory for residential occupiers.

Whilst it is appropriate to assess the loss of existing housing as a negative planning factor, it is also necessary to weigh this against the positive factors, which would include job creation, supply of minerals for construction, and the long term benefit of creating an attractive agricultural environment once the works required by the 'after care' conditions have been implemented (landscaping etc).

In conclusion, on the principle of sand and gravel extraction of the level indicated within the application, the proposal would not appear to conflict with the emerging UDP and sufficient information as to the presence of significant levels of sand and gravel within the site was available for the Mineral Planning Authority to grant permission.

7.2 Density of the Proposed Development

Not applicable to this application.

7.3 Impact on Archaeology

It is possible that archaeological remains are present on the site and this would need to be evaluated. However, this can be covered by condition.

7.4 Airport Safeguarding

The site was subject to height restrictions due to the proximity of Heathrow airport. However this would not restrict the development of the site subject to conditions limiting heights of any development/storage on the site.

Given the proximity to Heathrow airport, it is important to ensure the site does not attract birds, and therefore conditions are recommended to ensure that the extraction is done in a way which would not create large pools of water (attractive to birds), or that restoration landscaping involves berry bearing species (which may also attract birds).

7.5 Impact on the Green Belt

At the national level policy relating to Green Belts was contained within PPG2 - Green Belts, which at Paragraph 3.11 stated:

"3.11 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. Mineral and local planning authorities should include appropriate policies in their development plans. Mineral planning authorities should ensure that planning conditions for mineral working sites within Green Belts achieve suitable environmental standards and restoration."

The fundamental aim of Green Belt policy is and was to prevent urban sprawl by keeping land permanently open. The proposed development would involve a period of disturbance of the land including restoration of the site. Openness will be reduced as a result of the activities at the site. Thus, there would be a temporary impact on the openness of the Green Belt in the short term. In the longer term, subject to the satisfactory restoration of the site which would be the subject of conditions, there would not be a permanent impact such that permission could not have been granted. Thus, in terms of its impact on the Green Belt the proposal is considered acceptable.

At the local policy level, the Heathrow A4-M4 Local Plan contained a conventional Green Belt policy (GB1) and sought landscape improvements in the Green Belt when new uses

were proposed (policy GB3). The 1989 Borough Strategy repeated the Green Belt policy (BPS 80).

The relevant policies in the Draft Unitary Development Plan were Pt1.1 (maintain the Green Belt for uses which preserve openness), OL1 (keep the Green Belt free from inappropriate development) and OL2 (seek comprehensive landscaping improvements in the Green Belt where appropriate).

Subject to conditions to ensure proper restoration, the development would not have been inappropriate development in the Green Belt. It would have involved the removal of buildings, improving the openness of the Green Belt.

The temporary extraction, filling and restoration operations would not have materially conflicted with the openness of the Green Belt. The site would have been restored to agriculture, with no buildings, an appropriate Green Belt use. The restoration would have enhanced the landscape of the Green Belt, and this benefit is considered to weigh in favour of the proposal.

7.6 Impact on the Character and Appearance of the Area

The site is situated within the Colne Valley Park (CVP). The aims of the CVP, as set out in its 1995 Regional Strategy are:

 \cdot To maintain and enhance the landscape (including settlements) and waterscape of the Park in terms of their scenic and conservation value and their overall amenity

 \cdot To resist urbanisation of the CVP and to safeguard existing areas of countryside from inappropriate development

• To conserve the nature conservation resources of the Park through the protection and management of its diverse plant and animal species, habitats and geological features

 \cdot To provide accessible facilities and opportunities for countryside recreation which do not compromise the above.

The site is also located within a Comprehensive Rehabilitation Area (CRA), which imposes strict requirements on any proposals within this area, including the restoration and reclamation of land and landscape improvements.

As the principle of mineral extraction is acceptable on this site, the achievement of the aims outlined above would be dependent on the quality of the restoration of the site, which could be, and is in applications of this nature, controlled by condition.

It is worth recognising that whilst the site was not waste land in 1996, the restoration would have enhanced the landscaping and appearance, again this benefit is considered to weigh in favour of the proposal.

7.7 Impact on neighbours - Noise and Air Quality

There are residential properties within and around the application site. Those within, except No.14 Bedfont Court, are proposed for demolition, as part of the proposal.

The amenities of No.14 and those outside, but reasonably close to the site, could be protected by the imposition of conditions relating to:

- * buffer around the residence
- * noise levels,
- * dust emissions,
- * hours of working etc.

Subject to these conditions the proposal would be considered acceptable. It is important to regognise that mineral extraction is a temporary activity; impacts would be temporary and can be controlled. On balance, it is not considered that refusal of the scheme could be justified on the basis of impacts on neighbours.

7.8 Traffic Impact, Car/cycle Parking, Pedestrian Safety

There were three existing accesses to the site at the relevant date:

- 1. Bedfont Court/Spout Road North;
- 2. A track from the A4; and

3. A vehicle crossover on the A3044, Stanwell Moor Road, near its junction with Bath Road, Longford.

The proposal is to use an access off the A3044. A planning obligation would be required to secure the provision of any off site highways works necessary to enable the creation of the access into the site.

LB Hillingdon are the highway authority for the A3044 Stanwell Moor Road which is a dual carriageway, with a speed limit of 50mph along the stretch of highway off which an access is proposed. The access as shown on the submitted plan provides adequate visibility and acceleration and deceleration lanes commensurate with the speed limit of the main road. The access and egress are of sufficient width to accommodate HGV and 16.6m low loaders movements.

120 daily two traffic HGV movements are envisaged. This is a worst case scenario based on an assumption that empty lorries will come in to remove sand and gravel and lorries bringing inert fill to the site will leave empty. Based on a 10 hour working day, Monday to Friday (1/2 day Saturday) there would be 12 HGV two way trips during the AM peak hour. This level of trips is not considered to have any material impact on the surrounding Hillingdon highway network. As such no objections are raised on highway grounds.

7.9 Urban Design, Access and Security

Urban design is not strictly relevant to the proposal as it doesn't relate to buildings, access to the site can be secured by way of planning obligation. It is not considered that the proposal would result in any unacceptable security issues.

7.10 Access for People with a Disability

Given the nature of the scheme, no objection is raised to the proposal in terms of disabled access.

7.11 Housing Mix, Affordable Housing and Special Needs Housing

Not applicable to this application. The issue of the loss of existing housing has been dealt with in section 7.01 of this report.

7.12 Trees, Landscaping and Ecology

The site is in close proximity to two locally designated sites, the Lower Colne Valley metropolitan site of importance for nature conservation (SINC) and the Perry Oaks Sewage Works Borough Grade 1 SINC.

The principle guidance for considering nature conservation comes from Planning Policy Guidance Note 9: Nature Conservation. This document sets out a requirement to ensure development should consider nature conservation values.

Local planning authorities should not refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features, or if other material factors are sufficient to override nature conservation considerations.

Where there is a risk of damage to a designated site, the planning authority should consider the use of conditions or planning obligations in the interests of nature conservation. Conditions can be used, for example, to require areas to be fenced or bunded off to protect them, or to restrict operations or uses to specific times of year. Planning obligations can accompany permissions in order to secure long-term management, to provide funds for management, or to provide nature conservation features to compensate for any such features lost when development takes place. Full guidance on planning conditions is provided by DoE Circular 1/85 and on planning obligations in DoE Circular 16/91.

The Council does not consider that there are sufficient ecological reasons to refuse an application as the site itself and immediate surroundings are not overly sensitive. However, the proposed development is in close proximity to two locally designated sites, the Lower Colne Valley metropolitan site of importance for nature conservation (SINC) and the Perry Oaks Sewage Works Borough Grade 1 SINC. This being the case, conditions relating to the provision of a vegetated buffer between the site and Lower Colne Valley SINC on the western side of the site boundary, the management of the site to ensure no encroachment of harmful emissions such as noise, odour, dust or pollutants into the SINCs, the restoration of the site to secure environmental improvements and specific wildlife habitat areas and the submission of plans for pollution prevention including the discharge of foul waters and any waters from washdown of materials are recommended.

7.13 Sustainable Waste Management

The site is large enough to accommodate waste storage facilities for any litter generated by workers on the site. The infilling excavated areas with inert waste is integral to the application, and is considered to be a suitable a location to dispose of this sort of waste. No objection is raised.

7.14 Renewable Energy/Sustainability

Not strictly applicable to this application. Conditions are imposed to ensure that drainage is adequate, pollution does not occur and that the natural environment (ecology) is not unacceptably harmed.

7.15 Flooding Issues

On the matter of flooding and drainage, technical expertise rests with the predecessor of the Environment Agency, The National Rivers Authority. It is worth noting that the Environment Agency was formed on 1 April 1996 (i.e. it rather depends on what date consultation would

have been undertaken to know which name consultation letters would have been addressed to).

No flood risk assessment was undertaken in 1996, however in practice, had a real planning application have been submitted for assessment in 1996, it would have necessarily been accompanied by a Flood Risk Assessment. Officers have taken a pragmatic approach, and to make best use of the information and evidence that is available.

It is worth noting that in 2003 various materials were submitted as part of an application for mineral extraction at the application site. This post dates 1996, however there is no evidence to suggest that conditions in terms of flood risk were significantly different between 2003 and 1996. This experience of other applications suggest that this authority would not object to the scheme in terms of flooding, subject to a number of conditions, which are recommended.

7.16 Comments on Public Consultation

The issues raised are covered within the body of the report.

7.17 Planning Obligations

Planning obligations are normally entered into under Section 106 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991). There are exceptions to this, namely s.278 agreements under the Highways Act 1980, which relate solely to highway works.

In this case to ensure that access to the site is provided a planning obligation would be sought to ensure any offsite highways works necessary to create the access are undertaken.

7.18 Agricultural Land

A small part of the application site may include agricultural land classified as being of Grade 2, but in the main it is classified as being Grade 3a quality. The Draft UDP states that the Mineral Planning Authority would resist the loss of grade 1-3a land unless restoration and aftercare would 'enable the land to be restored, as far as it is practicable to do so, to a standard similar to its pre-working agricultural land quality.' The temporary loss of, in this case mainly grade 3a agricultural land, is not therefore unacceptable in principle. What is required and can be achieved by rigorous conditions is that aftercare schemes are sufficiently robust such that the land is restored to usable agricultural land.

8. OBSERVATIONS OF BOROUGH SOLICITOR

An application for a certificate under section 17 Land Compensation Act 1961 ('S.17') is a mechanism that enables an applicant to find out whether planning permission could reasonably have been expected to have been granted at a specified date in the past, had a compulsory purchase order not been made in respect of that land. A S.17 Certificate may be used by an applicant in proceedings before the Upper Tribunal where the value of compulsorily purchased land is in dispute between the acquiring authority and the former owner of the land.

Although Section 17 has been amended by the Localism Act 2011, the Compulsory Purchase Order to which this application relates predates that Act coming into force. Therefore the provisions of section 17 for the purposes of this application remain as in force before the Localism Act, and the legal comments are therefore predicated on this basis. The Committee has two options in determining this application. It can resolve either that:

- (a) In the Council's opinion there is a class/classes of development which would have constituted appropriate alternative development in relation to the acquired land, but not for any other classes of development; or
- (b) In the Council's opinion there is no development which would have been appropriate alternative development in relation to the acquired land.

Where, in the opinion of Members, planning permission would have been granted as per (a) above, they must specify the class or classes of development that would have been appropriate. Additionally, under section 17(5), if planning permission for the alternative use would have been granted:

- subject to conditions that were necessary to make the use acceptable; or
- at a future time (for example where a policy in force on 9 May 1996 envisaged a strategic managed release of certain land designations that would be phased across the plan period); or
- subject to other requirements, for example requirement for entry into a planning obligation;

then the certificate must state those conditions, or that future time or those additional requirements and provide full reasons for forming that view.

If planning permission would not have been granted for an alternative use, the Council must issue a certificate stating that the only use that would have been appropriate would have been the use envisaged by the compulsory purchase order. In the context of this application, the land was compulsorily acquired in order to accommodate the M25 spur road which was necessary as part of the Terminal 5 development at Heathrow Airport. Appropriate alternative developments (if any) will be alternatives to that spur road development.

The following key points should be noted by members:

- The relevant date for assessing a S.17 application is the date on which notice of the compulsory purchase was first given to the previous owner. In this case such notice of compulsory purchase was given on 9 May 1996 and Members must apply planning policy as it was in force at that date.
- Members should not take into account any events or circumstances pertinent to the land that occurred after that date that would not have been known about and must therefore exclude subsequent events from their minds (for example changes in policy that occurred after 9 May 1996 but that were not emerging policies material to an application determined on 9 May 1996)
- In determining this application, Members must assume that the development scheme for which the land was proposed to be acquired (i.e. the scheme for the M25 Spur Road) was cancelled at the relevant date, rather than assuming the scheme was never conceived.
- Members should apply ordinary planning principles to the application in light of the circumstances existing at the relevant date.
- In deciding what descriptions or classes of development would have been appropriate, there is no requirement to refer to a use class defined within the Town and Country Planning (Use Classes) Order 1995: alternative classes of use set out in a S.17 Certificate may be very general classifications of use, for example residential, industrial etc.
- The likelihood of an actual planning application being made or particular use being implemented is not a material consideration for the purposes of a S.17 Certificate.

• As with all items before Committee, Members should not have regard to the identity of the applicant or any background facts to this application if known to them, solely applying planning considerations as required by S.17.

If the S.17 Certificate is not granted on the terms of the application, the Council must include in the certificate a statement giving the Council's reasons and in any event give particulars of the manner in which an appeal can be made of the decision. Any party with an interest in the Land will have a right to appeal to the Upper Tribunal (Lands Chamber) against the S.17 certificate.

9. CONCLUSION

In arriving at the appropriate alternative uses, the process must consider what uses would have been granted permission at the date of the serving of the Compulsory Purchase Order. The assessment is based on planning policy in place at relevant date, consideration of permissions granted prior to the relevant date and information available at that date. Taking all these factors into account it is considered that the use of the site for the extraction of sand and gravel, filling with inert waste and restoration to agriculture would have been acceptable subject to conditions. As such, approval of the certificate is recommended.

10. REFERENCE DOCUMENTS:

PPG2 (1995) PPG9: Nature Conservation (1994) MPG1(1988) MPG6(1994) MPG11(April 1993) (noise) RPG3 (May 1996) (London) RPG9 (March 1994) (the South East) The Hillingdon Heathrow A4-M4 Local Plan 1985 Borough Planning Strategy 1989 and 1990 amendments Hillingdon UDP Deposit Draft 1993

Contact Officer: Meghji Hirani

Agenda Item 8

02/09/2013

03/07/2013

Report of the Head of Planning, Sport and Green Spaces

Address HONEYCROFT DAY CENTRE SITE HONEYCROFT HILL UXBRIDGE

- **Development:** Redevelopment of site to provide a three storey building comprising 36 residential units, consisting of 20 affordable units and a further 16 units for people with learning difficulties (including communal lounge, staff office and overnight room), as well as associated landscaping, access, parking and amenity space.
- LBH Ref Nos: 6046/APP/2013/1834

PAR18654-11b Rev. D **Drawing Nos: Design & Access Statement** Tree Survey Badger Survey Code for Sustainable Homes Pre-Assessment Energy Statement - Revision C, received 30 August 2013 213114 010 213114 031 213114 121 Rev. C 213114 130 Rev. D 213114 131 Rev. C 213114 140 Rev. D 213114 141 Rev. C 213114 150 Rev. C 213114 151 Rev. A 213114 160 Flood Risk Assessment (amended), received 2 September 2013 Phase II Ground Investigation Report dated 21.08.13 Report On A Phase I Desk Study dated 21.08.13 Extended Phase 1 Habitat Survey and Code for Sustainable Homes, date June Habitat Survey Verification Letter June 2013 Acoustic Report Parking Management Plan dated September 2013 Mitigating Overlooking Plan (2 sheets) Landscape Maintenance and Management Plan (PAR18654Man **Reptile Survey Planning Statement** TPO Plan dated August 2013 213114 001 213114 030 Agent's Note received 3 September 2013 Badger Survey dated 28 June 2013 213114 110 Rev. D Materials Schedule **Transport Assessment Date Plans Received:** 03/09/2013 02/07/2013 Date(s) of Amendment(s):

02/07/2013

Date Application Valid:

24/07/2013 30/08/2013 27/08/2013 23/08/2013 27/09/2013

1. SUMMARY

This full planning application seeks to redevelop the former Honeycroft Day Centre site, located on the southern side of Honeycroft Hill in Uxbridge, to provide a residential block comprising 36 residential flats. 16 of these self contained flats would be within a single Leaning Disability Unit and 20 flats for social rent consisting of 14 in number two bedroom units and 6 in number one bedroom flats.

The scheme is of a comparable footprint to the extant outline permission, but would be set 5.5 metre further away from the northern site boundary and the nearest residential properties lying to the north of the site, namely Silvercay Cottage and 4 residential properties located in Hyacinth Drive. The building height would also be comparable with the extant scheme.

The scheme complies with relevant policy and guidelines within the Council's Supplementary Planning Document on Residential Layouts and would provide satisfactory living conditions for future occupants. The scheme is not considered to give rise to issues such as loss of privacy, loss of outlook or overshadowing, which would be detrimental to the residential amenity of occupiers of nearby properties, sufficient to justify refusal.

The proposed car parking provision and access arrangements are considered to be satisfactory.

No objections are raised to the principle of the development in this location and the application is considered to comply with policies of Hillingdon Local Plan and London Plan policies. Accordingly, approval is recommended.

2. **RECOMMENDATION**

1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to

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

(i) Highways

(a) Installation of a "Yellow Box" junction on Honeycroft Hill at the junction with Honey Hill.

(b) Tactile Pavers at the existing dropped kerb crossing point on Honey Hill.

(c) Repainting of the 2 right turns (to serve into the site and into Brookside opposite the site) within the existing filter lane.

(ii) Education: £43,530

(iii) Health: £11,808.52

(iv) Libraries: £1,253.50

(v) Affordable Housing:

vi) Construction Training: either a financial contribution in the sum of £23,626.88 or an in-kind scheme delivered to the equivalent of the financial contribution delivered during the construction phase of the development.

vii) Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution

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

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

D) If the Legal Agreement/s have not been finalised within 3 months, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, ng, health facilities, public realm, open space improvement, library improvements, construction and employment training and delivery of necessary offsite highway works. The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPG.'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision:

1 COM3 Time Limit

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

REASON

2

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

COM4 Accordance with Approved Plans and Control of Use to Units

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PAR18654-11b Rev. D, 213114 001,213114 010, 213114 030 ,213114 031, 213114 110 Rev. D, 213114 121 Rev. C, 213114 130 Rev. D, 213114 131 Rev. C, 213114 140 Rev. D, 213114 141 Rev. C, 213114 150 Rev. C, 213114 151 Rev. A, 213114 160 and shall thereafter be retained/maintained for as long as the development remains in existence.

In particular the 16 units identified for occupation by persons with learning disabilities shall be so occupied, and not be subsequently converted into private residential dwellings units and occupied by the wider public.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Tree Protection: TPO Plan, dated August 2013 & Tree Survey (PHG/HNC/AIA/02), dated 1 July 2013

Land Contamination: Phase II Ground Investigation Report - 21.08.13, Report on a Phase I Desk Study - 21.08.13

Parking Management Plan, dated September 2013

Landscaping: Soft Landscaping Specification (Ref AR18654Man), dated June 2013 & PAR18654-11b Rev. D, Landscape Maintenance and Management Plan (PAR18654Man)

Ecological Improvements: Extended Phase 1 Habitat Survey [recommendations] Materials: Material Schedule

Flood Risk: Flood Risk Asessement (amended) dated 7 June but amended August 2013 and received 2 September 2013.

Lifetime Homes Standards: Design and Access Statement and Agent's Note received 3 September 2013

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON

To ensure that the development complies with the objectives of Policies BE13, BE38, AM14, AM15 and OE7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 COM26 Ecology

No development shall take place until a scheme to protect and enhance the nature conservation interest of the site has been submitted to and approved by the Local Planning Authority. The agreed works shall be undertaken prior to occupation of the

development.

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 7.19.

