



# Major Applications Planning Committee

Date:

**TUESDAY, 18 NOVEMBER** 

2014

Time:

6.00 PM

Venue:

**COMMITTEE ROOM 5** 

CIVIC CENTRE HIGH STREET

**UXBRIDGE UB8 1UW** 

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

### To Councillors on the Committee

Eddie Lavery (Chairman)
Ian Edwards (Vice-Chairman)
Peter Curling
Jazz Dhillon
Janet Duncan (Labour Lead)
Carol Melvin

Carol Melvin John Morgan Brian Stead David Yarrow

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Lloyd White

Head of Democratic Services

London Borough of Hillingdon,

3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW

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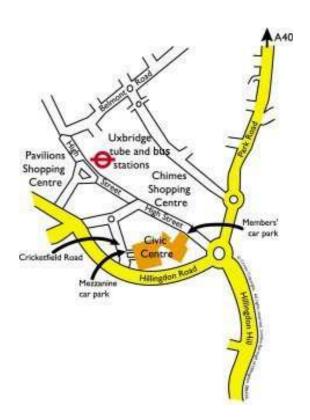
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### **Petitions and Councillors**

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;
- 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:
- The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

### About the Committee's decision

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

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

When making their decision, the Committee cannot take into account issues which are not planning considerations such 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.

### 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 meeting held on 7, 21 & 29 1 14 October 2014
- 4 Matters that have been notified in advance or urgent
- To confirm that the items marked in Part 1 will be considered inpublic and those items marked in Part 2 will be heard in private

### **PART I - Members, Public and Press**

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

### **Major Applications without a Petition**

	Address	Ward	Description & Recommendation	Page
6	Hillingdon and Uxbridge Cemetery Hillingdon Hill Hillingdon 64409/APP/2014/3560	Brunel	Repair and refurbishment of Gatehouse and Chapel buildings to include: re-roofing, overhaul of rainwater goods, repairs and repointing to stonework, overhaul windows and external and internal doors, upgrading to fire doors, upgrade of timber floors and	15 - 22 148 - 174
			structural repairs in accordance with structural engineer's report (Listed Building Consent)  Recommendation : Approval	

7	272 - 276 Bath Road Sipson 464/APP/2014/2886	Heathrow Villages	Change of use of existing building from office (Use Class B1(a)) to 135-room Hotel (Use Class C1), including 4-storey side extension (to rear of adjacent petrol station), and 4-storey rear extensions, and associated alterations to landscaping and car parking.  Recommendation: Approval, subject to a S106 Agreement.	23 - 52 175 - 195
8	Temporary Flight Connections Centre - Stand 323 Terminal 3 Heathrow Airport Hounslow 27277/APP/2014/3202	Heathrow Villages	Temporary Flight Connections centre at Terminal 3, consultation under Schedule 2 Part 18 of the Town and Country Planning (General Permitted Development) Order 1995.  Recommendation: No Objection	53 - 60 196 - 205
9	Flight Connection Centre, Terminal 3 Central Terminal Area Heathrow Airport Hounslow 27277/APP/2014/3204	Heathrow Villages	Demolition of existing Flight Connection Centre and erection of new larger centre serving Terminal 3.  Recommendation : Approval	61 - 74 206 - 223
10	Unit 5, Lombardy Retail Park Coldharbour Lane Hayes 63098/APP/2014/3080	Townfield	Installation of mezzanine within existing retail unit with ancillary customer cafe.  Recommendation : Approval	75 - 94 224 - 236
11	Former National Air Traffic Services Headquarters Site Porters Way West Drayton 5107/APP/2014/2454	West Drayton	Reserved matters (appearance and landscaping) in compliance with conditions 2 and 3 for Phase 4, second application (23 residential units) of planning permission ref: 5107/APP/2009/2348 dated 01/10/2010, for the proposed mixed used redevelopment of the Former NATS Site.  Recommendation: Approval	95 - 112 237 - 249

12	2 Midcroft Ruislip	West Ruislip	Demolition of existing petrol station with tanks and erection of a	113 - 146
	4918/APP/2014/1274	·	four storey building comprising 14 residential, an office unit at ground floor level plus associated access, underground car parking and cycle storage.	250 - 256
			Recommendation : Approval, subject to a S106 Agreement.	

PART I - Members, Public & Press	
Plans for Major Applications Planning Committee	147 - 256

### **Minutes**

### **MAJOR APPLICATIONS PLANNING COMMITTEE**



**7 October 2014** 

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

	Committee Members Present: Councillors Eddie Lavery (Chairman), John Hensley (Vice-Chairman), Peter Curling, Janet Duncan (Labour Lead), Ian Edwards, Henry Higgins, John Morgan and Brian Stead
	LBH Officers Present:
	James Rodger, Head of Planning, Green Spaces and Culture, Syed Shah, Highway Engineer, Adrien Waite, Major Applications Manager, Tim Brown, Legal Advisor Danielle Watson, Democratic Services Officer.
63.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies for absence were received from Cllr Jazz Dhillon with Cllr John Morse substituting.
64.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	Cllr John Morgan declared a pecuniary interest in Item 9, St Helens School, Eastbury Road and left the meeting whilst the item was discussed.
65.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 16 SEPTEMBER 2014 (Agenda Item 3)
	The minutes of the meeting held on 16 September 2014 were agreed as a correct record.
66.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	The Chairman informed the Committee that Item 10 had been withdrawn by the Head of Planning, Green Spaces and Culture.
67.	TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (Agenda Item 5)
	It was confirmed that all items would be considered in Part 1 public.
68.	26-36 HORTON ROAD, YIEWSLEY - 3507/APP/2014/2724 (Agenda Item 6)
	Amendments to block B (including amendments to Bedroom 2 windows, reduced size rooflights, amendments to fenestration and internal alterations) and block C

(amendments to entrance and circulation area) of planning permission 3507/APP/2013/2327 approved on 17-01-14 (Application for Minor Material Amendments under S73).

Officers introduced the report and referred members to the addendum sheet that had been circulated.

The application requested minor material amendments to blocks B and C of a previously approved scheme. The amendments to block B included internal alterations and a small increase in roof height. The alterations to block C included amendments to the entrance area and internal circulation.

Members noted that the additional windows would not create any issues of overlooking or loss of privacy for either future or neighbouring occupiers.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

69. UNIT 3, THE ARGENT CENTRE, PUMP LANE, NORTHWOOD - 46218/APP/2014/2186 (Agenda Item 7)

Change of use from cellular radio telephone exchange (sui generis) to wholesale (Class B8 - storage and distribution) and creation of mezzanine floor providing ancillary storage and office space.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

Members noted that condition 5 would ensure that the proposals would not be extended without the prior written consent of the Local Planning Authority.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

70. RYEFIELD HOUSE, RYEFIELD AVENUE, HILLINGDON - 11838/APP/2014/2350 (Agenda Item 8)

Amendment to condition 3 of planning permission 11838/APP/2013/2650 dated 31/12/2013 to amend the approved plans to adjust external openings, reconfigure the internal layout and alter the location, design and size of the basement (S73 Application).

Officers introduced the report and outlined details of the application.

The application related to the site of Ryefield House in Ryefield Avenue, which was

granted permission for a 58 bedroom care home in 2013.

Members noted that the current application requested further minor alterations to the design of the proposals. The footprint, bulk and scale of the development remained the same with the exception of the replacement of a two storey extension on the northern elevation with a single storey entrance lobby and a reduction in the size of the basement.

Members agreed that the changes actually improved the design and appearance of the building from the previous design.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

71. ST HELENS SCHOOL, EASTBURY ROAD, NORTHWOOD - 7402/APP/2014/2761 (Agenda Item 9)

Development of a new part two-storey and part single-storey Junior School building with associated external works.

Officers introduced the report and referred members to the addendum sheet that had been circulated

Members noted that the purpose of the application was to provide improved facilities for existing students and not to increase capacity at the school. The applicant was content that the pupil numbers would be restricted by condition and this was included within the officer recommendation.

Members noted that the proposed building was located partially within the Northwood Frithwood Conservation Area. It was agreed that the proposal would provide significant improvements to the educational provision for existing students.

Members noted that the Council's conservation officer considered that the design of the building was modern, innovative, carefully considered and of a very high quality. Member agreed that the choice of materials and integration of the building into the landscape ensured the building enhanced the character of the site and did not detract from the open and green character of the area.