5 NONSC Flood Prevention

Unless otherwise agreed in writing by the Local Planning Authority, the development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Issue (Amended) dated 7 June 2013, but subsequently amended and received 2 September 2013 and the following mitigation measures detailed within the FRA:

i) Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

ii). Provision of compensatory flood storage in the site to a 1 in 100 year plus climate change standard. No development shall take place on site until details calculations and drawings of the compensation have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

iii). Finished floor levels are set no lower than 300mm above the 1 in 100 year plus climate change flood level .

REASON

i) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

ii) To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

iii) To reduce the impact of flooding on the proposed development and future occupants and

To comply with Policy 5.13 of the London Plan (July 2011) and to ensure the development does not increase the risk of flooding in compliance with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012 and Policy 5.12 of the London Plan (July 2011) and Planning Policy Statement 25.

6 COM28 Visibility Splays - Pedestrian

The proposed access to the site shall be provided with driver visibility splays of $2.4m \times 43m$ in both directions and shall be maintained free of all obstacles to visibility (unless agreed with the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway. The access for the proposed car parking shall be provided with those parts of $2.4m \times 2.4m$ 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 Local Plan: Part Two Saved UDP Policies (November 2012)

7 COM31 Secured by Design

The building(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 building 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 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.

8 SUS1 Energy Efficiency and CO2 Savings

Notwithstanding the details submitted in the Energy Assessment (including proposed provision of PV panels) prior to commencement of the development a scheme shall be provided demonstrating improvement in energy demand and 25% saving in carbon dioxide emissions measured against 2010 Building Regulation shall be submitted and approved by the local planning authority. The scheme shall be accompanied by a statement regarding who will carry out maintenance, how the outputs of the energy saving measures will be monitored and reported back to the Local Planning Authority in the 5 years following completion. The development will proceed in accordance with the approved plans and accompanying documentation. Failure to demonstrate the 25% reduction is being achieved will result in additional measures needing to be taken.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with London Plan Policy 5.2

9 NONSC Level or Appropriate Ramped Access

Level or ramped access including the appropriate anti slip surface shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2004 (incorporating the 2010 and 2013 amendments), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations

10 RES13 **Obscure Glazing**

All the windows facing west and shown on the approved plans and elevations as obscured glazed shall be permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

11 RES16 **Code for Sustainable Homes**

The development 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 5.2

12 COM30 Use of clean imported soils

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

13 NONSC Learning Disability Parking Bays

The 6 car parking spaces allocated for the operation of the Learning Disability Unit shall be used in perpetuity only in connection with the Learning Disability Unit unless there is prior written consent from the local planning authority.

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 Local Plan (November 2012) and Chapter 6 of the London Plan (July 2011).

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

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

REASON

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

15 SUS6 Green Travel Pack

Future residents and staff of the development shall be provided with up to date information of public transport timetables, bus routes serving the site plus cycle paths and way marked walking routes in the locality.

REASON

To promote sustainable transport and reduce the impact development on the surrounding road network in accordance with London Plan (July 2011) Policies 6.1 and 6.

INFORMATIVES

1 In 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 commision 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).

2 125A **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.

3 158 Opportunities for Work Experience

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 contace: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

4 160 **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)

5 115 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.

6 152 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).

7 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (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.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- OE7 Development in areas likely to flooding requirement for flood protection measures
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- R16 Accessibility for elderly people, people with disabilities, women and children

LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2011) Increasing housing supply
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 6.13	(2011) Parking
LPP 7.14	(2011) Improving air quality
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
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
NPPF	

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.6 hectare irregularly shaped plot located on the southern side of Honeycroft Hill in Uxbridge. It formerly accommodated the Honeycroft Day Centre, a drop-in day care centre for persons with learning difficulties, which occupied a single storey largely flat roofed building, with associated car parking, located in the north west corner of the site. The remainder of the site was largely laid to grass. All buildings on site were demolished in September 2010, only a hardstanding base remains.

The site is bounded to the north by Honeycroft Hill, beyond which are two-storey semidetached residential properties (with the exception of 2a Brookside which is a detached bungalow) located in Brookside and North Way. It is bounded to the west by Silvercay Cottage, a detached bungalow with roof accommodation, and detached two-storey houses in Hyacinth Drive; and to the east by the River Pinn, beyond which are threestorey blocks of flats located in Haymaker Close. The site's southern boundary abuts the former RAF Uxbridge site which is presently being redeveloped to provide residential, commercial, and community uses/facilities.

The western part of the site falls within the developed area as shown on the Hillingdon Unitary Development Plan Proposals Map. The eastern part of the site, along the River Pinn forms a Green Chain Link and also falls within Flood Zone 2.

3.2 Proposed Scheme

The application is for a residential scheme within a single building block consisting of 20 independent flats (16 x 2 bedroom and 6 x 1 bedroom) for affordable rental market sector and a separate Learning Difficulty Unit containing 16 one bedroom flats. The building would be 3 storey building with the 3rd storey in the roof space. The 3rd storey would be

served by dormers and roof lights. The building would be separated into two cores with 2 individual entrances. The Learning Difficulty units are located in the northern core and the affordable accommodation is located in the southern core. The site would be operated and managed as a whole by the applicant, a registered social landlord.

The Learning Difficulty Unit would have a communal lounge of approximately 41sq.m (adjacent to the sensory communal garden located to the west of the building), a small office (11sq.m) with a direct line of sight to the main entrance (thereby maintaining passive surveillance of the entrance) and an overnight room with en-suite shower room of approximately 17sq.m.

The scheme as a whole would provide a generous amount of external communal amenity space that would be broken down into separate informal spaces for different users groups alongside 4 private gardens for 4 individual ground floor flats that would face west.

The current scheme fits within the building envelope of the existing permission (with the exception of a slight increase in 1 of the 2 ridgelines) but differs from the approved scheme by being set 10.5m away from the western site boundary, as opposed to only 5m with the extant consent. Removed from the extant western elevation is the previous long cat slide roof and in its place an elevation that introduces windows at 1st floor level and inset dormers within the 3rd storey roof space, where previously there were only high roof lights. Issues of overlooking are addressed by obscured glazing, angles window bays, inset dormers and projecting blank elements to the elevation that screens windows from the neatest neighbours.

Brick would be the primary facing material, reflecting the character of the area, with a contrasting vertical tile hanging on the western elevation at first floor level. The roof would be finished in tile and have a narrow flat crown roof top, to reduce the building and provide more head height internally.

The scheme would prove for 26 car parking bays with 1 parking bay allocated per socially rented flats and the remaining parking bays for the operation of the Learning Disability Unit. 10% of the car parking bays would be laid out to meet the requirements of disabled car users.

Refuse and recycling storage facilities would be located in 2 covered bin enclosures located adjacent to the car park 1 dedicated for the Learning Disability Unit the other for use by the socially rented flats. Bike storage is split into two stores one located adjacent to the Learning disability unit the second by the affordable units.

3.3 Relevant Planning History

6046/APP/2010/2679 Honeycroft Day Centre Site Honeycroft Hill Uxbridge

Redevelopment of site to provide a two storey building, with roofspace accommodation, comprising 26 residential units with associated access, parking and amenity space (Outline application with details of access, layout and scale only).

Decision: 01-11-2011 Approved

Comment on Relevant Planning History

Ref 6046/APP/2010/2679 - An extant outline planning permission was granted on 27 March 2012 for the site to provide a 26 unit residential block. The details of access, layout and scale were dealt with at outline, the details of appearance and landscaping were

reserved matter for future consideration.

In terms of scale, general height and footprint the current scheme shares similar characteristics to the outline scheme. In contrast to the previous extant scheme the current scheme proposes habitable rooms in the north facing elevation.

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.BE1	(2012) Built Environment	
PT1.EM6	(2012) Flood Risk Management	
PT1.H1	(2012) Housing Growth	
PT1.H2	(2012) Affordable Housing	
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.	
BE23	Requires the provision of adequate amenity space.	
BE24	Requires new development to ensure adequate levels of privacy to neighbours.	
AM7	Consideration of traffic generated by proposed developments.	
AM14	New development and car parking standards.	
AM15	Provision of reserved parking spaces for disabled persons	
OE7	Development in areas likely to flooding - requirement for flood protection measures	
OE1	Protection of the character and amenities of surrounding properties and the local area	
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures	
R16	Accessibility for elderly people, people with disabilities, women and children	
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes	
LPP 3.3	(2011) Increasing housing supply	
LPP 3.5	(2011) Quality and design of housing developments	
LPP 5.12	(2011) Flood risk management	
LPP 5.13	(2011) Sustainable drainage	
LPP 5.15	(2011) Water use and supplies	

- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.7 (2011) Renewable energy
- LPP 6.13 (2011) Parking
- LPP 7.14 (2011) Improving air quality
- LPP 8.2 (2011) Planning obligations
- LPP 8.3 (2011) Community infrastructure levy
- SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008
- 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

NPPF

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 1st August 2013
- **5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised by means of a press notice in the local newspaper. A Site Notice was displayed. The owner/occupier of 130 neighbouring properties were consulted individually in writing and the North Uxbridge Residents Association.

4 letters of objection were received.

The reasons of objection/comment can be summarised as follows:

1) The scheme is to large in an already densely populated area

2) Turning the wooded area into a communal space will impact on my privacy both in my garden and kitchen

3) The building is too high.

4) There is potential for noise nuisance and anti-social behaviour in the communal space which backs directly on to my garden and from the development more generally.

5) My house will be more vulnerable to criminal activity.

6) The scheme will impact on the value of my property as the area will be less desirable place to live?

7) Will there be a planning condition to any planning consent that the affordable units are for older people down-sizing from larger homes?

8) Worried about damage to my foundations etc during construction, and associated noise and dust.

9) The development would have a greater impact on the badger population, than has been highlighted in the report on the subject. The value of the domestic gardens to the west and northwest of the site, as foraging locations, has been, (grossly underestimated. If the Honeycroft development is given the green light, access to garden foraging will be denied, possibly for ever. When the remainder of the RAF Uxbridge site is developed, then I fear that this will mean the end of this badger sett, due to the loss of essential food sources

10) The applicant's exhibition was useful and significant steps have been taken to mitigate the impact of the proposed development and personally welcome the inclusion of the sheltered housing featured in the design and the sensory garden.

11) I have a concern in the increase in the number of units compared to the previous scheme and how they might be utilised. It was suggested at the exhibition that the general affordable housing would be likely to be utilised for older people seeking to "downsize" from larger homes. If that were the case, then it would support the claim that traffic would not be increased but since 15 of the proposed 21 units would have 2 bedrooms that would appear to me more likely to be suited to young families.

ENVIRONMENT AGENCY: No objection

NATIONAL AIR TRAFFIC SERVICES (NATS): No objection.

CRIME PREVENTION DESIGN ADVISOR: Subject to a condition in respect of achieving Secure by Design accreditation no objection raised.

Councillor Josephine Barrett:

Requested the application is taken to Planning Committee for determination following a conversation with a local resident.

Internal Consultees

FLOOD AND WATER MANAGEMENT OFFICER:

Unless otherwise agreed in writing by the Local Planning Authority, the development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

i) Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

ii). Provision of compensatory flood storage in the site to a 1 in 100 year plus climate change standard. No development shall take place on site until details calculations and drawings of the compensation have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

iii). Finished floor levels are set no lower than 300mm above the 1 in 100 year plus climate change flood level .

REASON

i) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the

site.

ii) To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.iii) To reduce the impact of flooding on the proposed development and future occupants and

To comply with Policy 5.13 of the London Plan (July 2011) and to ensure the development does not increase the risk of flooding in compliance with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012 and Policy 5.12 of the London Plan (July 2011) and Planning Policy Statement 25.

URBAN DESIGN OFFICER:

Following revisions since the scheme's submission the scheme is considered an appropriate response to the site. The treatment of the elevations represents a marked improvement over the extant outline consent including the omission of the oppressive long pitch found on the western elevation.

HOUSING

The new housing development on Honeycroft will provide 16 much needed units of supported housing for adults with learning disabilities and a further 20 general needs rented units.

Tenants currently under occupying larger social rented homes in the borough, both Council and Housing Association, will be encouraged to apply for 20 new rented units on the development which are a mix of 1 and 2 bed flats.

It is anticipated that the quiet but convenient location coupled with generous amenity space on the development will make it attractive to those wishing to downsize. The majority of tenants that are considering downsizing are 50+ and have no young children which is attractive to neighbours concerned about noise. There is no intention to age band the properties or limit who would be eligible for them but rather to prioritise under occupiers who would release family homes for reletting. Many of the tenants in this category are very particular about where they wish to move to and take a long time to make the decision to actually move.

The Hillingdon Overcrowding and Under-occupation Officer has had input into the design of the block and will actively encourage interest from under occupiers from planning approval right through until the project completes and hands over.

PLANNING OBLIGATIONS:

1. Highways Works:

i) Installation of a "Yellow Box" junction on Honeycroft Hill at the junction with Honey Hill

ii) Tactile Pavers at the existing dropped kerb crossing point on Honey Hill

iii) Repainting of the 2 right turns (to serve into the site and into Brookside opposite the site) within the existing filter lane.

2. Affordable Housing: 35% of the development to be delivered as affordable housing. It is noted that the entire site will be delivered as affordable housing.

- 3. Education: a financial contribution in the sum of £43,530
- 4. Health: a financial contribution in the sum of £11,808.52
- 5. Libraries: a financial contribution in the sum of £1,253.50

6. Construction Training: either a financial contribution in the sum of £23,626.88 or an in-kind scheme delivered to the equivalent of the financial contribution delivered during the construction phase of the development.

7. Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution

ENVIRONMENTAL PROTECTION UNIT:

No objection subject to condition to ensure imported soils shall be independently tested for chemical contamination.

WASTE DEVELOPMENT MANAGER:

The refuse and recycling provision is consistent with the Council standards.

TREES & LANDSCAPE OFFICER:

Background:

The site was formerly occupied by the Honeycroft Day Centre which has now been cleared, with the exception of the ground level slab which remains. The site falls gently from the west to the east (towards the river corridor) and also slightly from north to south. There are a number of trees on the site which enhances the river corridor and contributes to the visual amenity of the area. However, their collective value is greater than their individual quality, with many appearing to be self-sets / outgrown hedging. There are no Tree Preservation Orders or local Conservation Area designations which might afford special protection to the trees. Nevertheless, individual trees and tree groups add to the sylvan character of the site and should be protected and retained where possible. The other obvious landscape feature of merit is the River Pinn, the floodplain of which is a constraint on development

Landscape Consideration:

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.

 \cdot An Arboricultural Impact Assessment Report, dated 1stJuly 2013, by Landmark Trees, has been submitted in support of the application.

• At 1.2, the report summarises the assessment of the 69No. trees. There are no trees classified as 'A' category (good) specimens, 17No. are classified as 'B' category (moderate quality - which are normally considered worthy of retention on a development site), 37No. are 'C' (low quality, subject to detail, may not be considered a constraint on development), 4No. are 'C/u' (low / unsuitable for retention) and the remaining 10No. are 'U' (justifying removal on the grounds of good arboricultural management).

 \cdot At 1.3 the report describes the principal primary impacts of the development on the trees which necessitates the felling of 9 in number 'C' category trees and 2 in number 'U' category trees.

• The summary confirms that the construction of the new building will require minor pruning works to T8 in order to safeguard it from accidental damage. Other less significant impacts are described where the root protection areas are likely to be encroached upon in order to facilitate the demolition and construction work.

 \cdot Section 5.0, Table 1, provides full details of the arboricultural impact on all trees and, in the final column. Mitigation measures provided for those trees which will be removed, or affected by, the development.

· Specific recommendations for 27 in number trees are made in section 8.0 of the tree report.

· ACD drawing No. PAR18654-11a, Landscape Proposals, provides an attractive landscape layout which incorporates many of the existing trees, 16 in number replacement / new specimen trees plus new hedges, specimen shrubs, planting beds, raised beds, areas of close mown amenity grass and edges of rough / meadow grassland.

 \cdot Native planting pre-dominate in landscape scheme that encourages wildlife creation and enhancement.

· The planting proposals are supported by ACD's documents ref. PAR18654Spec, Soft Landscape Specification and ref. PAR18654Man, Landscape Management and Maintenance Plan.

· Adequate existing and proposed levels details provided

· Cross-sections have been provided through the building / communal garden area/ neighbouring property that explain the relationship between public footway and boundary treatment, the private amenity space with the new building and the site relationship and privacy afforded by the change of levels between Silvercay Cottage and the site.

 \cdot 2 car park spaces have been removed (since submission) that previously intruded into the amenity space, providing greater scope for soft landscape enhancement and for a more attractive and welcoming pedestrian link to the rear amenity space.

· Adequate details of the bin stores have been provided.

· Adequate details have been provided to the external access arrangements in terms of surfacing treatments / gradients for the elderly resident group

 \cdot Communal seating has been provided in the external spaces to encourage and facilitate the use and enjoyment of the amenity spaces.

· The Tree Report is comprehensive.

•A tree protection plan and specification of protective fencing is provided

RECOMMENDATIONS:

The landscape proposals are comprehensive. Landmark Trees Tree Protection Plan, dated August 2013, indicates the alignment of the tree protection fencing intended to secure the retention of existing trees on the site. No objection or pre-commencement landscaping and tree protection conditions requited subject to adherence with supporting documentation.

SUSTAINABILITY OFFICER:

I have no objections to the proposed development subject to the following 3 conditions:

Condition: Code Level 4 for Sustainable Homes

Condition: Notwithstanding the details submitted in the Energy Assessment (including proposed provision of PV panels) prior to commencement of the development a scheme shall be provided demonstrating improvement in energy demand and 25% saving in carbon dioxide emissions measured against 2010 Building Regulation shall be submitted and approved by the local planning authority. The scheme shall be accompanied by a statement regarding who will carry out maintenance, how the outputs of the energy saving measures will be monitored and reported back to the Local Planning Authority in the 5 years following completion. The development will proceed in accordance with the approved plans and accompanying documentation. Failure to demonstrate the 25% reduction is being achieved will result in additional measures needing to be taken.

Condition: Prior to commencement of development a scheme for the enhancement of ecology shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include how increased opportunities for wildlife through specific landscaping, log piles, habitat walls, bat and bird boxes will be incorporated into the development. The scheme shall also include a specific area within the grounds for wildlife creation and enhancement.

HIGHWAY ENGINEER:

The development proposals are for the construction of 20 affordable and 16 supported needs apartments, which will employ 2 members of staff. As part of the proposals, 1 car parking space per unit will be allocated to the affordable apartments and 8 parking spaces will be provided for the operational requirements of the supported needs apartments. Secured cycle parking will be provided for 26 cycles within the site.

Vehicle access to the development will be provided via the existing access along the northern boundary of the site directly from Honeycroft Hill, with a separate pedestrian access provided to the west. The entrance gate will be set 10m away from the back of the pavement that is adequate in terms of highway safety.

When undertaking assessment of the proposals, it is noted that there is an extant planning consent at the site for the construction of 26 affordable apartments. Therefore, the current proposals represent an overall increase of 11 apartments.

From reviewing the Transport Statement (TA) submitted in support of the proposals, it has been demonstrated that the increase in vehicular traffic above the extant planning consent will be approximately 8 and 5 (two way) vehicles within the AM and PM peak hours respectively, which has been based on affordable apartments only. As a result, it is considered that the trip assessment is robust and the increase in vehicular traffic will not have a material impact along the adjacent highway above that of the extant planning consent.

When assessing the car and cycle parking provision in relation to both the affordable and supported needs apartments, it is considered that this is appropriate to serve the proposals.

Therefore, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012, Part 2, and an objection is not raised in relation to the highway and transportation aspect of the proposals provided that the following details are made conditional to the planning consent.

1 The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the details first submitted to, and approved in writing by the Local Planning Authority.

2 The development hereby approved shall not be occupied until a car parking allocation plan has been submitted to, and approved in writing by the Local Planning Authority detailing the allocation of car parking to both affordable and supported needs apartments, including the provision of 10% disabled car parking spaces and 5% electric charging points.

3 The proposed access to the site shall be provided with driver visibility splays of 2.4m x 43m in both directions and shall be maintained free of all obstacles to visibility (unless agreed with the Local Planning Authority) between the heights of 0.6m and 2.0m above the level of the adjoining highway.

4 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.

5 Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing improvements to the Honeycroft corridor as a result of proposed development, which should include the improvements to the junction of Honeycroft Hill and Honey Hill.

CASE OFFICER RESPONSE

The applicant has now provided details that satisfy suggested conditions 2 and 5 to avoid requirement to add these as pre-commencement conditions. They are controlled by compliance with supporting documentation condition.