Members noted that the proposal would result in the loss of one group of protected poplars. However, the Council's Trees officer considered this group of trees to be at the end of their natural life and raised no objection to their loss, which would be offset by the high quality of the scheme. It had been demonstrated that the proposals would retain and protect other trees of importance. The Council's Highway Officer found the proposals acceptable as the site would not increase trip generation as there was no intention of increasing pupil capacity.

Members questioned the wording of condition 19 and suggested that the word 'won' be replaced with 'derived'.

Members also discussed the maximum number of pupils and agreed that the number of pupils should not exceed 1,192 as stated in condition 12 of the officers' report.

Members gave delegated authority for the Head of Planning, Sport and Culture to reword condition 16 in conjunction with the Flood risk officer.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

72. **2 MIDCROFT, RUISLIP - 4918/APP/2014/1274** (Agenda Item 10)

Demolition of existing petrol station with tanks and erection of a four storey building comprising 14 residential units, 2 commercial units at the ground floor with associated access, underground car parking and cycle storage.

This item was withdrawn by the Head of Planning, Sport and Culture.

The meeting, which commenced at 6.00 pm, closed at 6.25 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on Democratic Services Officer: 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

### **Minutes**

### **MAJOR APPLICATIONS PLANNING COMMITTEE**

21 October 2014



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

	Committee Members Present: Councillors Eddie Lavery (Chairman), John Hensley (Vice-Chairman), Peter Curling, Jazz Dhillon, Janet Duncan (Labour Lead), Ian Edwards, Henry Higgins, John Morgan and Brian Stead
	Also Present: Cllr Judy Kelly Cllr Allan Kauffman
	LBH Officers Present: James Rodger, Head of Planning, Green Spaces and Culture, Syed Shah, Highway Engineer, Matthew Duigan, Planning Service Manager, Nicole Cameron, Legal Advisor, Danielle Watson, Democratic Services Officer.
73.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no apologies for absence.
74.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
75.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 3)
	None.
76.	TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (Agenda Item 4)
	It was confirmed that all items would be considered in Part 1 public.
77.	FORMER ARLA FOOD DEPOT, VICTORIA ROAD, SOUTH RUISLIP - 66819/APP/2014/1600 (Agenda Item 5)
	Redevelopment of the site to provide a foodstore with ancillary cafe (Class 1) and ancillary petrol filling station, cinema (Class D2), 5 x restaurant units (Class A3), and residential development consisting of 132 units, together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

Members were aware that the application was a resubmission following the previous application that was refused in February 2014. The previous application had been refused for four reasons relating to sequential testing, retail scale, highways and planning obligations. Members noted that the key difference between the current scheme and the previously refused scheme was that the supermarket was smaller and the site layout had been improved.

The Chairman asked officers to clarify the vehicular access to the site. Officers informed the Committee that there were two vehicular accesses. One access was for the commercial side of the site and the other for residential.

Officers explained that the revised application had overcome the previous reasons for refusal. The proposal would not result in an unacceptable impact on the town centre or others nearby. It was not considered that the development would lead to significant traffic impacts such that refusal could be justified on highway grounds.

The Council's highway officer explained to the Committee that the highways aspect of the scheme was still work in progress. A number of changes were needed which included road widening and reconfiguration of junctions subject to obligations of the S106. Officers further advised that any highway or traffic improvements would need to be approved by the Cabinet Member for Planning, Transportation and Recycling, Cllr Keith Burrows.

In accordance with the Council's constitution a representative of the petitioners both supporting and objecting the proposals addressed the meeting.

The petition submitted by Sainsbury's objecting to the proposals was addressed by Mr Bruno Moore who made the following points:

- There were two main points to the petition of objection which had been submitted by Sainsbury's. The first was to inform the Committee of the benefits Sainsbury's approved development would have and the second related to planning policies and the Arla site.
- Sainsbury's had given a long term commitment to South Ruislip.
- Sainsbury's proposals which included a new improved store with increased parking spaces would advance the retail experience at Sainsbury's.
- The existing petrol station would be refurbished.
- The Arla proposals had an impact on existing, committed and planned public and private investment in a centre or centres and should be refused.
- Sainsbury's was a preferential site.
- Arla proposals had failed to pass the sequential test.
- The application on the Arla site was at odds with the objectives of the NPPF and Hillingdon's own local plan.
- Full information on the effect of the proposed development on the existing South Ruislip Local Centre had been omitted from the Committee report which was a crucial omission.
- The proposal had failed 3 key tests.
- The Arla application if approved would prevent Sainsbury's from redeveloping as the proposal would no longer be viable.

The petition submitted by South Ruislip Residents Association supporting the

proposals was addressed by Mr Sid Jackson who made the following points:

- Had attended the first meeting regarding the application.
- Spoke as Vice-Chairman of South Ruislip Residents' Association which had approximately a 2,000 household membership.
- The proposals with regard to redeveloping the site had been on-going for the past 4 years.
- Details of the site and its proposals had been included at the Association's quarterly meetings where presentations were well received by those that had been present.
- Overall feedback was that about 80% of residents were in favour of the proposals.
- South Ruislip needed redevelopment and some leisure facilities for its residents.
- Traffic issues should be investigated further, particularly on the junction of Victoria Road and West Mead. The Council had an obligation to fix issues on Victoria Road.

The petition submitted by the applicant, Citygrove, supporting the proposals was addressed by Mr Tony Baines who made the following points:

- The old dairy had been vacant for 9 years.
- The proposals of a mixed development were exciting.
- 10% affordable housing would be provided.
- The site would consist of an 11 screen cinema.
- 536 new jobs would be created.
- The proposals would be a major boost to the economy in South Ruislip.
- Extensive consultation had been undertaken with residents and local businesses in the area.
- The proposals would offer competition and choice.
- Sainsbury's had planning consent granted in 2006 and in 2012 which suggested it was trying to monopolize the market.
- Sainsbury's had been given planning permission six times in Uxbridge but had not implemented any of the plans.
- 27 of the people objecting to the scheme did not live in South Ruislip.
- Funding had been secured of £100 million to redevelop the site.
- Demolition of buildings had already taken place so that building could commence in January 2015.
- The proposed opening date would be in Easter 2016.

Members questioned why the affordable housing had reduced from 17% to 10%. Mr Baines explained that the Council would receive £2.7 million for Community Infrastructure Levy and Section 106 money which would be paid to be spent on supporting the build, for example, by improving roads to cut down on traffic surrounding the site. The reduction in affordable housing was a result of the site being reduced in size in comparison to the previous proposals.

The Head of Planning, Green Spaces and Culture asked for Members to note page 5 of the officer's report which gave details of the recommendation. Officers explained that the applicant did not pass the sequential test for the previous application which had been refused. Harrow Council had concerns that they would lose trade from their town centre as there was a cinema located there.

Officers explained that the Council had to weigh up the benefits of developing the Arla site against the impact of not getting a new Sainsbury's store, and the benefits of the Arla site outweighed those presented by Sainsbury's proposals, however, should the

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Arla site be approved for redevelopment it should not stop Sainsbury's from carrying out its approved application.

Officers informed the Committee that the application had been assessed in terms of the regeneration benefits that it would bring, which included the additional housing and the bringing of a derelict site back into use. It was considered that such benefits would outweigh the compromise of committed development within the town centre. The identified impact of the Asda proposal on the sales turnover of South Ruislip Local Centre as a whole (in the scenario that the Sainsbury's store redevelopment does not take place) amounted to -18.1%. Other stores in South Ruislip would not be competing with Asda; local businesses might actually gain more trade from increased footfall.

Officers reminded Members that the highway works were subject to other approval and that money from S106 would be used to mitigate any traffic impact from the site. Members questioned the close proximity between the commercial and residential units. Officers explained that the applicant had undertaken an extensive noise assessment which had been examined by the Council's Noise Officer and Environmental Protection Unit. The assessment was so robust that it had been undertaken as if the site was open 24 hours. An amendment was agreed to condition 32 to ensure that the development made adequate provision of children's play space in accordance with policy R1 of the Hillingdon Local Plan.

Members questioned whether there would be shadowing on some of the residential blocks. Officers informed the Committee that the proposals were fully compliant with regards to sunlight and daylight. Officers also explained that condition 34, which related to privacy measures, would cover any concerns relating to overlooking and privacy. Additionally an amendment was agreed to condition 33 that no residential phase of the development should commence until a sound insulation and ventilation scheme for protecting the proposed residential development from road traffic, rail traffic, air traffic and other noise including any air conditioning units has been submitted to and approved in writing by the Local Planning Authority.