ACCESS OFFICER:

The development, as proposed, would feature three entrances located on the east elevation. It is noted that level access on the approach the entrances would not be achieved and this is understood to be due to flood risk mitigation measures.

The affordable housing and learning disability elements each propose two wheelchair accessible using on the ground floor, and a lift would be provided in each block to serve the remaining units above ground floor.

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 May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Details of the site levels should be submitted to confirm that the proposed gradients could be constructed to comply with the requirements of Approved Document M to the Building Regulations. A fall of 1:60 in the areas local to the entrances should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted to confirm that a level access threshold would be achieved to all entrances on the East and West elevations.

2. The wheelchair accessible accommodation should provide an entrance lobby of no less than 1500 mm wide and 1800 mm from the internal face of the front door to a wall or door opposite.

3. In addition to the proposed wheelchair accessible accommodation, the remaining units are required to provide a bathroom which meets the Lifetime Home Standards. The should be designed in accordance with the details shown in the above mentioned SPD to provide no less than 700 mm of clear space to one side of the toilet pan, with 1100 mm provided between the front edge of the pan to any wall or obstruction of the opposite.

4. All bathrooms should detail on plan a floor gulley drain to allow the bathrooms to be easily converted into a wet room should there be a future need.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

ADDITIONAL CONDITION

Level or ramped access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2004

(incorporating the 2010 and 2013 amendments), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations

CASE OFFICER RESPONSE:

Amended plans have been provided confirming entrances would have a gradient no greater than 1:60 at the entrances to the building and no greater 1:20 to the gardens fronting the River Pinn. Level Access and hard surface will be provided to the dedicated sensory garden to be constructed outside the Leaning Disability Unit communal areas.

The applicant has confirmed in writing the scheme will comply with the Lifetime Home standard with floor gulley drains to all the bathrooms and wheelchair accessible entrance lobby areas to the wheelchair accessible accommodation. A clearance space to the front and side of the toilet pans to all the residential units is not shown to the Access Officer's precise dimensions however given a clearance space will be provided this is not considered a sustainable reason for objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of residential development on the site has been established already with the extant planning permission including the principle of a loss of a day centre facility on the site. As such there is no objection in principle to the provision of residential units on the site. It is considered under a single management regime the provision of rented tenanted housing set alongside supported housing units provides no adverse planning or management issues. The Council's Housing Dept. have had input into the design and composition of the scheme submitted by Paradigm Housing who are a registered social landlord.

A section of the site alongside the River Pinn is within the designated Green Chain link. The scheme does not propose to remove any existing bank side trees, which provide a high amenity value along the river bank and implementation of the scheme application would allow for better management and maintenance of the woodland river bank.

7.02 Density of the proposed development

The London range for sites with a PTAL of 0-1, which fall within a suburban area, is 150-200 habitable rooms per hectare (hrph) and 40-65 units per hectare.

The site has a Public Transport Accessibility Level (PTAL) of 1b. The site would have a density of 60 units per hectare and 139 hrph and therefore falls within the London Plan range and therefore on residential density measures is considered satisfactory.

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

Not applicable. The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the vicinity

7.04 Airport safeguarding

Not applicable. There is no requirement to consult with the airport safeguarding authorities in this instance.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of the site.

7.07 Impact on the character & appearance of the area

The surrounding area is largely residential in nature, characterised by a mix of detached

and semi-detached two-storey houses interspersed with a small number of bungalows, and three-storey blocks of flats. The River Pinn corridor provides an obvious green visual break in the built up area.

The application site itself, when viewed from Honeycroft Hill, lies immediately adjacent to Silvercay Cottage, a detached bungalow with roof accommodation, to the west, and three-storey blocks of flats in Haymaker Close, beyond the River Pinn to the east. The land level, travelling west to east along Honeycroft Hill, gradually drops as it approaches the river corridor.

The proposed building would be set within the building envelope of the previously approved building, with the exception of the 2 ridge lines to the new building. The main ridge to the proposed scheme, running ridge north/south and visible on the east and west elevations, would be approximately 450mm higher than the extant permission. In contrast the proposed ridge line running east/west, and visible along Honeycroft Hill on the scheme's north elevation, would be set approximately 750mm below the equivalent north/south ridge on the extant permission.

These relative minor alterations in the scale of the building envelope compared to the approved scheme are not considered to have any significant negative impact on the appearance of the scheme to the area or upon neighbouring properties including Silvercay Cottage. Indeed the current scheme benefits from having in contrast to the approved scheme a more animated west elevation with the introduction of windows and inset dormer in contrast to the previously oppressive long catslide roof running the full length of the east elevation from the main ridge down to top of the ground floor. The current scheme on the west elevation also benefits from being taken 10.5 metre away from the northern site boundary to the neighbouring residential gardens in contrast to the 5 metre distance with the extant permission.

The treatment of the two long east and west elevations and the north elevation to the street are all well considered in architectural terms: with a balance and rhythm to the elevations including the 'play' of narrow vertical windows and wider French door type windows on the long elevations; with opportunities taken to provide shadow lines and visual interest through the presence of dormers; balconies, two storey projecting bays and recesses. The vertical tile hanging and complementing brick will also provide further visual interest to the scheme.

The Council's Urban Design Officer has reviewed the scheme and considers the design to have integrity and significant improvement in architectural and townscape terms compared to the extant scheme. Overall, it is considered that the scheme would provide for an attractive residential scheme with scope for a series of well laid out private and shared open spaces that would sit comfortably with the Green Chain corridor link along the River Pinn and in the streetscene on Honeycroft Hill. The proposal would appropriately harmonise and integrate with the existing character and appearance of the area in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires that new buildings should protect the privacy of residential neighbours. The Council's 'Residential Layouts' supplementary planning document requires new development shall avoid the introduction of non-obscured window located within 21 metres of existing habitable rooms and which are within a 45 degree radius from the

centre of the new window.

The west facing elevation to the scheme that faces neighbouring properties conforms with the design guidance in respect to overlooking by including a serious of design solution including obscured windows and angled window bays. In addition the roof dormers would also be set back into the roof plane to address overlooking to neighbouring residential gardens. Accordingly the scheme complies with Policy Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

Policy BE20 requires new development does not generate adverse impacts in respect to sunlight and privacy and Policy BE21 requires that new buildings by reason of siting, bulk and proximity shall not result in significant loss of residential amenity.

The nearest residential properties lie to the west of the development site with Silvercay Cottage on Honeycroft Hill and Numbers 10, 11, 13 and 14 Hyacinth Drive. The scheme provides an almost identical main ridgeline as the approved scheme and accordingly there is no additional adverse impact in respect to sunlight/overshadowing. In respect to proximity and potential over-dominance the current scheme is considered an improvement over the extant consent with the distance of the proposed building set 10.5 metre away from the western site boundary as opposed to 5m with the extant permission. The scheme also removes the long rather blank west facing pitch slope that accompanied the previous application and which may be perceived as an oppressive visual aspect to neighbours. Accordingly the scheme is considered complies with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Since the application was submitted the internal layouts to the top floor flats have been amended to provide for better proportioned bedrooms, with a greater share of the bedroom floorspace served by 2.5m head height. These improvements were achieved by relocating the bathrooms and the storage cupboards plus by the introduction of a narrow crown roof on the building that provides for improved head heights set within the same maximum external ridge height.

The HDAS: Residential Layouts sets out recommendations for minimum levels of private and communal external amenity space namely 20sq.m for 1 bedroom units and 25.sqm for 2 bedroom units. Accordingly for this scheme for 22 x 1 beds this equals 440sq.m and for 14 x 2 beds equals 350sq.m. The scheme provides well in excess of this minimum external space standard. The 4 west facing ground floor rented flats would be provided with individual private gardens each in excess of 70sq.m; a principle communal garden to the south of the building of 1700sq.m for the rented units; a further secondary garden for the Learning Disability Unit of 300sq.m set alongside the River Pinn; plus a sensory garden of 190sq.m opening directly off the Learning Disability Unit and dedicated for that Unit's use.

7.10 Traffic impact, Car/cycle parking, pedestrian safety CAR PARKING:

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards. The scheme would provide 26 car parking bays, with an individual parking space allocated for each of the 20 rented flats. The Highways Officer has reviewed this proposal and the accompanying Transport Statement and considers this provision is consistent with Policy AM14 in light of the limited demand for resident car parking within the Leaning Disability Unit and this Unit being supported by only 2 members of staff located on site.

Bin stores will be located to the east of the site and refuse vehicles can enter and exit via the vehicular access in a forward gear.

6 electrical vehicle charging points are shown on plan this is consistent with the London Plan policy requirements.

CYCLE PARKING

Policy AM9 of the UDP requires cyclist facilities to be provided for development proposals. The Council's current cycle standards are 1 space per unit. The development would conform with this standard.

TRAFFIC IMPACT

The highways officer has reviewed the proposal and concurs with the submitted Transport Statement. Trip generation is not considered unduly significant, and accordingly based on the analysis provided it is considered the scheme is acceptable subject to the legal agreement to undertake the previously agreed scope of highway works plus the repainting of the filter lane on Honeycroft Hill.

The previously agreed highway works that would be carried forward to this scheme are:

(1) Implementation of a 'Yellow Box' junction on Honeycroft Hill at the junction with Honey Hill; and [estimated at £2,500 by the last Transport consultants) £2,500 (as per last estimate)

(2) Implementation of tactile pavers at the existing dropped kerb crossing point on Honey Hill before the junction with Honeycroft Hill.

The scheme is considered to comply with Policies AM7, AM9, AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

No draft Travel Plan accompanies the application. It is not considered reasonable to require the applicant to submit a Travel Plan given it is a relatively small residential scheme with only 2 members of staff based on site. The extant consent was not accompanied by a Travel Plan. A condition is attached requiring a Travel Pack is issued to all future residents and staff of the development and the Travel Pack is reviewed on an annual basis thereafter.

7.11 Urban design, access and security

URBAN DESIGN:

This issue is address Section 7.07 of the report.

ACCESS:

This issue is address Section 7.12 of the report.

SECURITY:

The scheme has been designed with regard to Secure by Design principles including natural surveillance of the dedicated secure bikes stores and the bin stores; gated access to the car park; single points of entry to the individual residential units and the learning disability wing; and a well lit car park.

Should approval be granted, a condition would be required to ensure further details of security measures are provided and that the development meets the Metropolitan Police's 'Secure by Design' criteria

7.12 Disabled access

Policy 3.8 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards and for 10% of the units to be fully accessible for wheelchair users. The applicant has confirmed that the development would meet all relevant Lifetime Homes Standards and would fully comply with the requirements of Part M of the Building Regulations and the plans reflect that.

Level access can not be provided to the entrances to the building or to the main external amenity space. However the site levels will be re-graded to provide 1:60 gradients for wheelchair users that are adequate. The gradient to the path into the Secondary Garden and Principle Garden will be in the main 1:60 and no part of it greater than 1:20 The Access Officer is satisfied with the level of facilities provided. It is considered that the scheme accords with the aims of Policies 3.4 and 7.2 of the London Plan July 2011, the Hillingdon Design and Access Statement (HDAS) Accessible Hillingdon and Policy AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.13 Provision of affordable & special needs housing

The scheme will provide all the housing units as affordable housing secured by Section 106 legal agreement. The units will be operated and managed by the applicant who is a registered social landlord. The 100% affordable housing provision is consistent with relevant planning policy.

7.14 Trees, landscaping and Ecology

TREES and LANDSCAPING:

An arboricultural impact assessment accompanies the application, plus a Landscape Management and Maintenance Plan and a full set of finish landscape proposals. Tree protection measures are provided. The Tree Officer has confirmed no trees of high merit will be lost.

The scheme would provide for an attractive landscape layout which incorporates many of the existing trees, 16 in number replacement/new specimen trees plus hedges, specimen shrubs, planting beds, raised beds ,areas of close mown amenity grass and edges of rough/meadow grassland. No objection has been received to the scheme by Council's Tree and Landscape officer who has reviewed the scheme. It is considered that the proposal fully complies with Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

ECOLOGY:

The applicant commissioned a Badger Survey. Badgers are a protected species and the Badgers Act 1992 states that it is an offence to 'intentionally or recklessly damage, destroy, or obstruct access to a sett, or disturb a badger whilst it is occupying a sett.'

The Survey confirmed that there are no badger setts present on the application site, but that there are badgers present on the adjacent site to the north. There is evidence of limited foraging and therefore the sites value is in respect to provision of a dispersal route to the wider landscape in the north. The Survey concludes that no development should take place at the southern end of the site, and that any proposed landscaping here should include native shrub/fruit tree planting. In addition, it recommends that access through the

site, along the River Pinn, is retained to avoid potential negative impacts on foraging habitat.

Given that no development works are proposed at the southern end of the site or along the river corridor, it is not considered that the proposal would have any detrimental impact on the nearby badger setts, or badger foraging grounds, sufficient to justify refusal.

The Council's Sustainability Officer has raised no objections in respect of safeguarding the ecology for badgers.

7.15 Sustainable waste management

The scheme provides details of the refuse enclosure facilities would be located east of the car park wither side of the hammer head turning circle that serve the refuse collection vehicles. The capacity of the refuse and recycling stores satisfies the Council's Waste Strategy Manager, the design of the enclosures would be robust and readily accessible to future residents. The refuse stores would not be visually intrusive in the streetscene as they would be set well back from the Honeycroft Hill and screened by hedging on 3 sides of the 4 sides of the refuse enclosures.

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. Subject to an appropriate condition to secure implementation of Code 4 within the final design the scheme will comply with adopted policy.

7.17 Flooding or Drainage Issues

The application site falls within flood zones 2 and 3. Accordingly, a Flood Risk Assessment has been submitted in support of the application, and been reviewed by the Environment Agency and the Council Flood and Water Management Officer.

The Environment Agency and the Council Flood and Water Management Officer has raised no objections on flood grounds subject to the imposition of conditions to ensure that appropriate mitigation measures are put in place

7.18 Noise or Air Quality Issues

NOISE:

Residential developments are not uses which typically generate unacceptable levels of noise and it is not considered that the proposal would give rise to a significant increase in noise. Whilst it is acknowledged that the former Honeycroft Day Centre was not used during evenings and weekends, and therefore, there would be an increase in activity at the site during these times, it is not considered that the use of the site for residential purposes would give rise to such a significant increase in noise levels so as to justify refusal. Notably, no objections have been raised by officers in the Council's Environmental Protection Unit on noise grounds, subject to a condition regarding the use of plant and machinery at the site.

AIR QUALITY:

It is not considered that the proposed development would have any significant impact on air quality. No objections have been raised by officers in the Council's Environmental Protection Unit on air quality grounds.

7.19 Comments on Public Consultations

Points 1, 2, 3 raised by neighbours are dealt with elsewhere in the body of the report.

Point 4 - The boundary treatment, the lower site level and the size of outdoor amenity space should taken together minimise the potential for noise nuisance to neighbours. Should noise issues arise separate legislative powers of the Council (distinct from planning) can limit noise nuisance.

Point 5 - The scheme will be subject to Secure by Design accreditation

Point 6 - Potential loss of property value is not a material planning consideration.

Point 7 - No planning condition will be attached as considered it would be too restrictive upon the registered social landlord.

Point 9 The Council's ecology officer has reviewed the survey detail and is satisfied it complies with the legal obligations to safeguard badgers and badger setts.

Point 10 - The support is noted.

Point 11 - The opportunity for the scheme to serve families will be limited given the largest units are only 2 bedrooms

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)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.

The Heads of Terms are set out below:

1. Highways Works:

i) Installation of a "Yellow Box" junction on Honeycroft Hill at the junction with Honey Hill
ii) Tactile Pavers at the existing dropped kerb crossing point on Honey Hill
iii) Repainting of the 2 right turns (to serve into the site and into Brookside opposite the site) within the existing filter lane.

2. Affordable Housing: 35% of the development to be delivered as affordable housing. It is noted that the entire site will be delivered as affordable housing.

3. Education: a financial contribution in the sum of £43,530

4. Health: a financial contribution in the sum of £11,808.52

5. Libraries: a financial contribution in the sum of £1,253.50

6. Construction Training: either a financial contribution in the sum of £23,626.88 or an inkind scheme delivered to the equivalent of the financial contribution delivered during the construction phase of the development.

7. Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution.

7.21 Expediency of enforcement action

Not applicable. 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

None.

10. CONCLUSION

The current scheme provides greater detail on the treatment of the elevations than the previous scheme and the current scheme is considered to provide a more pleasing and coherent treatment to all the elevations. It is not considered that the current scheme would raises any adverse issues in respect to the loss of privacy, loss of outlook or overshadowing compared to the extant outline scheme that would be detrimental to the residential amenity of occupiers of nearby properties.

The scheme complies with relevant guidelines within the Council's Supplementary Planning Document on Residential Layouts. The proposed parking provision and access arrangements are considered to be satisfactory, and relevant standards relating to sustainability would be met.

The application is considered to comply with relevant and London Plan policies and,

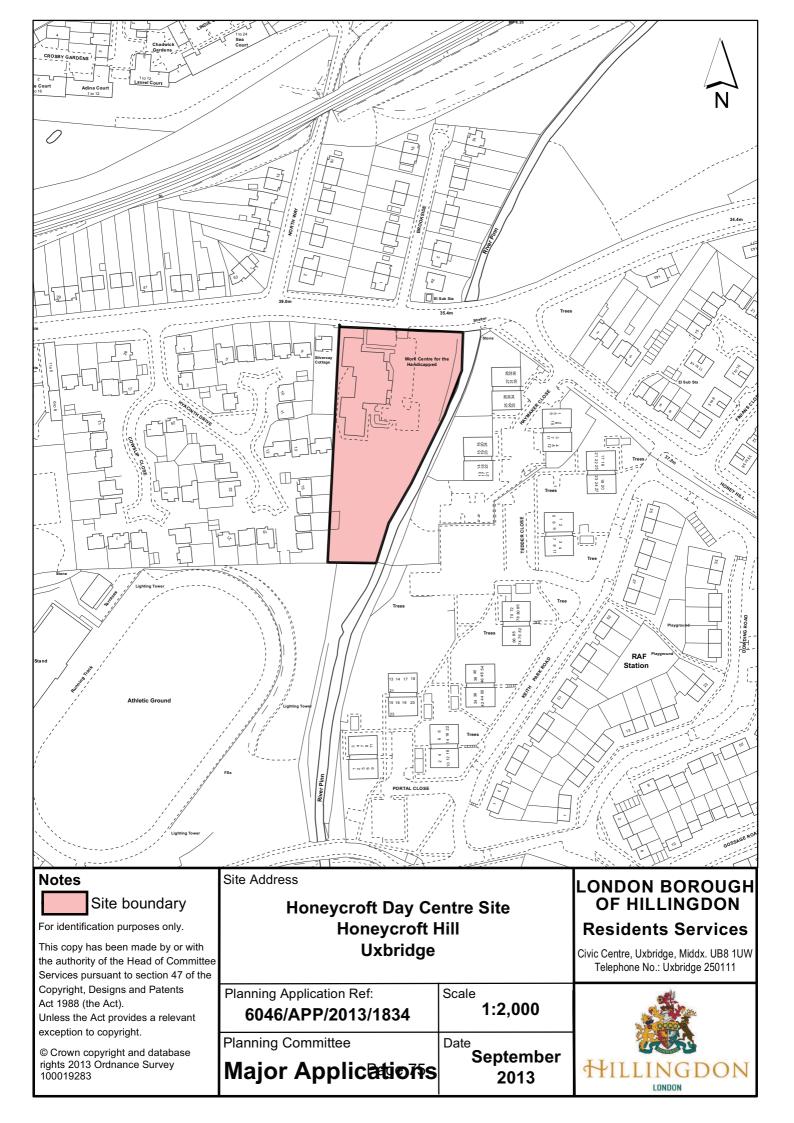
accordingly, approval is recommended.