Officers informed Members that there was a difference between a flood zone and surface water flooding. The Chairman highlighted to the Committee that condition 15 of the officer's report was very strong and robust and covered any concerns.

Members discussed the potential traffic issues that would arise if the site was approved. The proposals included 132 residential units, 5 restaurants, a cinema that would seat 1700, a foodstore and petrol station. Members were aware of the scale of the site and noted that the cinema would be predominately used outside of peak hours. The Council's Highway officer further explained that with improvements in place there would not be an adverse impact on the highway network. Members were assured that there was a full traffic assessment needed to be undertaken before officers are fully satisfied; however, officers were confident that further off-site modelling would alleviate issues and concerns.

Members were concerned that there were already issues associated with the junction of Long Drive and Victoria Road. Officers were aware that there was extensive queuing at peak times on this junction, and officers agreed there needed to be major improvements before a scheme of the proposed scale was built. Members were pleased to hear that there were measures to prevent rat running through the site.

Questions were raised regarding the recycling site and how close it was to the residential part of the site. The Committee agreed to delegate the final wording of

condition 25 to the Head of Planning, Green Spaces and Culture to be agreed with the Chairman and Labour Lead to ensure that a designated area for recycled waste for customers to dispose of was away from residential properties, together with appropriate screening.

Members questioned why 3 hours free parking had been offered and whether this would be enough time for people using the cinema and other facilities. Officers informed the Committee that the applicant was fine with offering 4 hours. Members also questioned what parking arrangements would be offered to the church located on Victoria Road. Officers further explained that these concerns could be addressed and would be taken in to the S106 agreement. An amendment to condition 20 was agreed to ensure that an appropriate level of car parking provision was provided on site.

Members agreed for changes to the Heads of Terms to be amended and agreed by the Chairman and Labour Lead outside of the meeting.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

The meeting, which commenced at 7.00 pm, closed at 8.36 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on Democratic Services Officer: 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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### **Minutes**

### **MAJOR APPLICATIONS PLANNING COMMITTEE**

HILLINGDON

29 October 2014

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

	Committee Members Present: Councillors Eddie Lavery (Chairman), John Hensley (Vice-Chairman), Peter Curling, Jazz Dhillon, Janet Duncan (Labour Lead), Ian Edwards and John Morgan
	LBH Officers Present: Matthew Duigan, Planning Service Manager, Syed Shah, Highway Engineer, Adrien Waite, Major Applications Manager, Nicole Cameron, Legal Advisor Danielle Watson, Democratic Services Officer.
78.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies for absence were received from Cllr Henry Higgins and Cllr Brian Stead with Cllr David Yarrow and Cllr Alan Chapman substituting.
79.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
80.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 3)
	None.
81.	TO CONFIRM THAT THE ITEMS MARKED IN PART 1 WILL BE CONSIDERED INPUBLIC AND THOSE ITEMS MARKED IN PART 2 WILL BE HEARD IN PRIVATE (Agenda Item 4)
	It was confirmed that all items would be considered in Part 1 public.
82.	LAND ADJACENT TO SIPSON ROAD IN HOLLOWAY LANE, HARMONDSWORTH 46223/APP/2014/1867 (Agenda Item 5)
	Use of land as a solar farm, involving site restoration, including importation of 65,000 cubic metres of inert waste, landscaping and planting; the laying out of 576 solar arrays in 34 rows, with associated ancillary structures, (including transformers, substation, inverters, CCTV masts, boundary fencing and maintenance track) and connections to the electricity grid.
	Officers introduced the report and referred members to the addendum sheet that had been circulated.
	The proposal did not conform to the types of development allowed by national, London Plan and Local Plan policies and therefore constituted inappropriate development in

the Green Belt.

Members noted that the applicant had not demonstrated that the benefits of the proposed solar farm would outweigh harm caused to the Green Belt.

The recommendation for refusal was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be refused as per the officers' report.

83. HOLLAND AND HOLLAND SHOOTING CLUB, DUCKS HILL ROAD, NORTHWOOD 16568/APP/2013/3588 (Agenda Item 6)

Single storey ground floor extension to the lodge and construction of basement.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

Officers explained to Members that one of the buildings was proposed to be demolished and the other was to be extended at both ground and basement level. The proposal was requested to provide a larger corporate facility and rifle range. Members noted that the application site was used as a shooting ground, which was considered an acceptable use in the Green Belt.

The Chairman highlighted that letters of support had been received by two Ward Councillors.

The applicant had provided historical date regarding the business mix of the shooting club which demonstrated that the majority of their business was now coming from corporate shooting days. Due to the age of the existing building the club had been struggling to compete with local competitors who were able to offer fine dining and modern technology to supplement their events.

Members discussed the use class of the premises in which officers clarified it had a D class use. Officer also reminded Members that the application was not for a change of use, however, an informative could be added that would ensure the use of the facility was in line with use class D. Officers informed the Committee that the application would need to be referred to the Secretary of State before a decision was issued.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

84. SAINSBURY'S SUPERSTORE, LONG DRIVE, SOUTH RUISLIP 33667/APP/2014/2824 (Agenda Item 7)

Erection of a temporary replacement supermarket (Class A1) and associated temporary customer access, car parking and plant, refurbishment of an existing petrol filling station and provision of permanent vehicular access; permanent service egress and permanent re-location of an electricity sub-station in connection with planning permission granted on 22/4/13, ref.

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33667/APP/2012/3214 for the re-development of the wider site for a new retail superstore and ancillary commercial units.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

The proposal was for a temporary store whilst a permanent new store was being built. The proposals also included the refurbishment of the existing petrol station. Members noted that the level of customer parking, its layout and the temporary access arrangements were also acceptable on highway grounds.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

85. CHEQUERS SQUARE, UXBRIDGE 35214/APP/2014/2232 (Agenda Item 8)

The consolidation of 15 existing units within the Pavilions shopping centre to create a single, large format retail unit, including reconfiguration works at basement level, insertion of new mezzanine floor and associated works at roof level.

Officers introduced the report and referred members to the addendum sheet that had been circulated.

Members noted that 15 of the existing units would be consolidated to accommodate a major retailer, although details of the operator had not been featured in the report. The applicant had sought to relocate the existing stores to other parts of the Pavilions Shopping Centre.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

86. **10 - 14 SWAN ROAD, WEST DRAYTON 60960/APP/2014/2698** (Agenda Item 9)

Erection of a building comprising 15 flats with associated parking, cycle storage, amenity areas and landscaping (Involving demolition of existing buildings).

Officers introduced the report and referred members to the addendum sheet that had been circulated.

The proposals included the demolition of the three existing residential properties and the erection of a three storey block of flats. The proposals would not have a detrimental impact on the character of the surrounding area or on the residential amenity of future occupiers.

Members questioned the distance between the balcony of flat 5 and the kitchen of flat

6. Officers suggested an additional condition be agreed by the Chairman and Labour Lead outside of the meeting which would ensure that the future occupants benefited from privacy.

The recommendation for approval was moved, seconded and on being put to the vote was unanimously agreed.

Resolved - That the application be approved, subject to the conditions and informatives set out in the officer's report and addendum sheet circulated at the meeting.

The meeting, which commenced at 6.00 pm, closed at 6.58 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on Democratic Services Officer: 01895 277488. 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 HILLINGDON AND UXBRIDGE CEMETERY HILLINGDON HILL HILLINGDOI

**Development:** Repair and refurbishment of Gatehouse and Chapel buildings to include: re-

roofing, overhaul of rainwater goods, repairs and re-pointing to stonework, overhaul windows and external and internal doors, upgrading to fire doors, upgrade of timber floors and structural repairs in accordance with structural

engineer's report (Listed Building Consent)

LBH Ref Nos: 64409/APP/2014/3560

Drawing Nos: PL.002

PL.003-Gatehouse Existing Ground Floor Plan

PL.003\_Gatehouse\_Ground Floor

PL.004\_Gatehouse\_Existing First Floor Plan.pd

PL.004\_Gatehouse\_First Floor Plan PL.005\_Gatehouse\_Existing Roof Plan

PL.005\_Gatehouse\_Roof Plan

PL.006\_Gatehouse\_Existing North Elevation

PL.006\_Gatehouse\_North Elevation

PL.007 Gatehouse Existing South Elevation

PL.007 Gatehouse South Elevation

PL.008\_Gatehouse\_East and West Elevation PL.008\_Gatehouse\_Existing East and West Eleva PL.009 Gatehouse Existing Section AA and BB

PL.009\_Gatehouse\_Section AA and BB PL.010\_Chapel\_Ground Floor Plan.pdf

1229\_PL\_010\_Gatehouse\_Proposed Ground Floor Plan

PL.011\_Chapel\_Roof Plan

PL.011\_Gatehouse\_Proposed First Floor Plan PL.012\_Chapel\_North and South Elevations PL.013\_Chapel\_East and West Elevation PL.013 Gatehouse Proposed North Elevation

PL.014 Chapel Section AA

PL.014\_Gatehouse\_Proposed South Elevation PL.016\_Gatehouse\_Proposed Section AA and BB

Condition and Repair Recommendations

Hillingdon Uxbridge Cemetery Structural report

**Design and Access Statement** 

Date Plans Received: 06/10/2014 Date(s) of Amendment(s):

**Date Application Valid:** 06/10/2014

### 1. CONSIDERATIONS

### 1.1 Site and Locality

This application relates to Hillingdon & Uxbridge Cemetery, comprising Chapels and

Major Applications Planning Committee - 18th November 2014 PART 1 - MEMBERS, PUBLIC & PRESS

cemetery grounds, located on the south side of Hillingdon Hill. Access to the Cemetery is via the Gate House entrance located between 42 and 44 Hillingdon Hill and the two Chapel buildings, one a catholic chapel, and the other a Church of England chapel, lie some 70m from the road. The chapels and the Gate House are Grade II listed buildings, and are surrounded by the cemetery burial grounds. The application site lies within the Green Belt, as designated in the adopted Hillingdon Unitary Development Plan.

### 1.2 Proposed Scheme

The Gate House building provides an entrance to the site and adjacent chapels, and establishes the setting for the ceremonial requirements of the site. The cemetery remains in use as a burial ground, and the Chapels are still functional. The Gate House has been vacant for a number of years and was last used as an office. One of the Chapels has already been rebuilt following a fire, and the second is included within this application.

The Gate House is in a dilapidated condition and on English Heritage's Buildings at Risk Register. The extent of deterioration to the Gate House, renders it uninhabitable and the building requires substantial repair in order to bring it back into use. The following works are therefore proposed to bring it back into use:

- 1. Removal of the toilet extensions on both the east and west elevations of the building and construction of a new brick extension on the eastern elevation.
- 2. Installation of a new internal staircase and associated internal alterations;
- 3. Replacement of glazing in all of the windows in the building;
- 4. Repoint and repair external walls, including the reconstruction of fallen quoins and dressings;
- 5. Overhaul of all rainwater goods;
- 6. Relocation of historic map;
- 7. Removal of all internal doors and replacement with ones more suited to the age and style of the building;
- 8. Removal of plywood decking over boarding floor timbers;
- 9. Removal of existing roof finish to expose rafters below to allow for the installation of new 50x25mm sawn tanalised softwood battens. Salvaged & new clay tiles to be relaid and chimney re-pointed if necessary.

In relation to the Chapel, the repairs are limited to the cleaning, repointing and repair of the brickwork where required, overhaul of all the windows and doors, replacement of any tiles where required, and repair to the downpipe and hopper.

### 1.3 Relevant Planning History

64409/APP/2009/2268 Hillingdon And Uxbridge Cemetery Hillingdon Hill Hillingdon Repair and Refurbishment of existing Chapel.

**Decision Date:** 07-04-2010 Approved **Appeal:** 

64409/APP/2009/2269 Hillingdon And Uxbridge Cemetery Hillingdon Hill Hillingdon

Refurbishment of existing Chapel (Application for Listed Building Consent)

**Decision Date:** 06-05-2010 Approved **Appeal:** 

### **Comment on Planning History**

### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

### 3. Comments on Public Consultations

English Heritage:

No comments received at the time of writing the report for the application. These will be reported at the Committee meeting.

Urban Design/Conservation:

We will need to condition, with details to be submitted prior to the start of that element of the work:

All new internal and external joinery, including internal and external doors and the new staircase at 1:10, 1:5 or to full scale as appropriate.

All new windows to be traditionally constructed in timber, details of their construction and design, and details of the works to upgrade the existing windows, including secondary glazing, to be submitted. Drawings to include cross-sections of the frames, glazing bars and cills at an appropriate scale. Trickle vents are not to be incorporated.

Samples of the new bricks and roofing tiles to be submitted for agreement; a sample panel of brickwork to be provided on site so that the bond, mortar mix and pointing style can be agreed.

All new gutters, down pipes and hopper heads to be in cast iron, to the original design, dimensions and profile.

The new location of the cemetery layout map and frame are to be agreed prior to their removal.

The location, design and materials/finishes of all new vents, flues, external pipework (including SVPs) and security equipment, such as lights, cameras and associated cabling, are to be agreed prior to their installation.

Details of the work required to upgrade the insulation of the floors, walls and roof space; and details of any works to comply with means of escape and fire regulations to be submitted.

A detailed methodology for the approach to the repair of the external stone work to be agreed.

All new works to match existing etc.

### 4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.HE1 (2012) Heritage

### Part 2 Policies:

BE9 Listed building consent applications for alterations or extensions

LPP 7.10 (2011) World Heritage Sites

LPP 7.6 (2011) Architecture

LPP 7.8 (2011) Heritage assets and archaeology

LPP 7.9 (2011) Heritage-led regeneration

NPPF - Conserving & enhancing the historic environment

### 5. MAIN PLANNING ISSUES

The proposed works are considered to be acceptable and would remove the unsightly additions to the Gate House building. The works would also bring in much needed improvements and repairs to both this and the Chapel building.

The proposed scheme has been well thought through and would bring back into use the Gate House building that is on the English Heritage Buildings at Risk Register, and overall, would enhance the special architectural or historic interest of both the Grade II listed buildings.

The proposals would therefore comply with the Councils adopted policies and no objection is raised to the proposed works.

### 6. RECOMMENDATION

### APPROVAL subject to the following:

### 1 LB1 Time Limit (3 years) - Listd Building Consent

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

### REASON

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **2** LB10 Internal and External Finishes (Listed Buildings)

All new works and works of making good to the retained fabric of the building, whether internal or external, shall be finished to match the existing fabric with regard to methods used and to material, colour, texture and profile.

### REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 3 LB11 Further Details (Listed Buildings)

Detailed drawings, cross sections and/or samples of materials, as appropriate, in respect of the following shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

- (a) All new internal and external joinery including internal and external doors and the new staircase at 1:10/1:5 or to full scale as appropriate;
- (b) Cross sections and detailed drawings of the windows and frames, including glazing bars and cills:
- (c) Design, dimensions and profile of all new gutters, down pipes and hopper heads;
- (d)Location, design and materials/finishes of all new vents, flues, external pipework (including SVPs) and security equipment, such as lights, cameras and associated cabling;
- (e) Details of the work required to upgrade the insulation of the floors, walls and roof space, and details of any works to comply with means of escape and fire regulations to be submitted:
- (f) Details of the new French drains and slot drains to threshold

### REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 4 LB2 External Stone repairs

Prior to the commencement of any works/repairs to the external stone, a detailed methodology shall be submitted to and approved in writing by the Local Planning Authority, which outlines the approach to repair the stone. The works to the stone shall be carried out in accordance with this approved methodology.

### REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **5** LB9 Samples of materials

Samples of all materials and finishes to be used for all external surfaces of the building, including the erection of a sample panel of the brickwork showing the bond, mortar and pointing, are to be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. The works shall be carried out in accordance with the approved details.

### **REASON**

To safeguard the special architectural and historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 6 NONSC Cemetery Map

Prior to the removal of the cemetery layout map and frame, details/plans shall be submitted to and approved in writing by the Local Planning Authority outlining the new location of these features. The layout map and frame shall be resited and retained in this agreed location unless otherwise agreed by the Local Planning Authority.

### **REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **INFORMATIVES**

- The decision to GRANT listed building consent 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).
- The decision to GRANT listed building consent 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.