11. Reference Documents

Hillingdon Local Plan: Part One (November 2012)
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)
London Borough of Hillingdon's HDAS 'Accessible Hillingdon' Supplementary Planning
Document (May 2013)
London Borough of Hillingdon's HDAS 'Residential Layouts' Supplementary Planning
Document (July 2006)
London Borough of Hillingdon's HDAS 'Residential Layouts' Supplementary Planning
Document (December 2008)
Planning Obligations Supplementary Planning Document (July 2008)
Revised Chapter 4: Education Facilities of the Planning Obligations SPD (adopted 23 September 2010)
London Plan (July 2011)
National Planning Policy Framework (March 2012)

Contact Officer: Gareth Gwynne

Telephone No: 01895 250230



This page is intentionally left blank

Agenda Item 9

Report of the Head of Planning, Sport and Green Spaces

Address STOCKLEY PARK GOLF CLUBHOUSE, STOCKLEY ROAD WEST DRAYTON

Development: Provision of a hardstanding area on which to erect a marquee at Stockley Golf Course.

LBH Ref Nos: 37850/APP/2012/2743

Design and Access Statement - September 2012 Drawing Nos: Transport Statement - October 2012 ref. 12/068 Flood Risk Assessement - December 2010 Reptile Survey - October 2012 Phase 1 Habitat Survey - September 2012 Certificate of Analysis - 07/01/2010 Environmental Assessment - February 2007 Environmental Briefing Note - 29/07/2010 Preliminary Contaminated Land Report - April 2005 Environmental Site Investigation Report - March 2010 194-001 Rev P 194-002 Rev P1 194-003 Rev P1 194-004 Rev P1 194-005 Rev P1 163-001 194-101 Rev P1 194-102 194-103 Rev P1 194-104 Rev P1 194-105 Rev P1

Date Plans Received: 06/11/2012

Date(s) of Amendment(s):

Date Application Valid: 06/06/2013

1. SUMMARY

The application seeks planning permission for the installation of a hardstanding area, for the provision of erecting a marquee, at Stockley Golf Course. It should be noted that permission is only required for the hardstanding, as the marquee is envisioned to be a temporary structure which could be erected on 28 days throughout the year without requiring planning permission.

For the reasons outlined below, the proposal is considered to comply with the policies of the adopted Hillingdon Local Plan (2012), as such this application is recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 163-001; 194-001 Rev P; 194-002 Rev P1; 194-003 Rev P1; 194-004 Rev P1; 194-005 Rev P1; 194-101 Rev P1; 194-102; 194-103 Rev P1; 194-104 Rev P1; 194-105 Rev P1, and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement - September 2012 Transport Statement - October 2012 ref. 12/068 Flood Risk Assessement - December 2010 Reptile Survey - October 2012 Phase 1 Habitat Survey - September 2012 Environmental Assessment - February 2007 Environmental Briefing Note - 29/07/2010 Preliminary Contaminated Land Report - April 2005 Environmental Site Investigation Report - March 2010

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

4 COM9 Landscaping (car parking & 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 Hard Surfacing Materials

3. Details of Landscape Maintenance

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

3.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.

4. Schedule for Implementation

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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.11 of the London Plan (July 2011).

5 COM8 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 Local Plan: Part Two Saved UDP Policies (November 2012).

6 NONSC Piling

No piling or any other foundation design/ / investigation boreholes using penetrative methods shall be permitted, unless approved in writing by the Local Planning Authority. Approval for 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 ensure that risks from groundwater contamination are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012). The site is underlain by the Lynch Hill Gravel formation, classed as a Principal Aquifer, in addition to historic landfill. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

•	
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
BE13	New development must harmonise with the existing street scene.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL19	Access to and use of the countryside by all sections of the community
OL26	Protection and enhancement of trees, woodland and landscape features
>>	London Plan (2011) Policies
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage

LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.16	(2011) Green Belt
LPP 7.18	(2011) Protecting local open space and addressing local deficiency
LPP 7.19	(2011) Biodiversity and access to nature

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.

4 160 **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)

5

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 their facility, 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.

6

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is an established golf course located between Hillingdon Town Centre and the M4. The majority of the site lies between Stockley Road (A408) and Harlington Road (A437), with part of the site lying to the west of Stockley Road. The site is accessed from Bennetsfield Road to the south.

The site is typical of a golf course, in that is consists of a modified landscape with strategically placed topographical features and planting. A two-storey clubhouse, small putting green and car park are located to the south. A larger practice ground and driving range is located to the west of the clubhouse.

The site is located with the Green Belt, but there are no listed buildings in the vicinity of the site and the site is not located with a Conservation Area.

3.2 Proposed Scheme

The application seeks planning permission for the provision of a hardstanding area on which to erect a marquee, at Stockley Golf Course, which would be located to the east of the existing clubhouse building.

The proposed hardstanding would be 880sqm in area, with the provision to house a 25m x 20m marquee. The hardstanding would be made up of bound gravel. The installation of the hardstanding is envisioned to provide a location for the erection of a marquee for temporary events on the site.

It should be noted that permission is only required for the hardstanding, as the marquee would be a temporary structure which could be erected up to 28 days throughout the year without requiring planning permission.

3.3 Relevant Planning History

Comment on Relevant Planning History

Outline planning permission was first granted for the Stockley Park Golf Club in December 1984 (ref: 27951B/81/1955). The approval required the laying out of 250 acres of public open space including the golf course. Construction began in 1985 and was substantially completed around June 1993.

Planning permission reference 37850/APP/2006/2820 was approved in December 2006 for the remodelling of the golf course to create a new practice ground, to relocate the first hole, to realign a footpath and carry out alterations to the lake. This permission was to carry out works to the central portion of the course, which is the area covered by this application.

The works approved included earthworks (both cut and fill) and landscaping. As part of the works carried out with regard to this permission, additional material was imported to the site, creating landforms on the site which were in excess of the heights agreed as part of the permission. This resulted in higher landforms around the practice ground, and around the 10th and 18th holes, which was regularised as part of planning permission ref. 37850/APP/2011/46, granted 27/01/2012, for the Landscaping of existing golf course including planting, remodelling of landforms, and the enhancement and alteration of paths, greens, practice ground and fairways.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) London Plan (July 2011) National Planning Policy Framework Hillingdon Supplementary Planning Document - Accessible Hillingdon Hillingdon Supplementary Planning Document - Noise Hillingdon Supplementary Planning Guidance - Community Safety by Design Hillingdon Supplementary Planning Guidance - Land Contamination

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment	
PT1.Cl2	(2012) Leisure and Recreation	
PT1.EM1	(2012) Climate Change Adaptation and Mitigation	
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains	
PT1.EM4	(2012) Open Space and Informal Recreation	
PT1.EM5	(2012) Sport and Leisure	
PT1.EM6	(2012) Flood Risk Management	
PT1.EM7	(2012) Biodiversity and Geological Conservation	
PT1.EM8	(2012) Land, Water, Air and Noise	
Part 2 Policies:		
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity	
BE13	New development must harmonise with the existing street scene.	
BE21	Siting, bulk and proximity of new buildings/extensions.	
BE38	Retention of topographical and landscape features and provision of new planting	

- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area

- OE7 Development in areas likely to flooding - requirement for flood protection measures OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures Development involving hazardous substances and contaminated land -**OE11** requirement for ameliorative measures OL1 Green Belt - acceptable open land uses and restrictions on new development OL2 Green Belt -landscaping improvements **OL19** Access to and use of the countryside by all sections of the community **OL26** Protection and enhancement of trees, woodland and landscape features >> London Plan (2011) Policies I PP 5 1 (2011) Climate Change Mitigation LPP 5.12 (2011) Flood risk management LPP 5.13 (2011) Sustainable drainage LPP 5.18 (2011) Construction, excavation and demolition waste LPP 5.21 (2011) Contaminated land LPP 6.1 (2011) Strategic Approach LPP 7.1 (2011) Building London's neighbourhoods and communities LPP 7.2 (2011) An inclusive environment LPP 7.4 (2011) Local character LPP 7.13 (2011) Safety, security and resilience to emergency LPP 7.15 (2011) Reducing noise and enhancing soundscapes LPP 7.16 (2011) Green Belt LPP 7.18 (2011) Protecting local open space and addressing local deficiency LPP 7.19 (2011) Biodiversity and access to nature 5. Advertisement and Site Notice
 - 5.1 Advertisement Expiry Date:- 24th July 2013
 - 5.2 Site Notice Expiry Date:- 24th July 2013

6. Consultations

External Consultees

The application was advertised by way of site and press notices on 003/07/2013. No objections have been received.

ENVIRONMENT AGENCY:

As the proposals do not involve any works which would create a pathway through the landfill to the groundwater supply we consider that the risk to controlled waters from the proposed development is low and therefore have no objections to this application. We recommend that a condition is included to ensure that piling is restricted.

Condition

Piling or any other foundation designs / investigation boreholes 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

Piling or any other foundation designs / investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

Note to LPA:

Please note that any future applications involving penetrative works through the landfill at this site we would expect an assessment comprising the following to be submitted as part of the planning application, prior to determination:

1) A preliminary risk assessment which has identified:

- all previous uses

- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- 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.

This information would be required to protect groundwater as any works that penetrate the landfill cap may introduce preferential pathways for increased infiltration and remobilise contaminants and increase leachate levels

NATURAL ENGLAND:

Statutory nature conservation sites - no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect any European Protected Species.

For clarity, this advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the impacts to protected species.

We have not assessed the survey for badgers, barn owls and breeding birds or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may results and the appropriateness of any mitigation measures.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

BAA SAFEGUARDING:

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal, subject to an informative regarding cranes.

NATS SAFEGUARDING:

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

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT: No objection to the planning application, subject to an informative regarding construction nuisance.

TREES AND LANDSCAPING:

Context:

The site is a raised plateau of level land (formerly outing green) to the east of Stockley Park Golf Clubhouse. There is a group of trees (a Lime and two Birch) in the northwest corner of the site, close to the corner of the clubhouse and a group of Birch trees in the north-east corner which extends down the eastern slope of the site. The feint outline of these trees is indicated on Meld Architecture's drawing No. 194-102. These trees were planted as part of the approved landscape scheme for Stockley Park, in accordance with the landscape masterplan.

Proposal:

The proposal is described as providing a hard-standing area on which to erect a marquee at Stockley Golf Course.

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.

- The application states (Q.15) that there are trees on site which will be removed as part of the proposed development. The trees influence the developed area and are an important part of the local landscape character - yet no tree survey has been submitted and no reference is made effect of the development on the existing trees or proposals to remove /retain them on site.

- According to drawing No. 194-102 most of the plateau (880sqm) will be surfaced in Addastone Bound Gravel. This will be used to accommodate a marquee of 500sqm (25m x 20m). Details of the product and gravel colour are required.

- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area - notably replacement tree planting will be required - possibly along the embankments to the eat and south of the hard-standing.

- According to the Design & Access Statement, dated September 2012, the application is for a number of interlinked works including a golf driving range enclosure building, an adventure golf mini course, remodelling of the 10th green and fairways between the 9th and 10th greens. Drawing No. 194-102 indicates new timber decking in front of the northern elevation of the clubhouse. Please note that no detailed information has been submitted and no assessment made of them in these comments.

Recommendation:

No objection to the proposed hard-standing subject to the above observations and conditions COM9 (parts 1, 2, 4 and 5).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal involves the construction of an area of hardstanding on a portion of the golf course site which has not had a specific use, other than the occasional parking of golf buggies. As no buildings are involved, it is not considered that the development would impact on the openness of the Green Belt. The application does not include the erection of a marquee, as this could be erected and used as of right for up to 28 days in a year for temporary events without requiring planning permission. The impact of the proposal on the Green Belt is addressed later in the report.

7.02 Density of the proposed development

No residential units are proposed as part of this application. As such, density is not relevant to the application.

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

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

7.05 Impact on the green belt

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Policy OL1 of the Hillingdon UDP specifies that there is a presumption against inappropriate development. Policy OL1 states that agriculture, horticulture, nature conservation, open-

air recreation and cemeteries are the only uses that are acceptable within the Green Belt, and that new buildings are only acceptable if they are essential for the open land use.

Any development which is contrary to OL1 is considered 'inappropriate' development. The NPPF states that 'inappropriate development' is, by definition, harmful to the Green Belt. Such development should not be approved, except in very special circumstances.

The NPPF states that 'a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

· buildings for agriculture and forestry;

 \cdot provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

 \cdot the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

 $\cdot\,$ limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or

· limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'

The National Planning Policy Framework states 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt'.

While the development will introduce new development into this setting, which has the potential to detract from the visual amenity and openness of the Green Belt, the proposal directly relates to the use of the site for outdoor recreation, which is not considered to be inappropriate development. In addition, special circumstances exist in that it would improve the facilities of the site, and allow for further income generating facilities on the site, which will improve the viability of the entire golf course site which is currently struggling economically.

The proposal was the subject of a pre-application which identifed that:

(i) the site was by far the least harmful location for an area of hardstanding due to its location next to the existing clubhouse, topography of the site and its surroundings and taking into account existing landscaping.

(ii) with regard to possible schemes to generate further revenue at the golf course the provision of an area of hardstanding would be relatively in-obtrusive.

The application is for the installation of an area of hardstanding. As such, no actual buildings are involved, and the development would therefore not impact on the openness of the Green Belt. The site is not readily accessible for vehicles, so will not be able to be used for car parking. It is considered that the view from public areas within the Green Belt would largely remain unchanged, given the position of existing buildings and landscaping on the site. Furthermore, the proposal is relatively small compared to the built backdrop that it would be seen against and its effect on the perceived openness of the Green Belt would be marginal.

A condition will seek the provision of additional landscaping which will both enhance and maintain these landscape and visual amenity values. It is acknowledged that the openness of the Green Belt has been somewhat diminished on the site, however there would be no loss of openness as a result of this proposal, and the amenity of the site would be improved with the provision of landscape treatments.

Green Belt land has a positive role to play in fulfilling the objective of providing opportunities for outdoor sport and recreation near urban areas. However, the purposes of including land in the Green Belt take precedence over this land use objective. The nature of the proposal (hardstanding) and additional landscaping are considered to mitigate the impacts of the scheme, and is considered to overcome the presumption against inappropriate development in the Green Belt.

7.07 Impact on the character & appearance of the area

The NPPF makes it clear that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

The proposed works would be located towards the south of the golf course, near the existing built development, and would be screened from Stockley Road and the Stockley Business Park by existing landscaping. Additionally, any loss of the openness will be offset through the provision of further landscape treatment, to be secured via a condition on any permission. As such, it is considered that the proposal would not impact on the character or appearance of the wider area.

7.08 Impact on neighbours

The proposed works are of a small scale when viewed in conjunction with the entire golf course site, and the development is not likely to result in the site being used more intensively, as it would only be used on a small number of temporary occasions. In addition, the nearest residential properties are located over 100 metres from the northern boundary of the site. As such, it is considered that the scheme would not result in any impacts on the neighbouring properties.

7.09 Living conditions for future occupiers

No residential units are proposed as part of this development. As such, there will be no future occupiers to take into consideration.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal is not considered to create a significant amount of additional traffic to the site once it is complete, as the development would not result in the intensification of the use. Traffic will be generated while the works are carried out, however, trip numbers are likely to be negligible. As no change of use is proposed and only minor intensification of the use of the site on temporary occasions is proposed, it is not considered that any change to car parking provision is required.

7.11 Urban design, access and security

It is considered that there are no urban design or security issues arising from the proposal. Access is considered in other sections of the report.

7.12 Disabled access

Given the minor nature of the building works proposed, and that the proposal will have a level access, as it would be at ground level, there are not considered to be any access issues relating to the proposal.

7.13 Provision of affordable & special needs housing

No residential units are proposed as part of this application. As such, affordable housing

is not relevant to the application.

7.14 Trees, landscaping and Ecology

The application site does not contain any individual trees of outstanding merit, and none are protected by Tree Preservation Order or Conservation Area designation. However, it is considered that the collective value of the established boundary hedges, trees and shrubs contribute the verdant quality and visual amenity of the area.

Some trees are required to be removed in order to facilitate the works. As such, it is recommended that replacement tree planting be ensured via condition, and that additional conditions are also recommended to ensure future landscaping arrangements are acceptable. Subject to these conditions, it is considered that the proposal which would achieve appropriate outcomes in terms of policy BE38.

7.15 Sustainable waste management

No additional waste is to be generated from the site, as a result of the building proposed, and as such refuse would be dealt with by the existing site servicing

7.16 Renewable energy / Sustainability

Given the small scale of the works, and that any building would be a temporary lightweight structure, it is considered that this issue is not relevant to the application.

7.17 Flooding or Drainage Issues

Whilst the application site is in an area of low risk (Flood Zone 1), a Flood Risk Assessment (FRA) was submitted as part of the application. The assessment demonstrated that the proposal would not have an adverse impact to neighbouring properties as it will not increase flood risk through increased surface runoff.

7.18 Noise or Air Quality Issues

Noise:

It is not considered that the proposed development would result in any increased noise levels over and above the existing use of the site. Notably, officers in the Council's Environmental Protection Unit have raised no objections in this respect.

Air Quality:

Officers in the Council's Environmental Protection Unit have confirmed that no objections are raised on air quality grounds.

7.19 Comments on Public Consultations

No public comments have been received.

7.20 Planning obligations

It is considered that there is no requirement for any obligations as part of this application.

7.21 Expediency of enforcement action

No Enforcement action is required in this instance.

7.22 Other Issues

CONTAMINATION

The existing golf course has been constructed on an area of landfill. Due to the previous use of the site, a number of reports have been submitted regarding the potential for contamination on the site. The proposal and submitted information has been assessed by the Council's Environmental Protection Unit and the Environment Agency, who recommend a condition be imposed on any permission that no piling or foundation design using penetrative methods shall be used on the site, to ensure that there is no contamination of groundwater.

As such, it is recommended that the conditions recommended by the Environment Agency

are imposed on any grant of planning permission to ensure that the proposal poses an acceptable risk to ground waters and to ensure that any human health issues are addressed.

8. Observations of the Borough Solicitor

None.

9. Observations of the Director of Finance None.

10. CONCLUSION

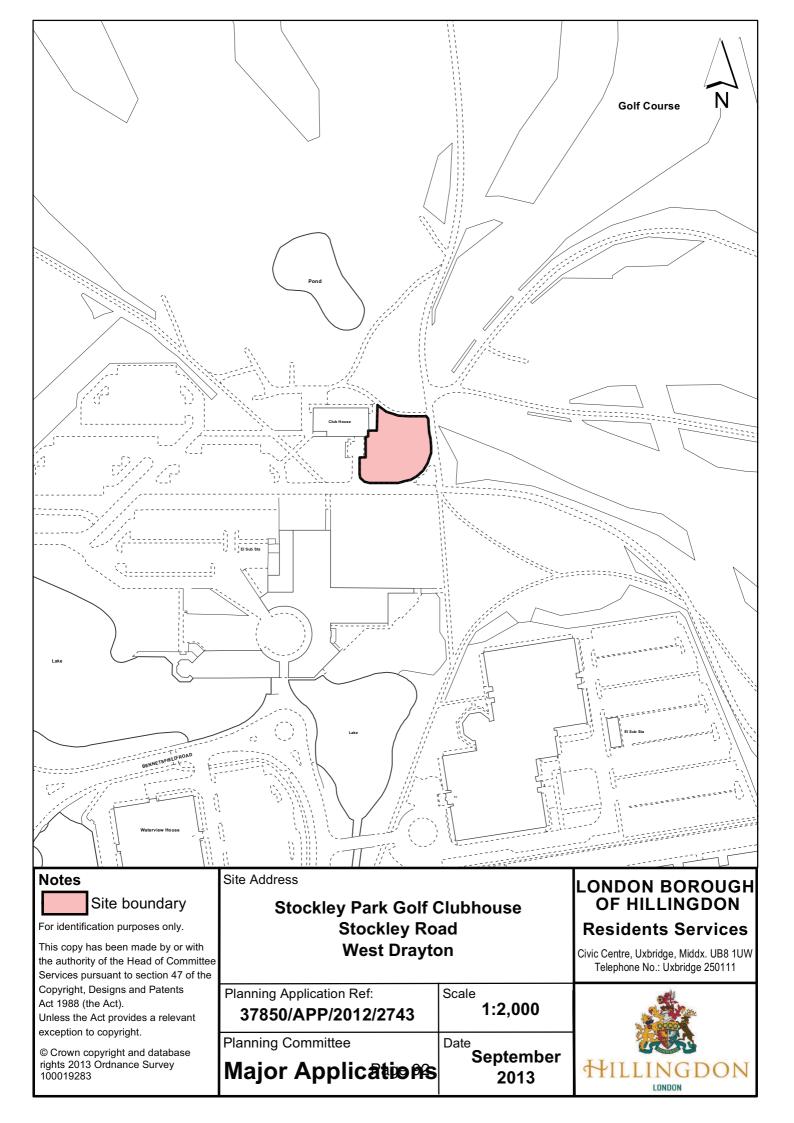
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Adam Flynn

Telephone No: 01895 250230



Agenda Annex

Plans for Major Applications Planning Committee

17th September 2013





www.hillingdon.gov.uk Page 93

Report of the Head of Planning, Sport and Green Spaces

Address SNOWBASE EASTERN PERIMETER ROAD HEATHROW AIRPORT

Development: Expansion of the existing snow base to accommodate additional open parking and vehicle maneuvering areas plus within the footprint of the existing approved snow base the erection of a new snow vehicle storage shed and erection of enclosures for glycol, diesel and stand cleaning liquid (Consultatio Under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).