BE9 Listed building consent applications for alterations or extensions

LPP 7.10 (2011) World Heritage Sites

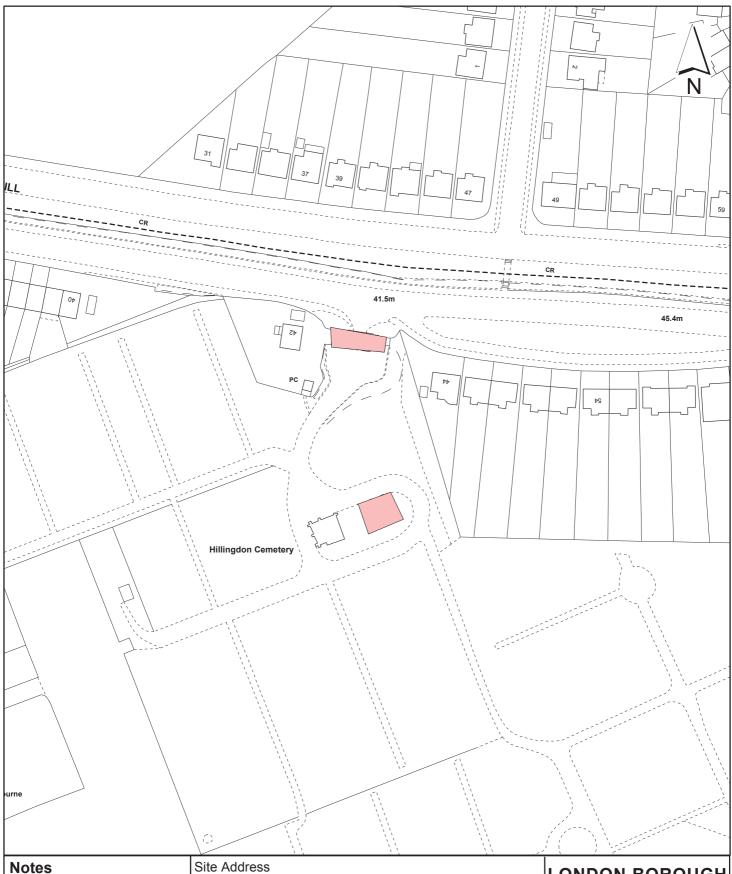
LPP 7.6 (2011) Architecture

LPP 7.8 (2011) Heritage assets and archaeology

LPP 7.9 (2011) Heritage-led regeneration

NPPF12 NPPF - Conserving & enhancing the historic environment

Contact Officer: Charlotte Bath Telephone No: 01895 250230





### Site boundary

For identification purposes only.

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# Hillingdon & Uxbridge Cemetery Hillingdon Hill

### **U**

### Planning Application Ref:

64409/APP/2014/3560

Scale

1:1,250

Planning Committee

Major Page 21

Date November 2014

# LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section

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



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# Agenda Item 7

### Report of the Head of Planning, Sport and Green Spaces

Address 272-276 BATH ROAD SIPSON

**Development:** Change of use of existing building from office (Use Class B1(a)) to 136-room

Hotel (Use Class C1) and one flat for staff, including 4-storey side extension

(to rear of adjacent petrol station), and 4-storey rear extensions, and

associated alterations to landscaping and car parking.

**LBH Ref Nos:** 464/APP/2014/2886

**Drawing Nos:** 1243

34078r1AirQualityAssessment

489PL105 A 489PL106 A 489PL107 A 489PL108 A

J14151GroundInvestigationfinal2 TSIssueDhotel FINAL as sent

489PL109 A 489PL204 A 489PL205 A 489PL206 A 489PL207 A

489PL900SCHEDULEOFMATERIALS E34002 EnergyStatement 5th August 2014 Planning Statement Revised 135 rooms

Date Plans Received: 13/08/2014 Date(s) of Amendment(s): 27/10/2014

Date Application Valid: 05/09/2014

### 1. SUMMARY

The application seeks planning permission for the change of use of the existing building from office (Use Class B1(a)) to a Hotel (Use Class C1), including 4-storey side extension (to the rear of the adjacent petrol station), and 4-storey rear extensions, and associated amendments to landscaping and car parking.

Given the site's context the scheme raises no adverse amenity issues to residential neighbours nor does the new building's massing and outlook prejudice the existing developments on the adjacent sites. The car parking provision and highway access arrangements are considered consistent with planning policy and acceptable including the arrangements for service delivery and guest drop off/collection.

The height of the development is consistent with the surrounding development and in visual appearance terms the treatment of the elevations is considered appropriate and the proposed landscaping to street adequate. In summary the scheme is considered to comply with relevant London Plan and Hillingdon Local Plan Part 1 and Part 2 policies and, accordingly, approval is recommended subject to appropriate conditions and planning obligations.

### 2. **RECOMMENDATION**

That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to the relevant conditions set out below:

- A) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:
- 1. Highways: to secure all necessary works (including new access point on Eggerton Way) and the provision of a Travel Plan (including £20,000.00 Bond), including Sustainable Transport Measures (such as a hopper bus service).
- 2. Construction Training: either a financial contribution, or an in-kind scheme delivered during the construction phase of the development, should be secured (in either event the 'obligation' should be delivered equal to the formula of £2,500 for every £1 million build cost plus £9600 Coordinator Costs).
- 3. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £25,000.
- 4. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.
- 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 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) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 05/12/2014, or such other date as agreed by the Head of Planning, Green Spaces and Culture, 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 provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of construction training, off site highways impacts as well as air quality). The proposal therefore conflicts with Policies R17, AM7 and OE1 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality 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 should the application be approved following the Council's Community Infrastructure Levy coming into force, the applicant shall pay the required levy on the additional floorspace created.
- G) That if the application is approved, the following conditions be imposed:

### 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 489PL105 A, 489PL106, 489PL107, 489PL108, 489PL204 A, 489PL205 A, 489PL206 A and 489PL207 A 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:

Energy Statement - 05 August 2014

Planning Statement - Revised for 135 rooms

Air Quality Assessment - 34078R1 06 August 2014

Transport Statement - Issue D 11 August 2014

Landscape Specification - September 2013

Marketing Statement - 23 July 2013

Noise Impact Assessment - 102544.ph.Issue1

Contamination Phase 1 Desk Study - 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 . Specify Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 4 NONSC Ingress of Polluted Air

Before the development is commenced a scheme for protecting the proposed accommodation from external air pollution shall be submitted and approved by the LPA. Any works which form part of such a scheme shall be completed before any part of the

development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

### REASON

To safeguard the amenity of residents in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

Note: In areas where there the air pollution levels are above, or close to, the national and European limits, this is designed to safeguard the future residents/users of the site from the ingress of the poor outdoor air quality. The design must take into account climate change pollutants and ensure there are no trade-offs between local and global pollutant emissions. Suitable ventilation systems will need to: take air from a clean location or treat the air and remove pollutants; designed to minimise energy usage; be sufficient to prevent summer overheating; have robust arrangements for maintenance.

### 5 NONSC Air Quality - Energy Provision

Before the development is commenced, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012 (September 2007).

### REASON

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

### 6 NONSC Air Quality - CHP

Before the development is commenced, details to limit and/or control air pollution for any CHP shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be provided prior to the occupation of the relevant phase in which the CHP is to be constructed and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

### REASON

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

### 7 COM17 Control of site noise rating level

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest residential property. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

### REASON

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

### 8 COM25 Loading/unloading/deliveries

The premises shall not be used for the delivery and loading or unloading of goods, including the collection of refuse and recycling, outside the hours of 0800 and 1800, Monday to Friday, and between the hours of 0800 and 1300 on Saturdays. No deliveries shall take place on Sundays, Bank Holidays or Public Holidays.

### **REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### 9 COM30 Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.
- (ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.
- (iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

### **REASON**

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

### 10 COM15 Sustainable Water Management

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the

development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

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

#### REASON

To ensure the development does not increase the risk of flooding in accordance with policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 5.12 of the London Plan (July 2011).

### 11 NONSC Energy Efficiency

Prior to the commencement of development a detailed energy assessment shall be submitted showing how the development will reduce carbon emissions by 40% from a 2010 Building Regulations compliant development. The assessment shall clearly show:

- i) the baseline energy demand (kwhr and kgCO2) for each element of the regulated energy use (e.g. space heating, hot water and electricity) for all the relevant uses (e.g. residential, commercial etc).
- ii) the methods to improve the energy efficiency of the development and how this impacts on the baseline emissions and where they will be included within the development.
- iii) the inclusion of CHP to service the whole development, the specification of the technology to be used, the inputs and outputs (in kwhr and associated kgCO2) of the CHP unit and the impacts on the baseline emissions.
- iv) roof plans and elevations showing the inclusion of the PVs.
- v) how the technology will be maintained and managed throughout the lifetime of the development.