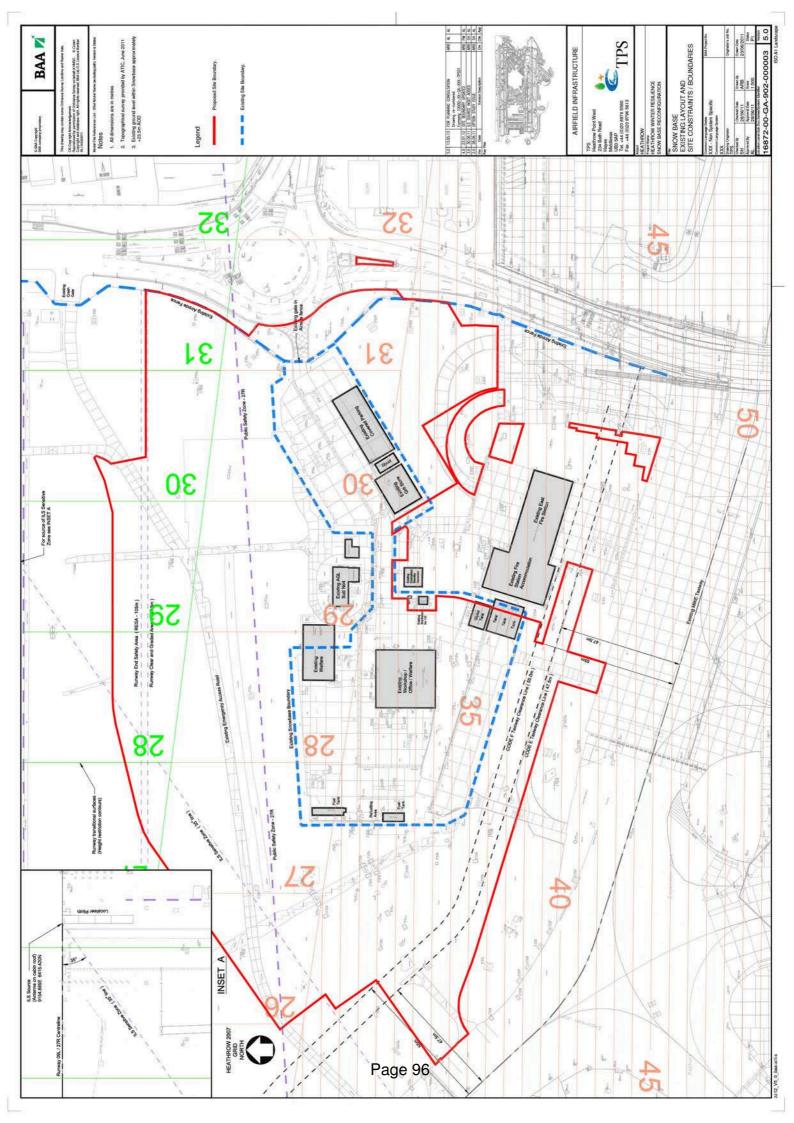
LBH Ref Nos: 45151/APP/2013/1768

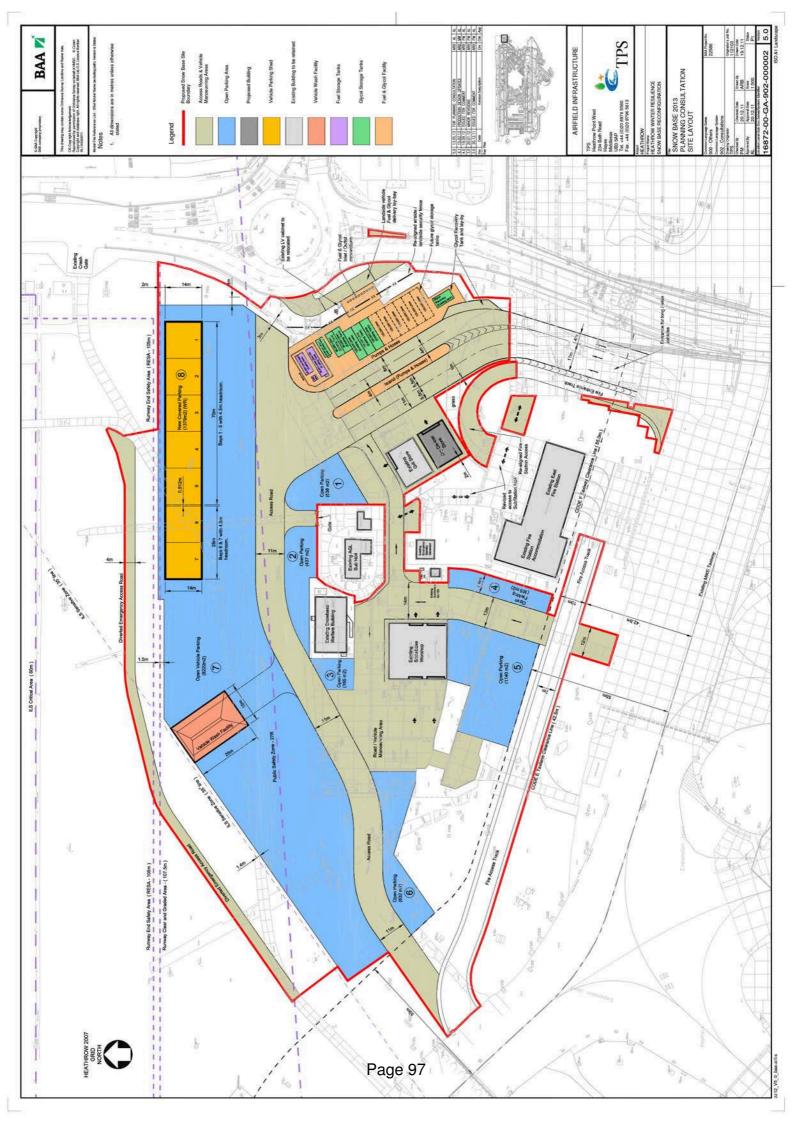
Date Plans Received: 26/06/2013

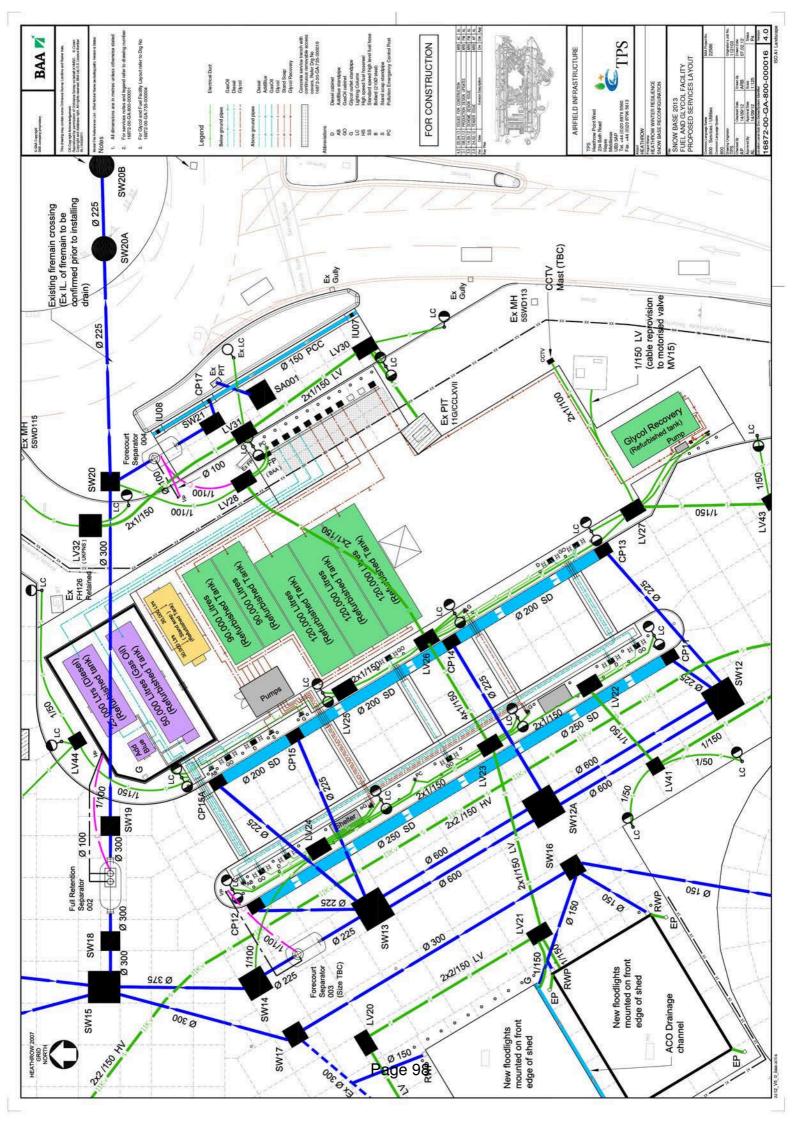
Date Application Valid: 26/06/2013

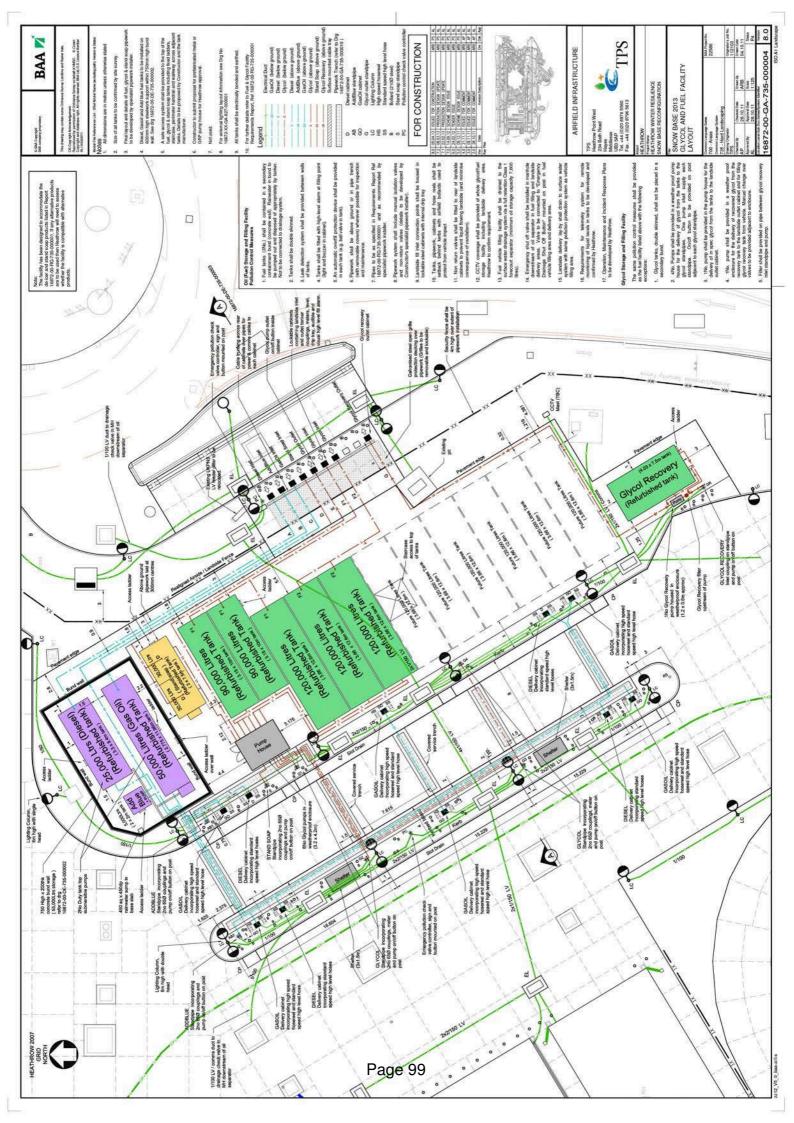
Date(s) of Amendment(s):

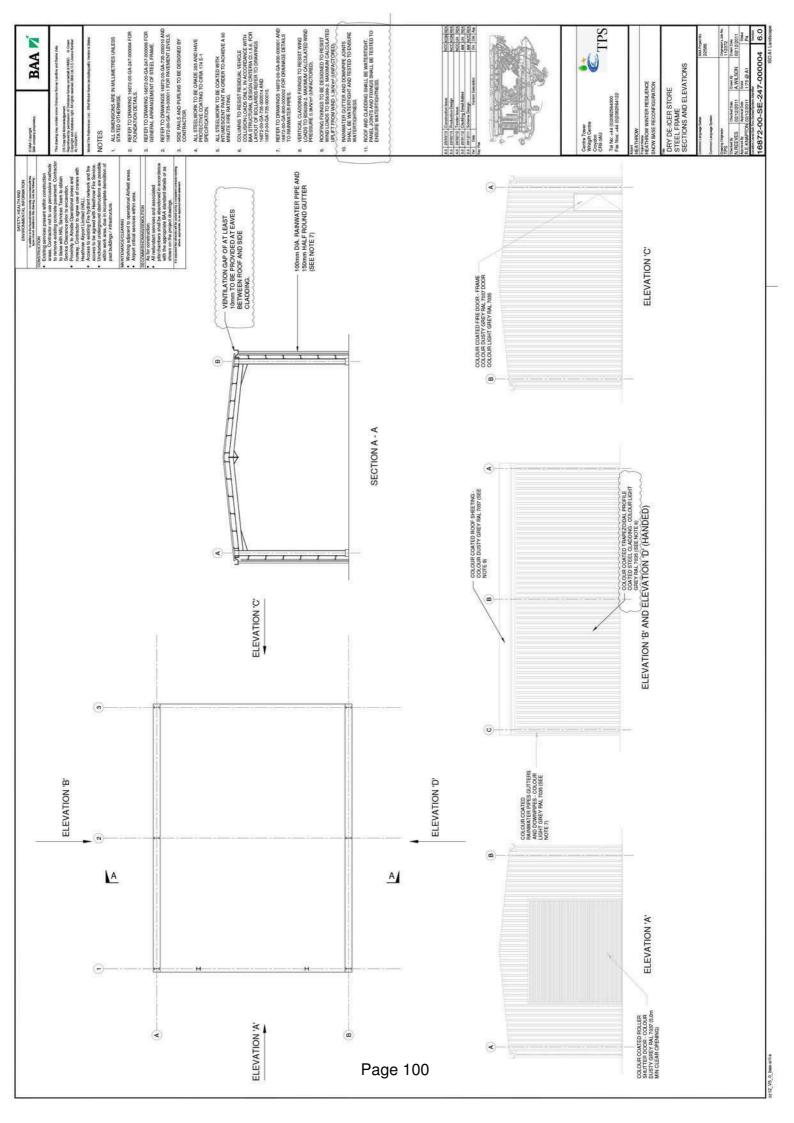


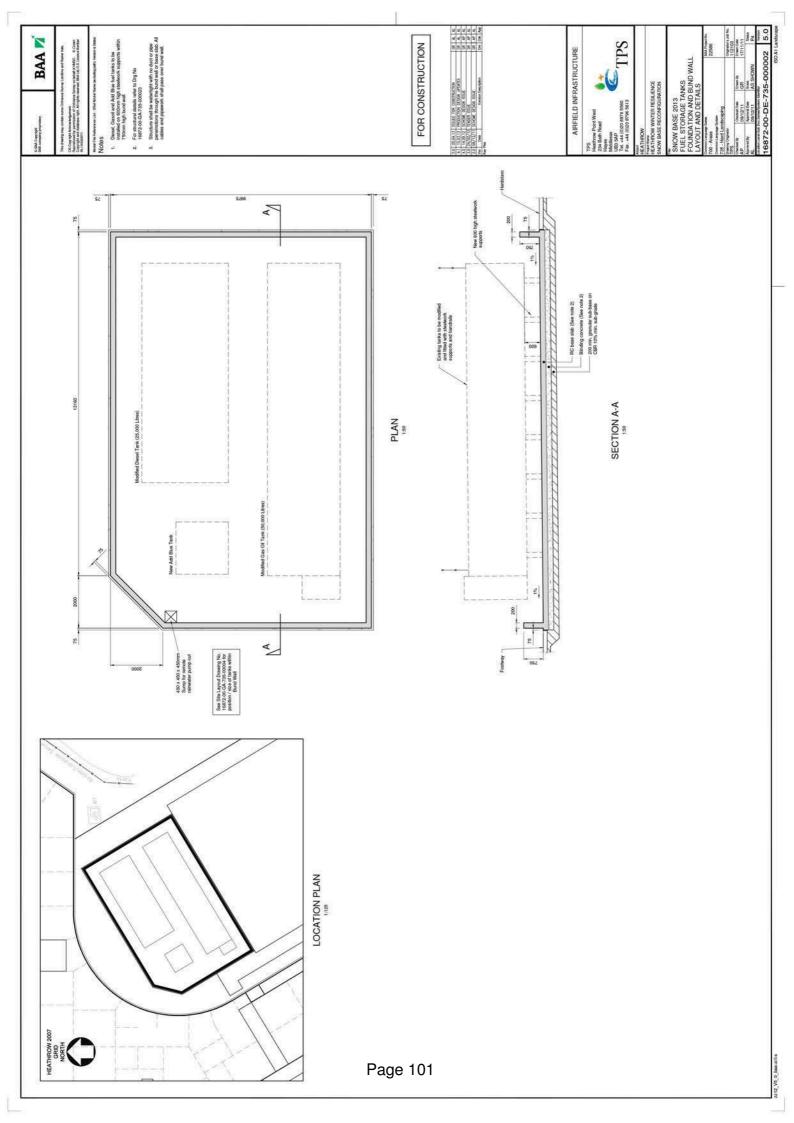


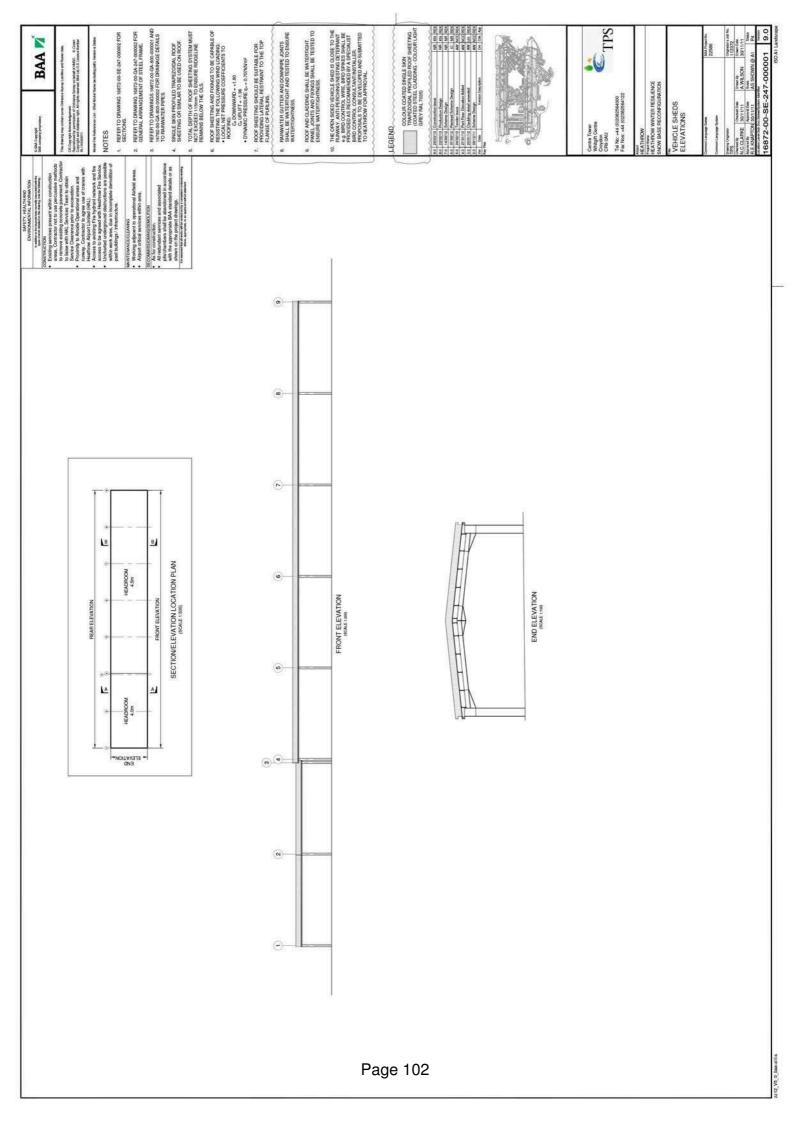


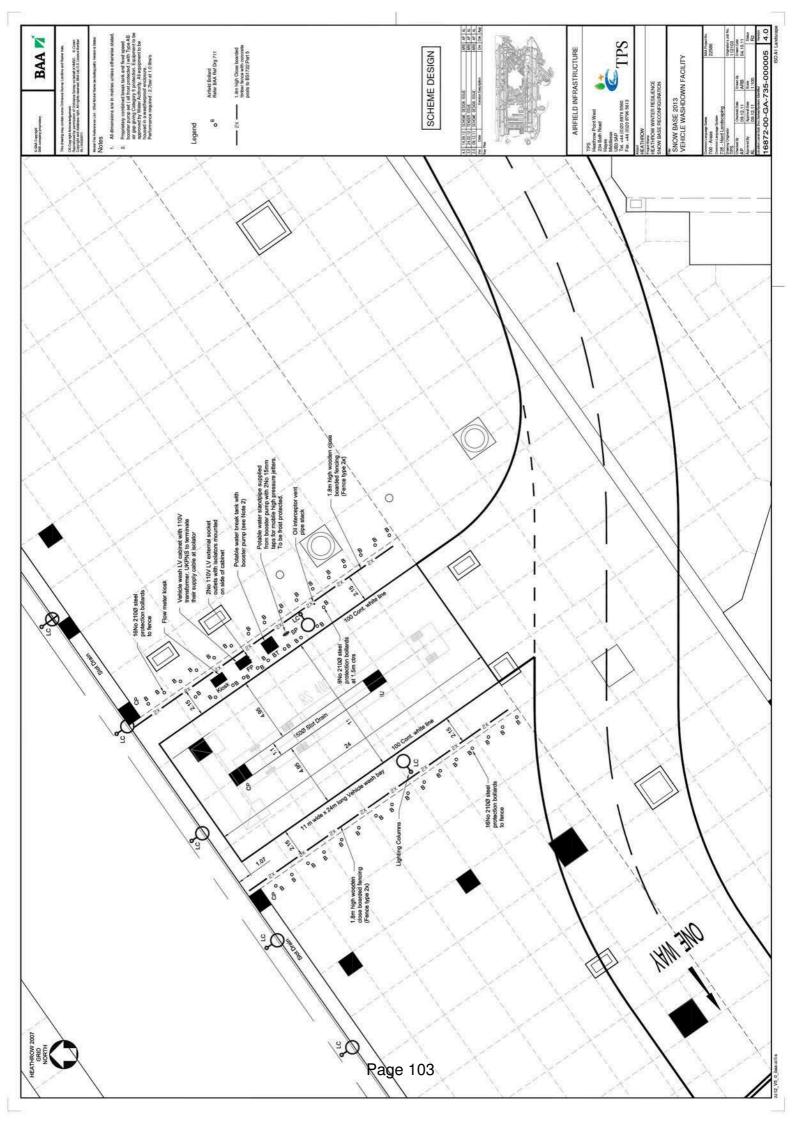


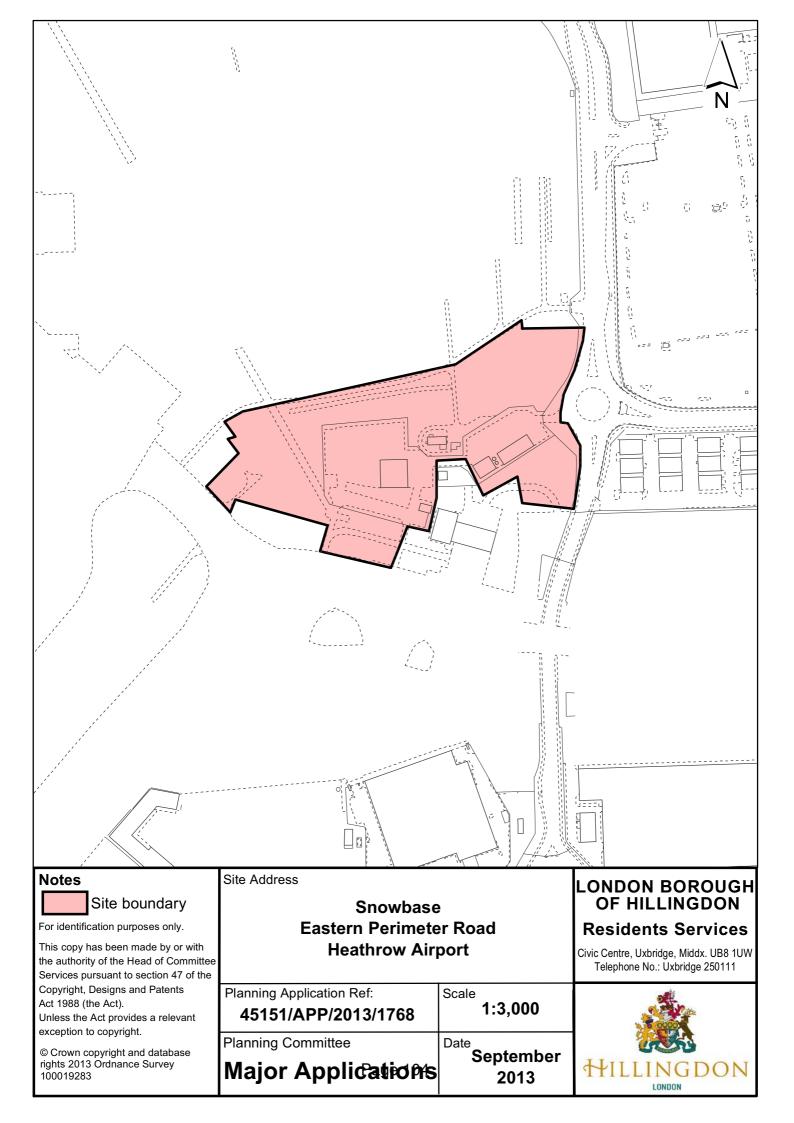










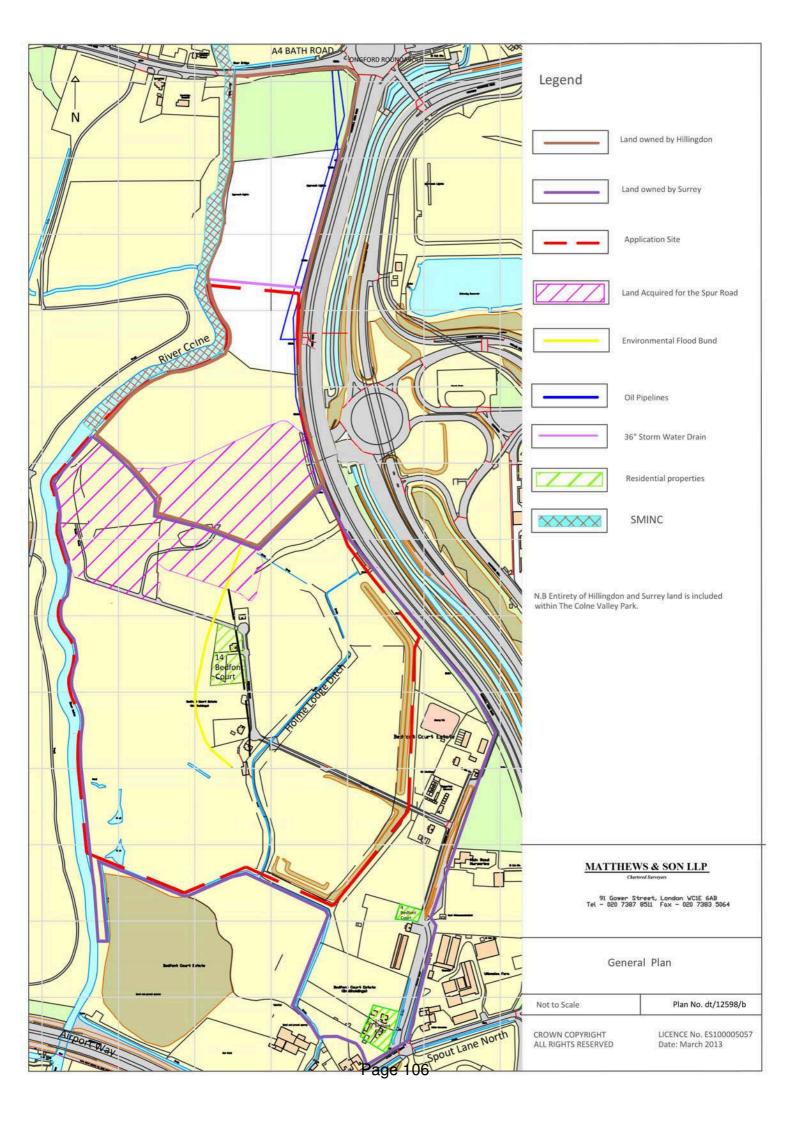


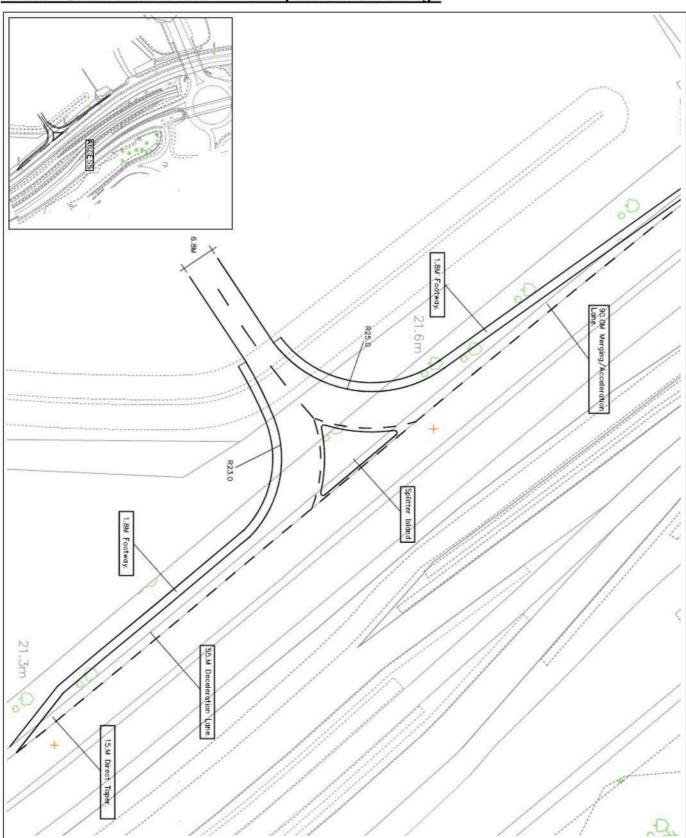
Report of the Head of Planning, Sport and Green Spaces

- Address LAND AT MOORBRIDGE FARM AND BEDFONT COURT ESTATE, WEST OF STANWELL MOOR ROAD LONGFORD
- **Development:** Use of land for the extraction of sand and gravel, filling with inert waste and restoration to agriculture including associated works. (Application for a Certificate of Appropriate Alternative Development under Section 17 of the Land Compensation Act 1961, as amended)
- LBH Ref Nos: 69073/APP/2013/637

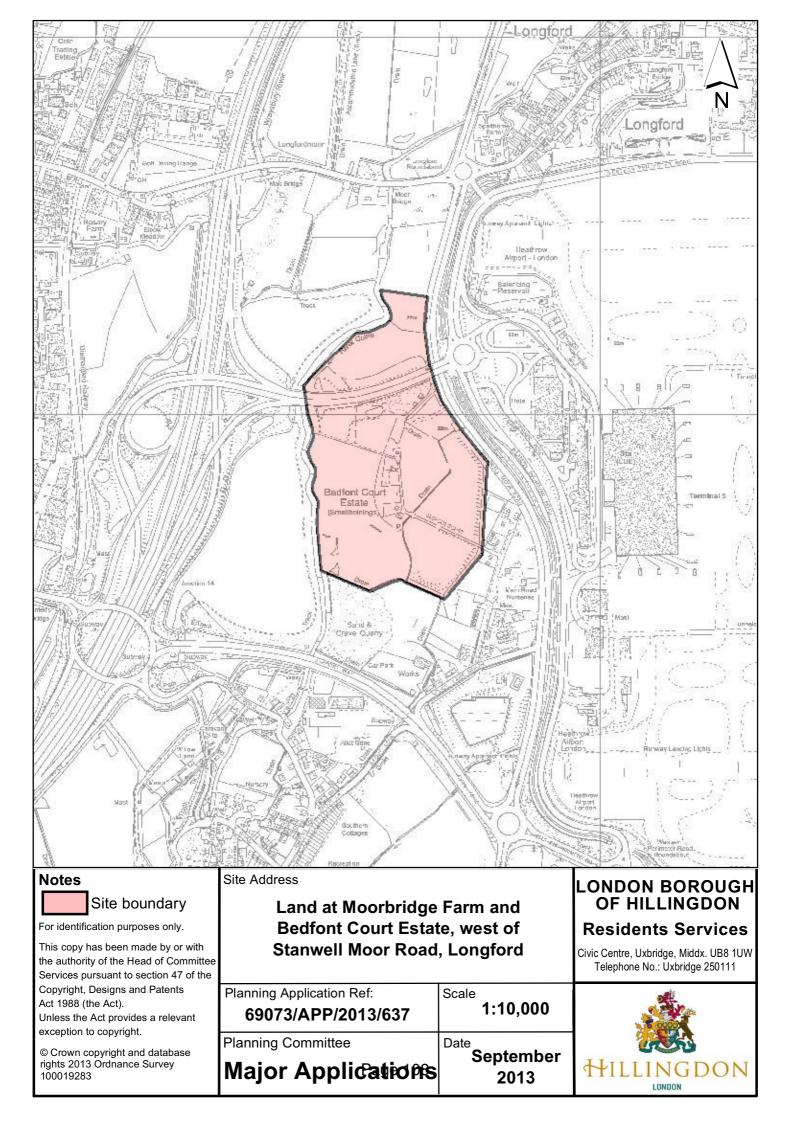
Date Plans Received:	14/03/2013
Date Application Valid:	14/03/2013

Date(s) of Amendment(s):





A3044 – Stanwell Moor Road – Conceptual Access Design



Report of the Head of Planning, Sport and Green Spaces

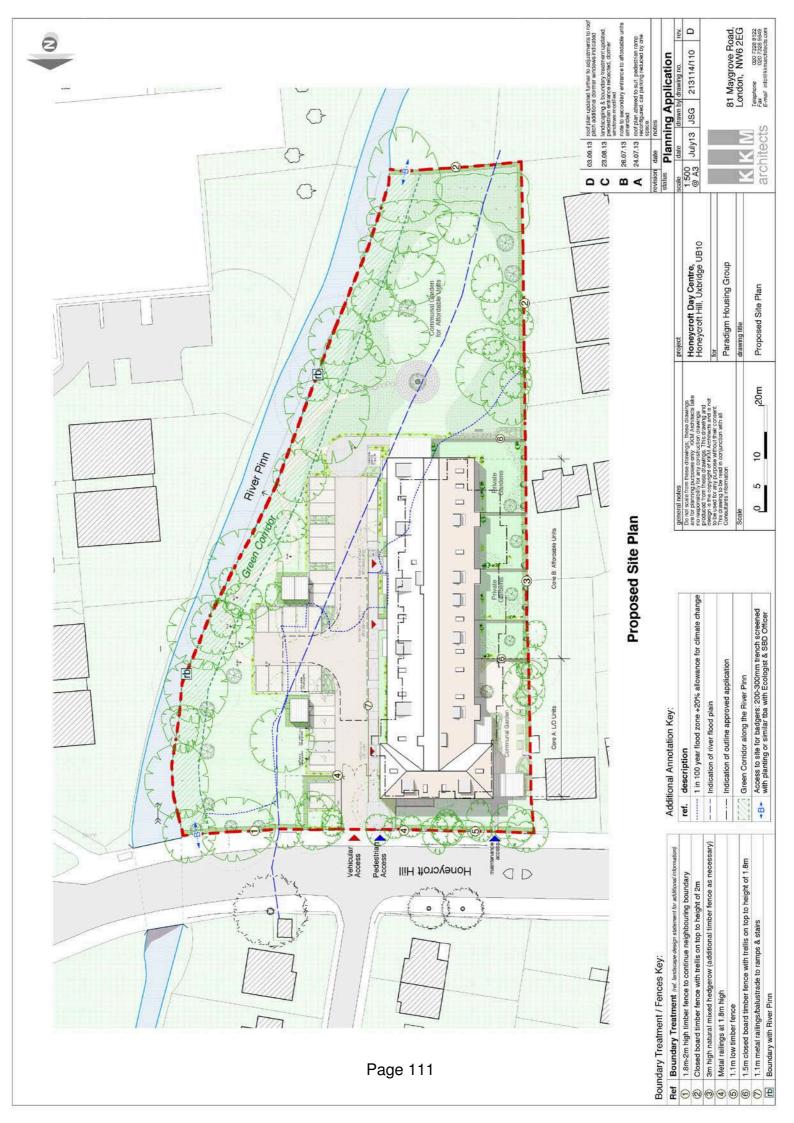
Address HONEYCROFT DAY CENTRE SITE HONEYCROFT HILL UXBRIDGE

Development: Redevelopment of site to provide a three storey building comprising 36 residential units, consisting of 20 affordable units and a further 16 units for people with learning difficulties (including communal lounge, staff office and overnight room), as well as associated landscaping, access, parking and amenity space.