The development must proceed in accordance with the approved details.

### **REASON**

To ensure a sustainable approach to energy efficiency and carbon reductions is met across the site, in accordance with Policies 5.2 and 5.3 of the London Plan (2011).

### 12 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.

### 13 COM7 Materials (Submission)

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

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

### REASON

To ensure that the development presents a satisfactory appearance in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### 14 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 Refuse Storage (which shall be covered and secure)
- 2.b Cycle Storage (including secure storage for at least 10 cycles)
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including the provision 25 car parking spaces, including at least 3 disabled parking spaces, and demonstration that at least 2 parking spaces are served by electrical charging points)
- 2.e Hard Surfacing Materials (including a kerbed access route from Bath Road to the main entrance of the building)
- 2.f External lighting including for the car park
- 2.g Other structures (such as furniture)
- 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
- 5 Other
- 5.a Existing and proposed functional services above and below ground
- 5.b Proposed finishing levels or contours

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

approved details.

### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 5.11 and 5.17 of the London Plan (July 2011).

### 15 NONSC Fire Evacuation Plan

Prior to the first occupation of the development hereby approved a comprehensive fire emergency plan that demonstrates how disabled people will be safeguarded from fire and enabled to evacuate the building shall be submitted to and approved in writing by the Local Planning Authority.

### REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 3.1, 3.8 and 7.2 of the London Plan (2011).

### 16 NONSC Facilities for People with Disabilities

The development hereby approved shall ensure the quantity of accessible bedrooms as a percentage of the total number of bedrooms (as detailed in BS 8300:2009) is no less than:

- i. 5% without a fixed tracked-hoist system;
- ii. 5% with a fixed tracked-hoist system, or, similar system giving the same degree of convenience and safety;
- iii. 5% capable of being adapted in the future to accessibility standards (i.e. with more space to allow the use of a mobile hoist, wider doors, provision for services and with enclosing walls capable of supporting adaptations, e.g. handrails);
- iv. 50% of en-suite bathrooms within the required accessible bedrooms to have a level access shower.

### REASON

To ensure that London's visitor infrastructure is accessible and welcoming to all sections of the population, including older and disabled people in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 3.1, 3.8 and 7.2 of the London Plan (2011).

### 17 NONSC Car Parking for guests and staff only

The car parking facilities provided at the hotel shall be used by hotel staff and guests only and strictly for the duration of their stay at the hotel. Prior to occupation of the hotel, a car parking management strategy shall be submitted to demonstrate how this will be managed and to ensure the efficient operation of the car park, especially at peak demand periods. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

### REASON

To ensure suitable parking provision is provided on the site, in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

#### 18 NONSC Air Extraction

No air extraction or air conditioning systems shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

#### REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

# 19 NONSC Piling

No development shall take place until details of piling, foundations and any other construction which involves penetration of the ground have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out only in strict accordance with the approved details.

#### **REASON**

To ensure that the construction of the development does not compromise the underground railway tunnels or have adverse impacts on the safe and efficient operation of the London Underground in accordance with Policies 6.2 of the London Plan (July 2011).

# 20 COM27 Traffic Arrangements - submission of details

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

#### **REASON**

To ensure pedestrian and vehicular safety and convenience and to ensure adequate offstreet parking, and loading facilities in compliance with policy AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

#### 21 NONSC Non Standard Condition

The external walkways shown on the 3rd floor plan (Plan PL108A) shall be used for emergency and maintenance purposes only and shall not be available at any time for the use of visitors to the hotel.

#### REASON

To prevent overlooking of hotel rooms and to accord with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **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.

and Editabilit lair (or	2011) and national guidance.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
	(i) Dial-a-ride and mobility bus services
	(ii) Shopmobility schemes
	(iii) Convenient parking spaces
	(iv) Design of road, footway, parking and pedestrian and street
	furniture schemes
AM14	New development and car parking standards.
AM2	Development proposals - assessment of traffic generation, impact
/ (IVIZ	on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and
7 11110	implementation of road construction and traffic management
	schemes
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.
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
OE11	Development involving hazardous substances and contaminated
	land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional
T0	surface water run-off - requirement for attenuation measures
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location,
1 DD 0 C	amenity and parking requirements
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: Economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.5	(2011) London's Visitor Infrastructure

LPP 5.1 LPP 5.10	(2011) Climate Change Mitigation (2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Nostainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	
LPP 5.4	(2011) Sustainable design and construction
-	(2011) Retrofitting
LPP 5.7	(2011) Renewable energy
LPP 6.1	(2011) Strategic Approach
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and
L DD 0.40	reducing traffic
LPP 6.13	(2011) Parking
LPP 6.5	(2011) Funding Crossrail and other strategically important transport
1 DD 0 0	infrastructure
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations

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

3

114C

 $\cdot$  The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with

Compliance with Building Regulations Access to and use of

· BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

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

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

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

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

- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- · Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- · Creating an inclusive environment, 2003 & 2004 What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

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

# 4 I15 Control of Environmental Nuisance from Construction Work

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

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

5

Condition 5 relates to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp\_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. They should contact the Environmental Protection Unit if they have any queries.

# 6 I28 Food Hygiene

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895)

250190).

# 7 I58 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

#### 8 I60 Cranes

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

9

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

Should you require further information please refer to the Council's Website (http://www.hillingdon.gov.uk/index.jsp?articleid=24738).

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

The site is located on the northern side of Bath Road, just to the east of the junction with Sipson Road, opposite Heathrow Airport. The main site frontage is to Bath Road, with a small frontage to Egerton Road to the rear. The site contains an L-shaped four-storey office building, surrounded by car parking and a small amount of landscaping. The building is clad in two colours of brick, with a glazed and metal-clad fourth storey. The site is predominantly rectangular, with a small portion that extends to the rear of the neighbouring petrol station.

The surrounding area is of high density character, with a mixture of residential and commercial uses. It is dominated by large buildings of various heights, with little uniformity of height or appearance. To the west of the site fronting Bath Road is a petrol filling station, with a three-storey mixed used building to the rear, and the north of the site. To the west of the site is a five-storey office building.

# 3.2 Proposed Scheme

The application seeks planning permission for the change of use of the existing building from office (Use Class B1(a)) to a Hotel (Use Class C1), including 4-storey side extension (to the rear of the adjacent petrol station), and 4-storey rear extensions, and associated amendments to landscaping and car parking.

The proposal includes the provision of a 136 bedroom hotel, together with extensions to the north (rear) and west, and alterations to the existing elevations to integrate the existing building with the proposed extensions. The hotel will provide restaurant and bar facilities, predominantly for the use of guests. There would also be one flat for staff. The existing building is to be extended by the addition of two wings, to provide bedrooms to the hotel. The existing car parking area is to remain, with the extensions constructed above the existing car parking area.

The existing entrance to the site will remain, but the exit from the site will be to Egerton Road to the rear. 25 car parking spaces are to be provided, including 2 disabled parking spaces, together with a coach parking space. Secured covered cycle parking is also proposed.

# 3.3 Relevant Planning History

#### 464/APP/2013/2115 272-276 Bath Road Heathrow

Change of use of existing building from office (Use Class B1(a)) to Hotel (Use Class C1), includi 4-storey side extension (to rear of adjacent petrol station), and 4-storey rear extensions, and associated amendments to landscaping and car parking.

**Decision:** 10-12-2013 Approved

464/APP/2014/1210 272-276 Bath Road Sipson

Change of use of existing building from office (Use Class B1(a)) to 123-room Hotel (Use Class C1), including 4-storey side extension (to rear of adjacent petrol station), and 4-storey rear extensions, and associated alterations to landscaping and car parking.

Decision: 31-07-2014 Approved

464/APP/2014/3429 272-276 Bath Road Sipson

Details application for conditions 4 (Ingress of Polluted Air), 9 (Contaminated Land), 13 (Materia ), 14 (Landscaping ), 16 (Facilities for People with Disabilities) and 20 (Traffic Arrangements) of application for the variation to scheme permitted under permission (2013/2115) 464/APP/2014/1210 for the proposed conversion and extension to form a hotel (revised design accommodate 123 rooms)

#### **Decision:**

464/N/79/1100 Airport House Bath Road Sipson

Office development - 50sq.m. (Outline)(P)

Decision: 09-11-1979 Refused

464/P/81/1446 Airport House Bath Road Sipson

Extension/Alterations to Office premises (P) of 65 sq.m.