LBH Ref Nos: 6046/APP/2013/1834

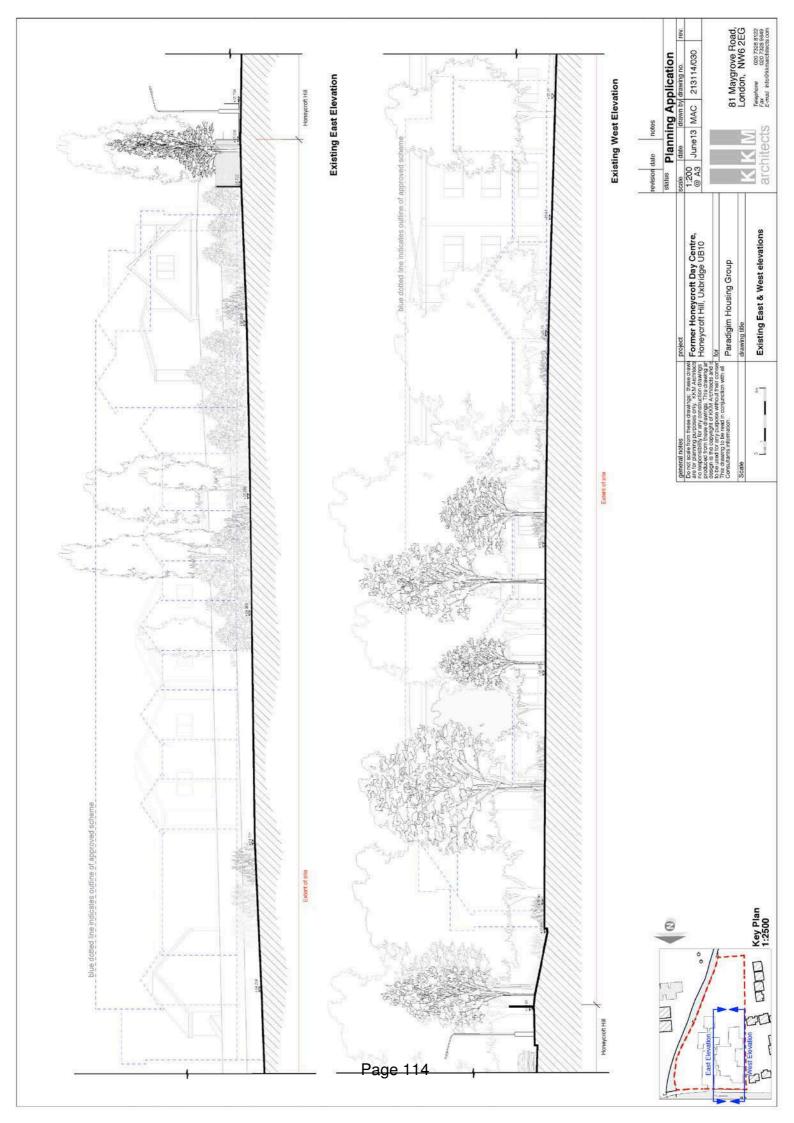
Date Plans Received:	02/07/2013	Date(s) of Amendment(s):	03/09/2013
Date Application Valid:	02/07/2013		02/09/2013 29/08/2013