**Decision:** 12-03-1982 Approved

# **Comment on Relevant Planning History**

The relevant planning history for the site is listed above.

#### 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 Document - Planning Obligations

Hillingdon Supplementary Planning Guidance - Air Quality

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:

BE38

Part 2 Policies:	
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.

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and landscaping in development proposals.

Retention of topographical and landscape features and provision of new planting

OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.5	(2011) London's Visitor Infrastructure
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.4	(2011) Retrofitting
LPP 5.7	(2011) Renewable energy
LPP 6.1	(2011) Strategic Approach
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.13	(2011) Parking
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations

# 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 2nd October 2014

5.2 Site Notice Expiry Date:- 2nd October 2014

#### 6. Consultations

#### **External Consultees**

Consultation letters were sent to local owner/occupiers on 09/09/14. The application was also advertised by way of site and press notices. One letter of objection has been received which raises the following concerns:

- i) Overdevelopment of the site and massing of the building.
- ii) Impact on amenity and setting of neighbouring buildings.
- iii) Increase in traffic and congestion, poor traffic circulation within site.
- iv) Lack of car parking.
- v) Poor design and detailing of building.

#### NATS:

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.

#### **HEATHROW SAFEGUARDING:**

No safeguarding objections to the proposed development, subject to an informative regarding the use of cranes.

#### Internal Consultees

# **ENVIRONMENTAL PROTECTION UNIT:**

The air quality assessment indicates the room numbers are 135. A brief look at the updated transport assessment seems to indicate a slight increase in trip generation. However, the slight increase is unlikely to have any significant impact on local air quality, subject to conditions. The following conditions need to be included in any permission that may be given.

#### Air Quality:

The proposed development is within the declared AQMA and in an area that is significantly above the European Union limit value for annual mean nitrogen dioxide (NO2 - 40.0 mg/m3) adjacent to the Bath Road. The air quality assessment has used measured background data from London Harmondsworth because the DEFRA background map levels are considered an overestimate. The background is likely to be high in this area due to the airport, and London Harmondsworth may not be suitably representative.

The air quality assessment looked at the impact on the proposed development only and did not consider nearby residential receptors. The Energy Statement refers to CHP being feasible for the site, although biomass has been ruled out, but provides no further details and the Transport Statement refers to an increase in trip generation as a consequence of the development, which is anticipated to consist of largely of taxi drop-offs and pick-ups.

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

#### Section 106:

Nitrogen dioxide levels at the facade of the building (may have been underestimated) on all levels is above the EU limit value. However, the report indicates there will be no staff accommodation at the site, therefore the limit values are indicative only. Nothing specific has been said regarding ventilation except a mention in Energy Statement about mechanical ventilation. The ingress of polluted air condition is recommended with regard to the pollution air issues at the site and to ensure any air inlets draw air from a clean location (treat it if necessary) and are located away from any flues/exhausts.

# Air Quality Condition 1 - Ingress of Polluted Air:

Before the development is commenced a scheme for protecting the proposed accommodation from external air pollution shall be submitted and approved by the LPA. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON: To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan (September 2007).

Notes: In areas where there the air pollution levels are above, or close to, the national and European limits, this is designed to safeguard the future residents/users of the site from the ingress of the poor outdoor air quality. The design must take into account climate change pollutants and ensure there are no trade-offs between local and global pollutant emissions. Suitable ventilation systems will need to: take air from a clean location or treat the air and remove pollutants; designed to minimise energy usage; be sufficient to prevent summer overheating; have robust arrangements for maintenance.

The following conditions are advised in order to ensure relevant information with regard to the energy provision and to limit air pollution emissions from the energy provision at the site are provided, in order to ensure mitigation measures can be agreed and implemented if necessary, as part of the development. The CHP may need to be considered within the context of a wider air quality assessment.

# Air Quality Condition 2 - Details of Energy Provision:

Before the development is commenced, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012 (September 2007).

REASON: To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition relates to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp\_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. They should contact the Environmental Protection Unit if they have any queries.

# Air Quality Condition 3 - Control of Air Pollution:

Before the development is commenced, details to limit and/or control air pollution for any CHP shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be provided prior to the occupation of the relevant phase in which the CHP is to be constructed and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the

Local Planning Authority.

REASON: In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

The application indicates fewer car parking spaces than the office use, new disabled parking and a coach parking space. It is anticipated most customers would arrive by taxi. A travel plan condition is recommended for this application. There are also no references to the provision of electric charging points at the site. A condition for fast electric charging points is recommended for this application. Ideally, these should be suitable for mini-cabs to use as well.

#### Land Contamination:

The most significant potential contamination identified in the desk top study relates to contamination from the adjacent petrol station to the west of the site. We have ground investigation report from 2005 which indicate fuel contamination of the soil and groundwater at the petrol station. The boreholes located nearest to the application site (MW1, MW8) indicated soil contamination below the detection limit for samples taken at a metre depth for TPH, BTEX and MTBE. However this area was not investigated further in later investigations when soil contamination was identified in other locations (where it was not previously identified due to the shallowness of the sampling) at 3 to 4 metres depth. For TPH only, contamination was also identified MW8, which is located quite close to the proposed extension for the hotel (stairwell and lift shaft only appear to be enclosed). MW1 ground water monitoring results based on one round of monitoring from January 2005 indicate very low levels of contamination.

I would recommend including the standard contaminated land condition on any permission that may be given to ensure risk from contamination is suitably assessed and addressed for the extension and the conversion, as required.

It is noted the proposed development is an extension and conversion of the existing office building to a hotel use. The desk study refers to soft landscaping such as planters, but does not expand any further, however the landscaping specification document and plan seems to suggest there may be more works, therefore the soil imports and landscaping condition is recommended to ensure the soils are suitable for use.

#### Contaminated Land Condition:

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation

scheme shall be agreed with the LPA prior to implementation; and

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Condition to minimise risk of contamination from garden and landscaped area:

Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

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 Unitary Development Plan Saved Policies (September 2007).

# **HIGHWAYS**:

The development is for the change of use of the existing building form Use Class B1(a) Office, to Use Class C1 Hotel, providing 138 bedrooms. Under the proposals, a total of 25 car and 12 cycle parking spaces will be provided. In addition, 1 parking space will be provided for the use of coaches

When reviewing the proposals, it is noted that there is an extant planning consent at the site for a similar development to provide a hotel, with 123 bedrooms, with the same amount of car, cycle and coach parking. As a result, the current proposals represents an increase of 15 bedrooms, with the means of access remaining the same as the extant consent.

When considering the increase traffic generation associated with the development, based on the submitted Transport Statement (TS), there will be an additional 3 and 2 vehicular trips within the AM and PM peak hours and an increase of 25 daily trips above the extant consent at the site. However, it is considered that the increase in trips will not have a material impact along the adjacent highway network.

In terms of car parking, the ratio in relation to the extant planning consent is slightly higher than the current proposals. However, it is noted that the PTAL index within the area of the site is 3, which indicates moderate accessibility to public transport facilities. Furthermore, it is noted that there are bus stops located directly outside of the site and the site will provide facilities for coach parking.

Therefore, provided that the previously requested highway conditions/S106 agreement are imposed on the planning consent, which shall now include a Travel Plan, a highway objection is not raised in this instance.

#### TREES:

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 area around Heathrow has a record of very poor air quality. Planting in this area is particularly important to enhance the appearance of the area and help to filter airborne particulates.

- No tree /vegetation survey or strategy has been submitted.
- There is no information regarding the existing or proposed landscape treatment.
- Exedra Architects drawing No. 489\_PL100 shows the proposed site layout with some indicative areas of planting to the front and rear of the building.
- A Landscape Specification, by MCA, dated September 2013, has been submitted. This is thought to be the same document which was submitted with the previous application. However, the information is irrelevant and cannot be assessed without the accompanying plans to which it refers.
- A review of landscape comments made on 31 October 2014 notes:
- It is evident that a small number of trees (approximately 3No.) will be removed in order to facilitate the new layout / development. The most prominent tree is a Cherry, situated on the east boundary towards the north-east access point. Aside from this two small trees to the west (behind the petrol station) will be lost, as will the hedgerow along the northern boundary.
- The removal of these trees is not considered to be a constraint on development due to their poor condition and landscape value.
- Two trees within the planting area to the front of the building (south-east corner) will be retained as part of the new layout.
- An additional 6No. trees, are indicated on drawing No. MCA 1513/01 Landscape Details. The planting plan indicates new / replacement structure planting including hedges and shrubs. The plan is supported by a generic planting specification.
- Unfortunately, there is no opportunity for replacement tree planting in the north-east corner which will increase the inter-visibility between the residents of Doghurst Avenue and the site.
- Without the re-submission of a landscape/tree survey and proposals it is not clear whether the above comments remain valid. However, it is noted that the general quality of the existing landscape is poor and requires substantial renewal, supported by better maintenance.
- 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.