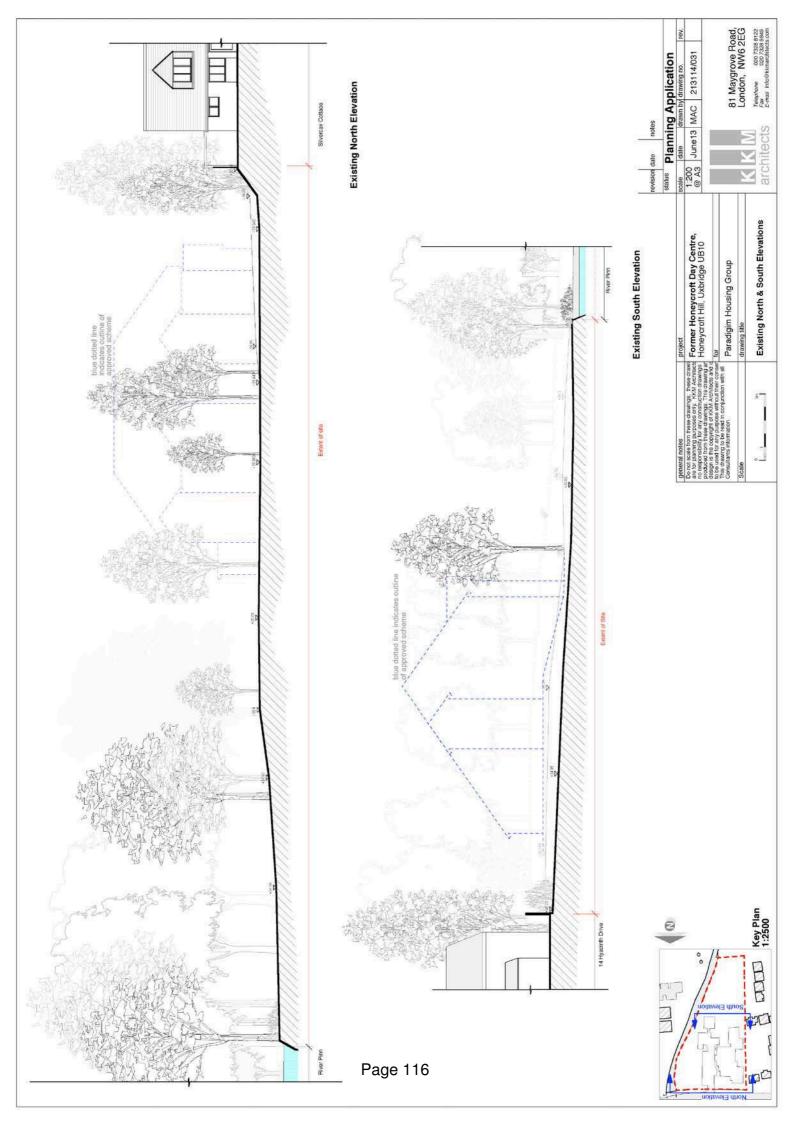


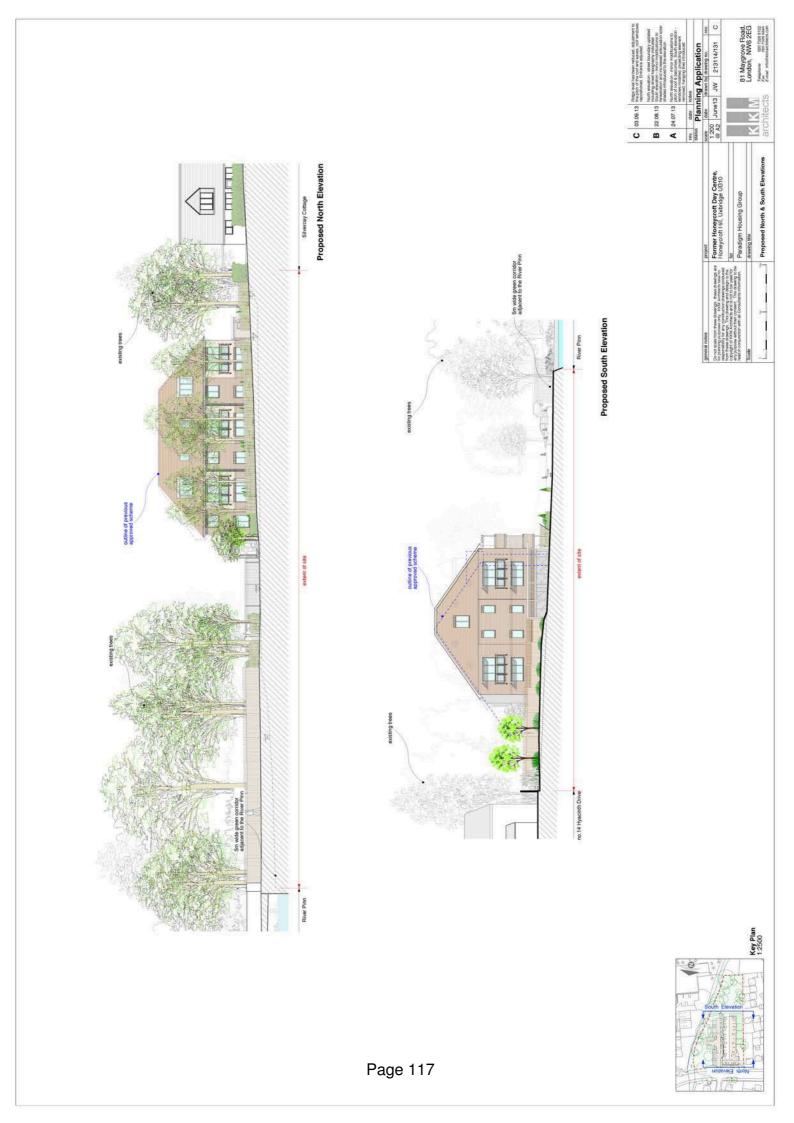




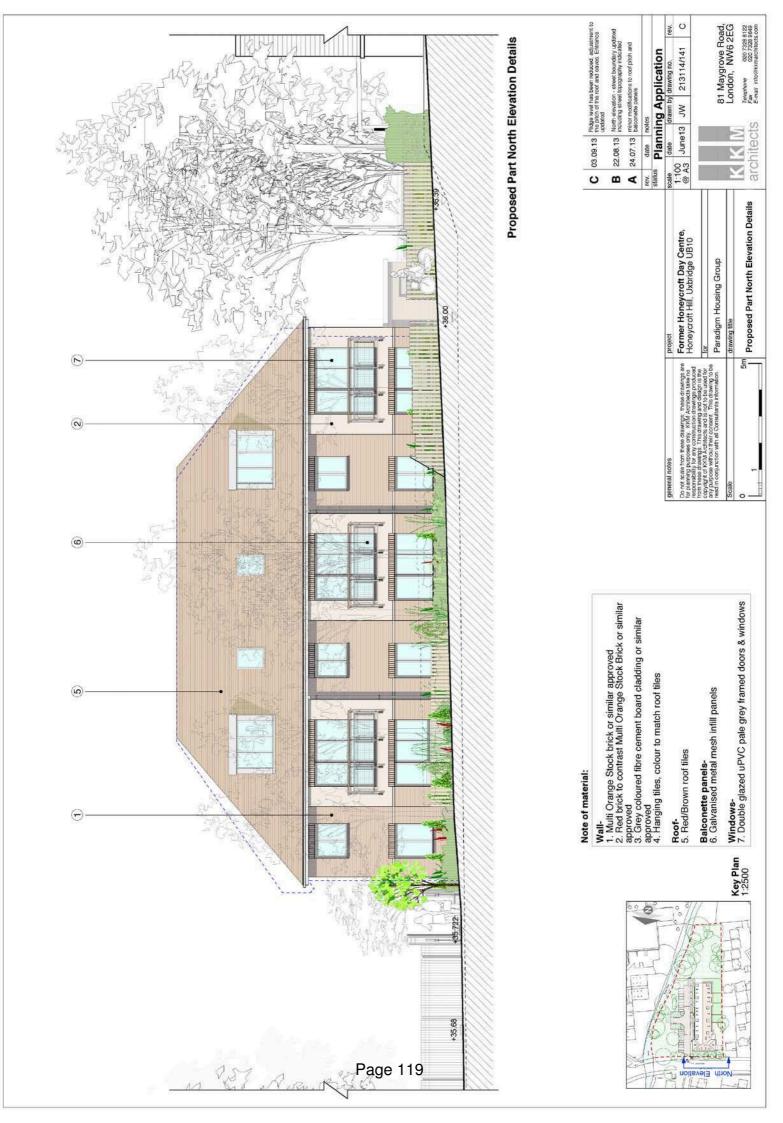


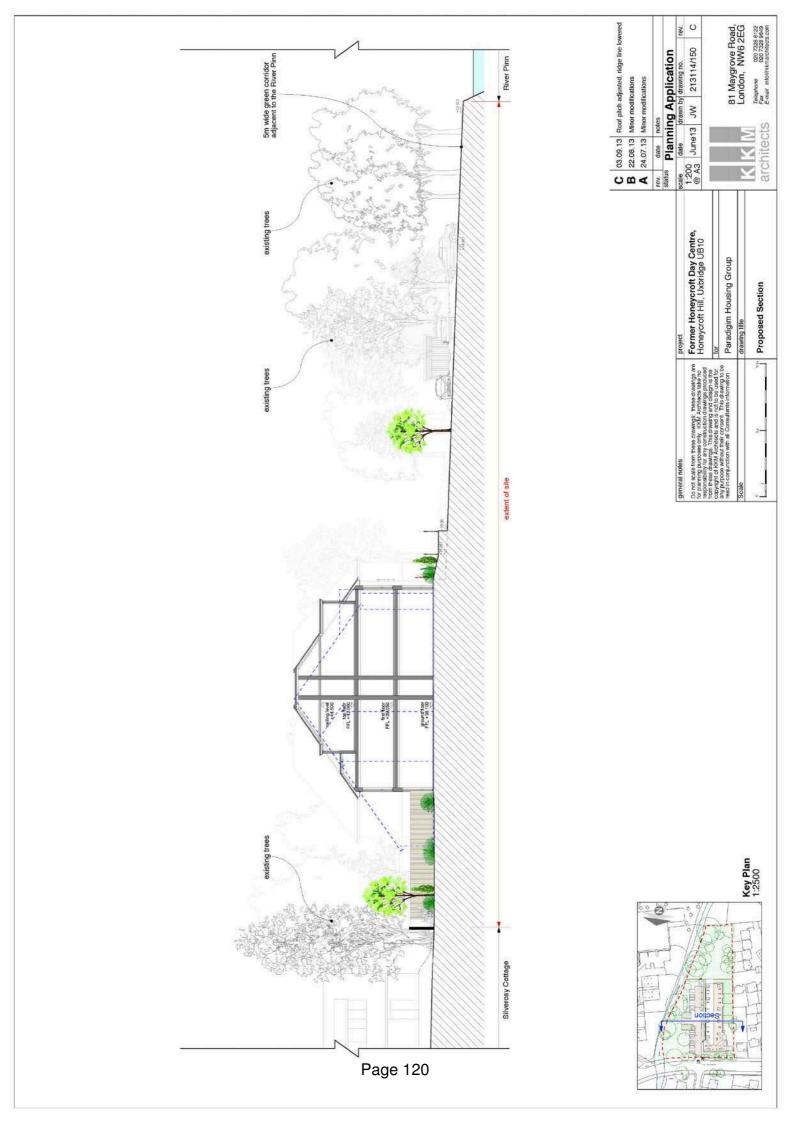


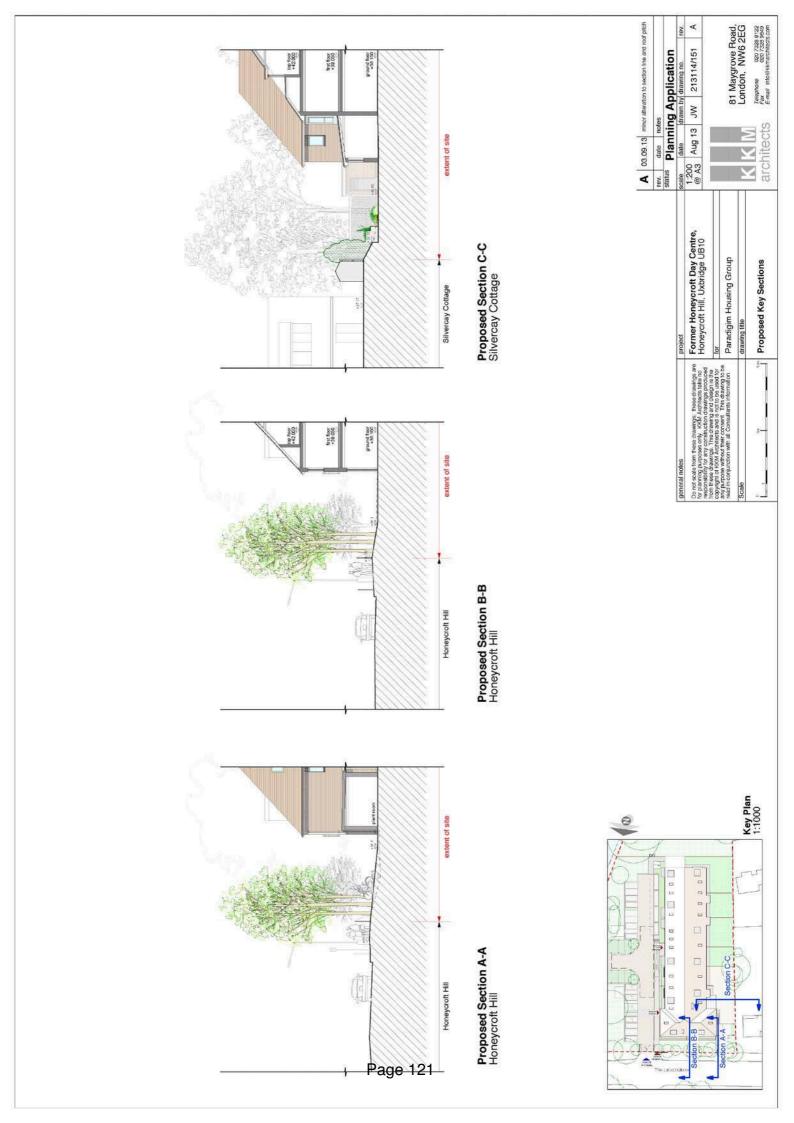




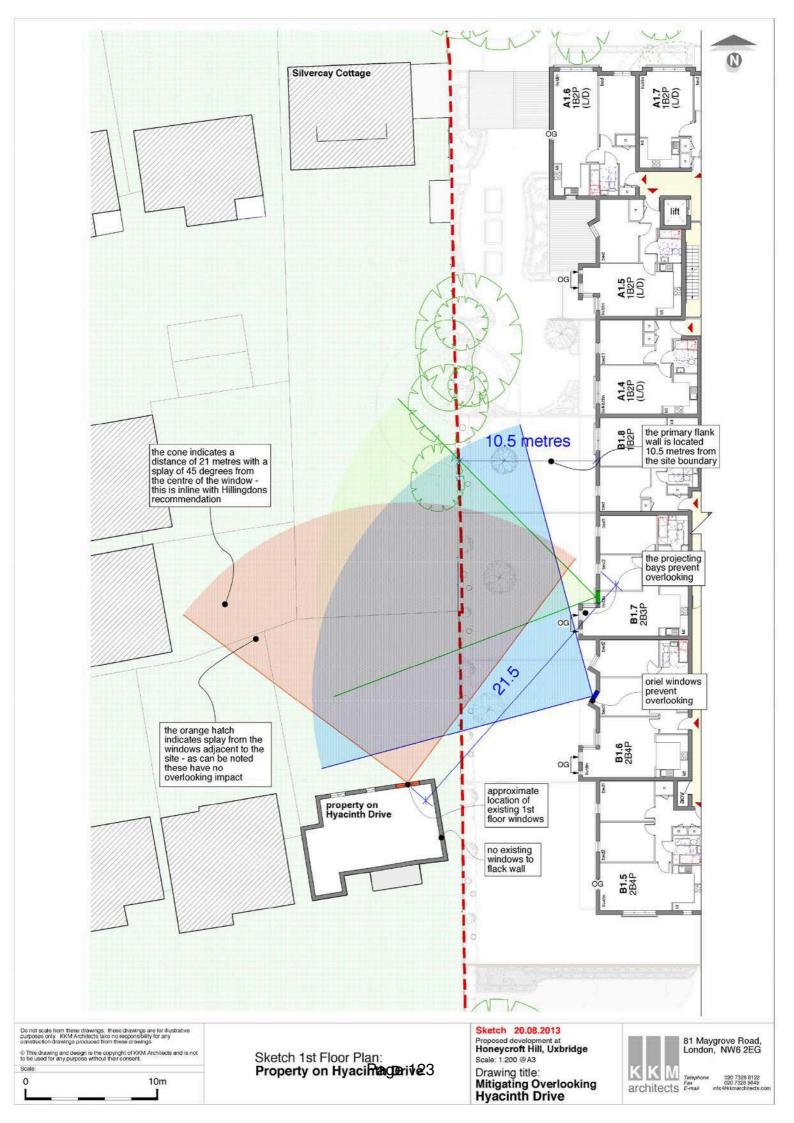




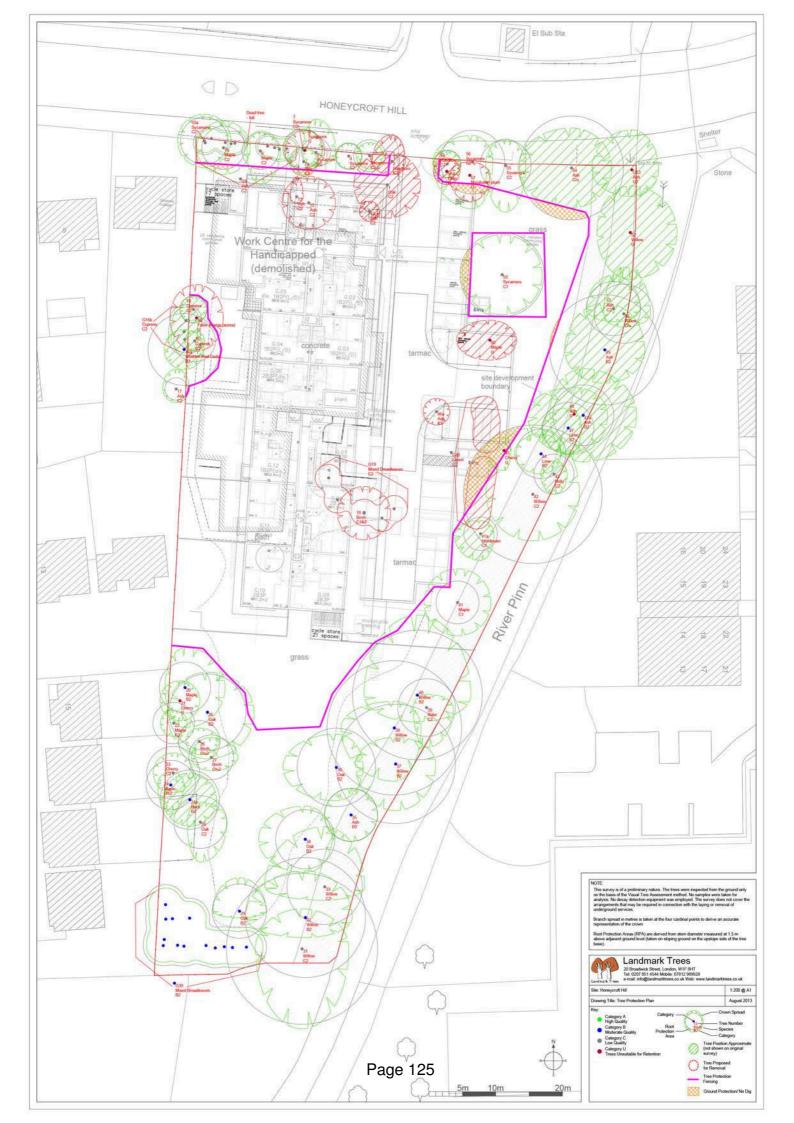


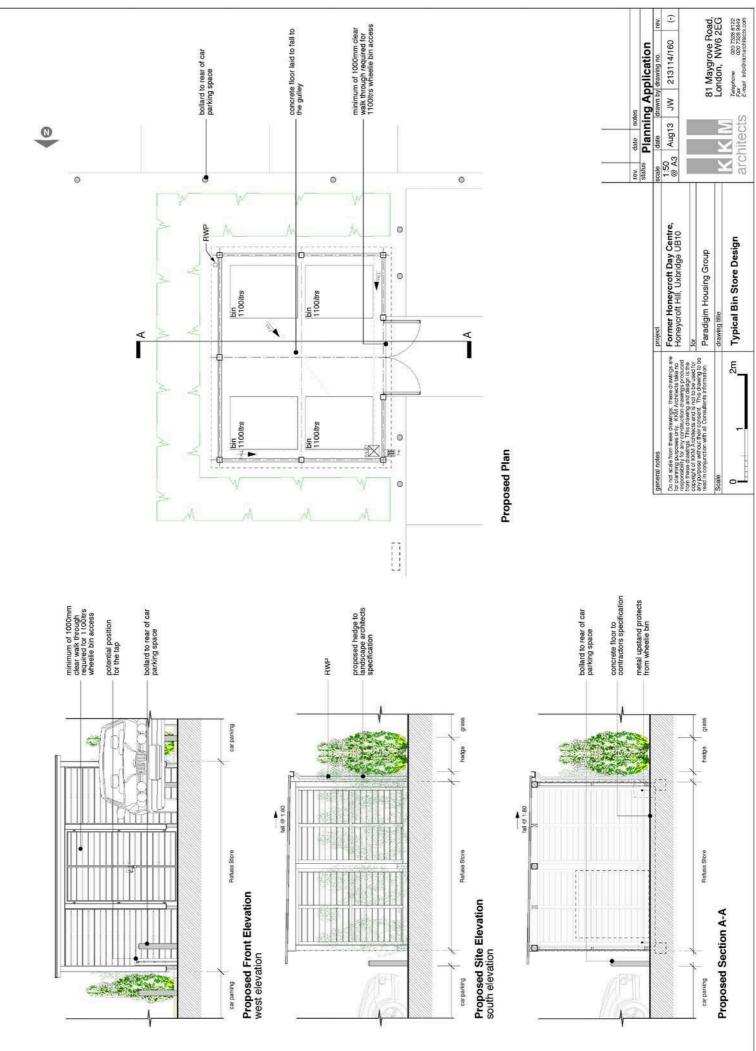


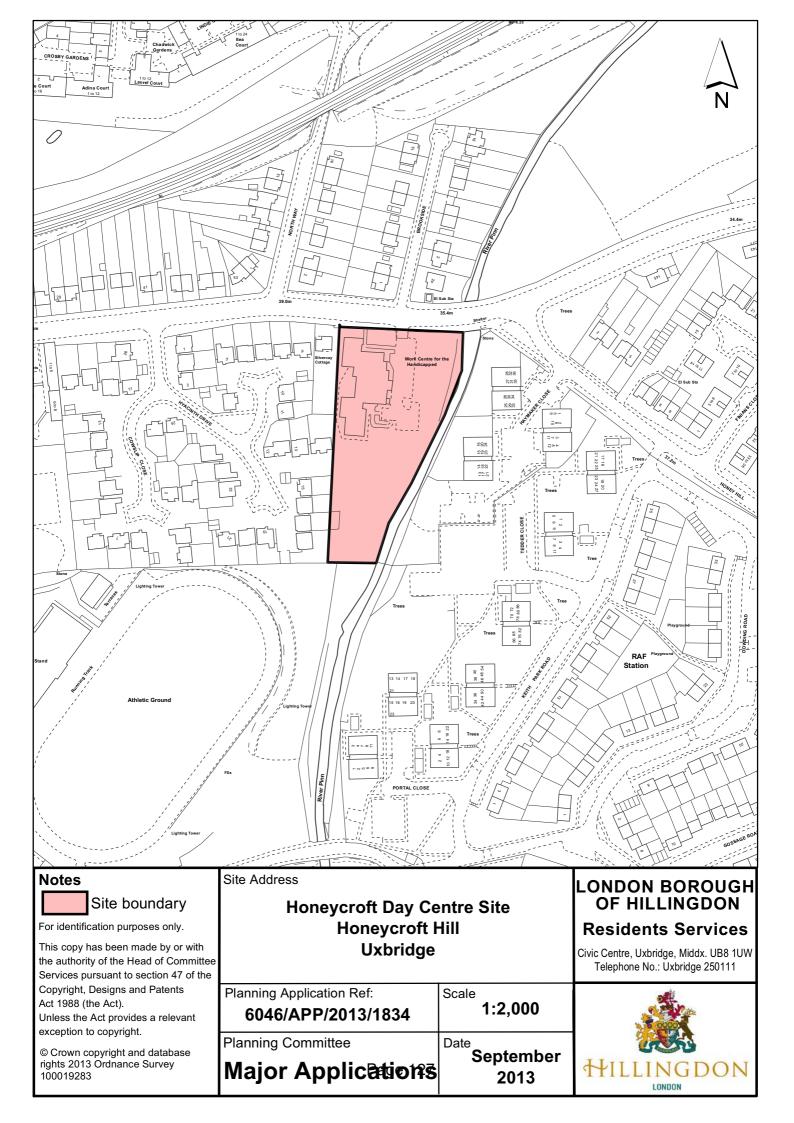












Report of the Head of Planning, Sport and Green Spaces

Address STOCKLEY PARK GOLF CLUBHOUSE, STOCKLEY ROAD WEST DRAYTON

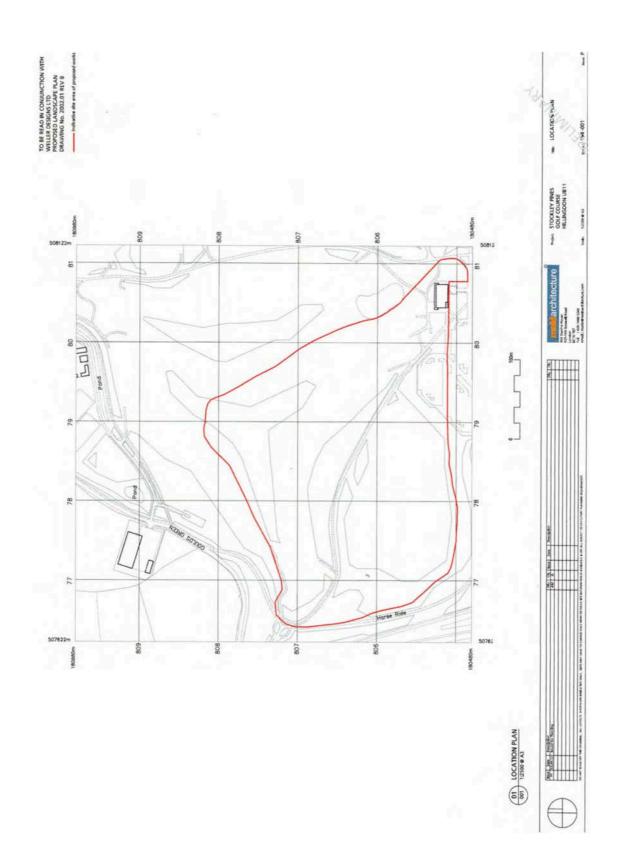
Development: Provision of a hardstanding area on which to erect a marquee at Stockley Golf Course.

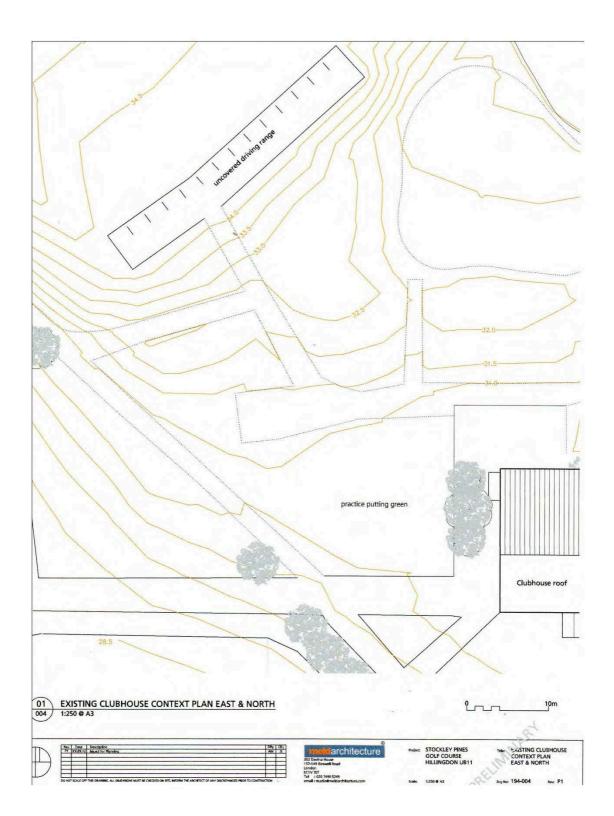
LBH Ref Nos: 37850/APP/2012/2743

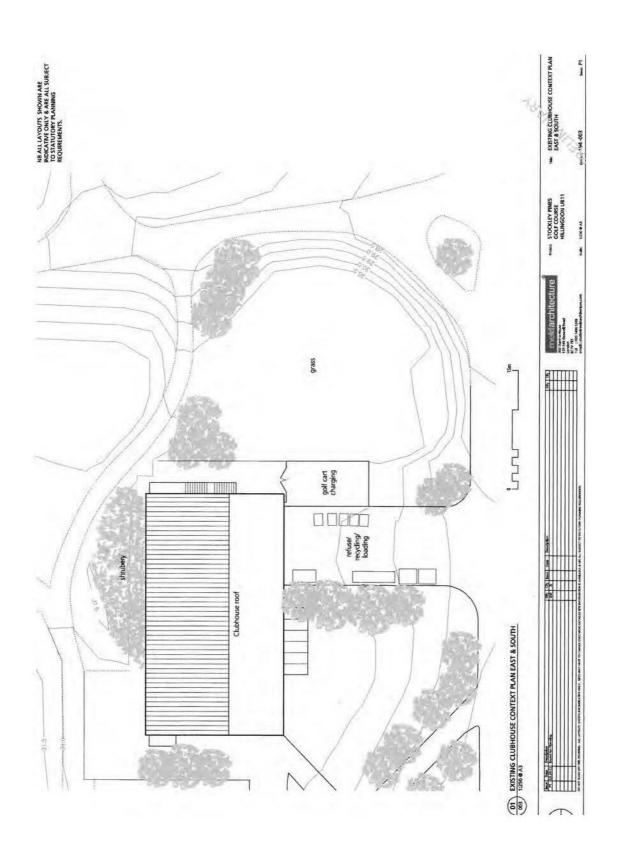
Date Plans Received: 06/11/2012

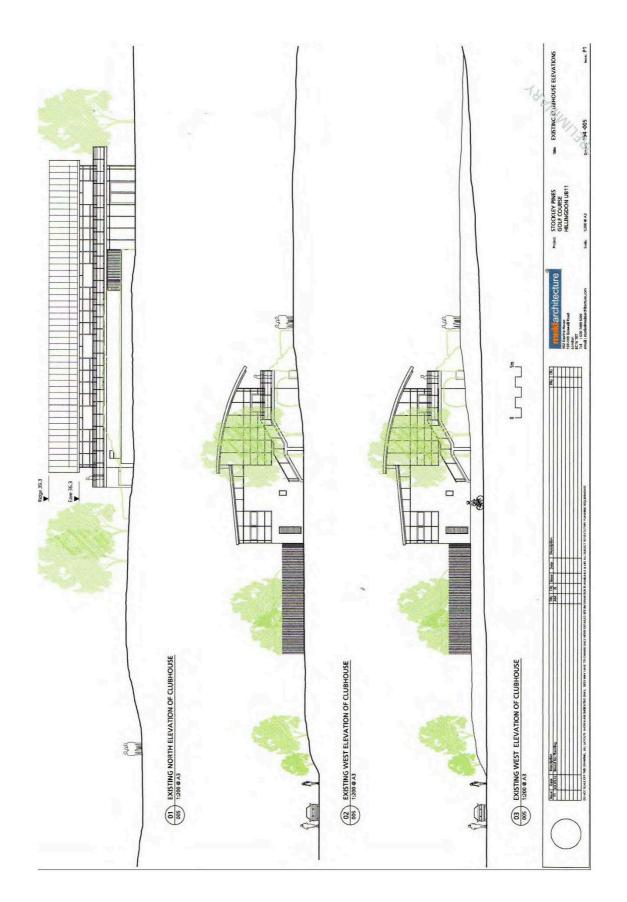
Date Application Valid: 06/06/2013

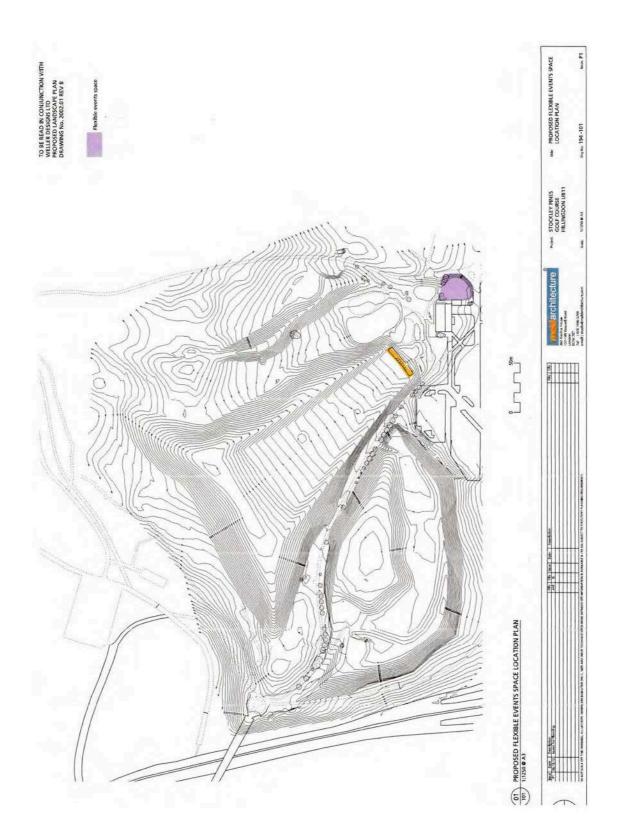
Date(s) of Amendment(s):



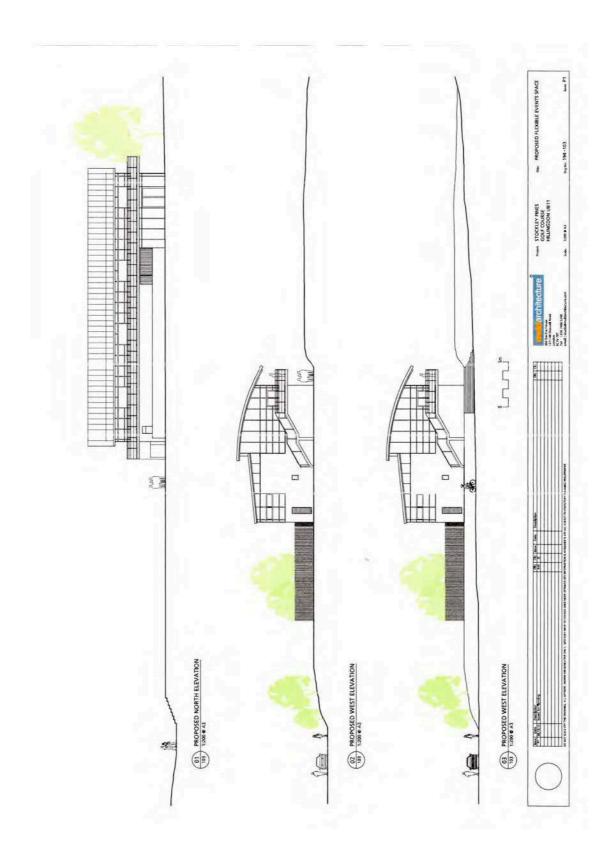




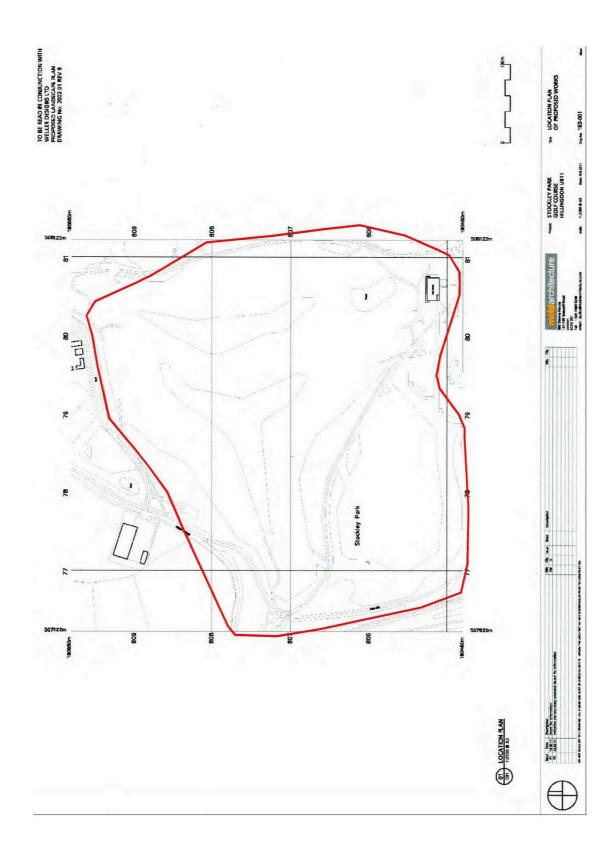


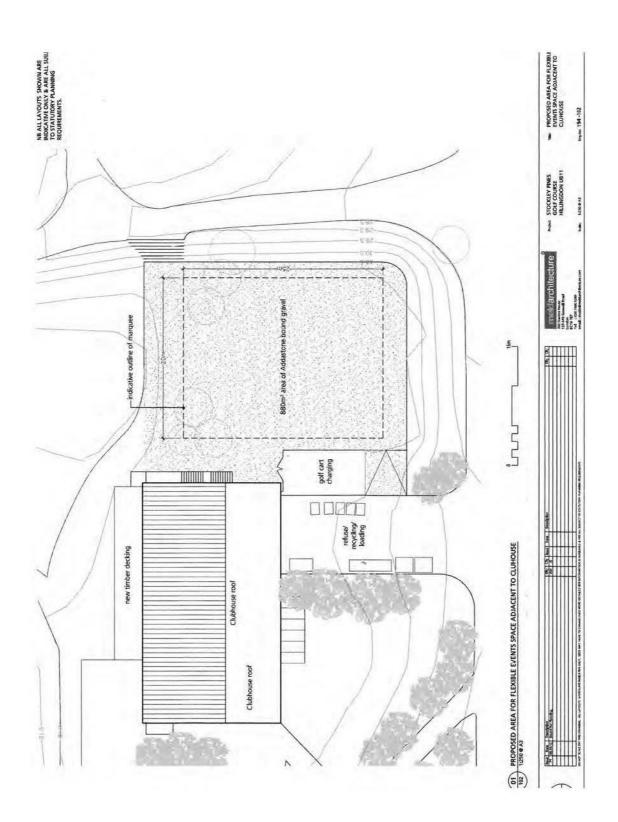


Page 133



Page 134





Page 136