# Recommendation:

No objection subject to the above observations and conditions COM9 (parts 1,2,4,5 and 6).

The Council's Floodwater Management Officer, Sustainability Officer and Access Officer raised no objection to the previous application, subject to the imposition of conditions. These conditions are recommended for inclusion on this permission should the application be approved.

#### 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

Policy T4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states hotels, guest houses and other tourist accommodation will be acceptable in principle provided:

(i) The development is located within a mixed use area; and

- (ii) The development is located near or on a primary or secondary road or rail or underground station; and
- (iii) The development does not result in the loss of amenity to neighbours through noise and other disturbances; and
- (iv) Parking to standards adopted by the local planning authority can be met within the curtilage of the site.
- (v) Any on street parking that may be generated can be accommodated without detriment to the free flow of traffic or conditions of general highway safety.

In light of the site's location and the adequate car parking provision (refer to section 7.10 of the report) it is considered that the scheme is acceptable in principle when assessed against Policy T4.

The existing building on the site has been vacant for a number of years with evidence provided in support of the application that the site has been unsuccessfully marketed for nine years. The details provided of marketing show there has been very limited interest in retaining the existing office use on the site, given the isolated location of the site and the lack of local facilities, together with the competition with more modern, higher specification office buildings nearby.

Based on the combination of both the marketing evidence provided, the distance of the site from a residential area, and given the poor state of repair of the building as witnessed during the case officer's site visit, it is not considered there is a robust reason to resist the change of use (from B1 use to C1). Further, the acceptability of the proposed use is confirmed by two extant planning permissions. Accordingly, there is no objection to the principle of change of use in planning policy terms.

# 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 site is not located within the Green Belt, so there are no Green Belt issues relating to this application.

# 7.07 Impact on the character & appearance of the area

Policies BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new development will complement and improve the character and amenity of the area.

The building is, in the main, existing, and would be extended to the rear and to the western

side. This building is flanked to the east by an existing 5-storey high building, a petrol station to the west, a three storey commercial building to the northwest, with the car park for this building directly north of the site. A large 3-storey building lies directly opposite the site within the boundary of Heathrow Airport. Residential properties lie to the north east, the nearest being some 45 metres from the rear of the existing building.

Accordingly the proposed height of the extensions at 4 storeys is considered, in street scene terms, acceptable given the street context and the height of the neighbouring properties. The side extension would be set behind the petrol station, which would limit views from Bath Road. It would also be set behind the building line of the commercial property on Sipson Road, which would limit the visual impact when viewed from Sipson Road, as it would be viewed in conjunction with this commercial building and the forecourt of the petrol station.

The scheme seeks to provide enhanced visual interest to the main elevations visible from the street through the introduction of new cladding materials to the building, with contrasting colours used for the recessed fourth storey. The proposed extensions will use these same materials, but will include the addition of rendered panels, to differentiate the extensions from the original building. The details of the materials would be controlled via a condition on any permission.

# 7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

The proposed extensions are not considered to be over-dominant when viewed in conjunction with the existing building, and the wider context of the site, with numerous large commercial buildings, and as such, is unlikely to impact on the visual amenities of neighbouring properties from loss of light, over-dominance or loss of privacy.

Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties. Given the nearby neighbouring residential properties, it is considered that suitable noise conditions should be included on any grant of permission to ensure the scheme will not give cause to noise annoyance to surrounding properties.

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

#### 7.09 Living conditions for future occupiers

The proposal is for a hotel and there will be no future occupiers. There are no policies or standards that relate to hotel accommodation.

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

Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) are concerned with traffic generation, and access to public transport. Policies AM14 and AM15 are concerned with on-site parking.

The site has a PTAL of 3 with bus stops just outside the site. There are currently 47 car parking spaces on site for the permitted office use. The 135 bed hotel proposal will reduce these to 25. 12 covered cycle parking spaces and shower facilities for staff are to be provided. A coach drop off area and coach parking are provided.

At present access and egress to the site is from Bath Road. The proposal is to retain this for entry only and egress will be from a new cross over on to Egerton Way at the rear of the site. Egerton Way via Bolton's Way links to Bath Road at a signalised junction permitting both eastbound and westbound movements on to Bath Road. However it is intended that refuse vehicles will access and egress the site via Egerton Way.

With regard to the level of car parking provision for ratio of 1:5.4 guest rooms is similar to that of other hotel developments approved by the London Borough of Hillingdon located nearby and serving Heathrow Airport. In addition, a coach parking bay is also proposed. Furthermore the parking provision is consistent with the Council's adopted maximum parking standards, therefore the scheme is considered to comply with Policies AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The Council's Highway Officer has been consulted on the application and raises no objection to the scheme, subject to a S106 requirement that a 'hopper bus' service be used and a travel plan provided, and conditions are included to ensure the access to the building is kerbed, and that details are submitted to ensure two-way access for refuse vehicles from Egerton Way. As such, it is not considered that the proposed development would have a detrimental effect on the existing highway in accordance with the aims of Policies AM2 and AM7 of the Local Plan.

# 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

Policies R16 and AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seek to ensure that developments of this type incorporate inclusive design, as do Policies 7.1 and 7.2 of the London Plan. Further detailed guidance is provided within the Accessible Hillingdon SPD.

The hotel would be consistent with the London Plan and HDAS Accessibility policy standards including meeting the minimum provision of accessible bedrooms as a percentage of the total number of bedrooms. Other features include disabled toilets on the ground and first floors, lifts from the car park level to the rest of the hotel, four lifts to service the building, and fire refuges on each upper floor.

Subject to an appropriate condition it is considered that the proposal would provide an inclusive environment for future users in accordance with Policies R16 and AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)and Policies 7.1 and 7.2 of the London Plan.

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

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

# 7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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 site as it stands is largely devoid of vegetation, albeit there are some trees that will be required to be removed to enable the development. An accurate site survey has been submitted with the application which plots trees on to the site, the tree species, and their quality and spread. None of the trees in the vicinity are protected by a Tree Preservation Order or by Conservation Area designations. The most prominent tree is a Cherry, situated on the east boundary towards the north-east access point. Aside from this two small trees to the west (behind the petrol station) will be lost, as will the hedgerow along the northern boundary. The Council's Landscape Officer considers the removal of these trees is not a constraint on development due to their poor condition and landscape value.

With regard to the ground floor site layout the scheme provides an improvement over the existing expanse of hard standing and palisade fencing with details provided of indicative hard and soft landscaping. Subject to the relevant planning conditions in respect of landscape maintenance and revisions/further detail on the planting plan the scheme is considered to provide a satisfactory landscape arrangement that complies with Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### ECOLOGY:

The site is currently almost entirely given over to hardstanding. In view of this and the safeguarding measures detailing within the application documents in respect to trees and shrubs on neighbouring sites it is not considered the scheme will have an adverse impact on the areas ecology.

# 7.15 Sustainable waste management

London Plan policies 5.16 and 5.17 requires adequate provision of refuse and recycling facilities for new development and for their location to be appropriate in terms of enabling ease of collection from the site. The bin area is an enclosed area to the north of the site with access for staff and access from Egerton Way for the refuse collectors.

The level of waste and recycling store provision, its location and means of collection by refuse vehicles is considered to comply with the Council's requirements. However, it is recommended that a condition be imposed to ensure the collection of waste is carried out at times to avoid impacts on the neighbouring area. Subject to such a condition, the scheme is considered satisfactory and complies with the standards set out in London Plan policies 5.16 and 5.17.

Notwithstanding the above it should be noted the hotel ultimately has considerable discretion over which waste management methods are used on site.

#### 7.16 Renewable energy / Sustainability

Policy 5.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 40% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible. Policy 5.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development. The application has been supported by an Energy Statement that is considered satisfactory to determine the application favourably albeit with more information required to be provided by the applicant. This extra information can be

handled by planning condition.

Subject to conditions to secure the installation of measures in accordance with the London Plan requirements the scheme complies with London Plan Policies 5.3, 5.4 and 5.7.

# 7.17 Flooding or Drainage Issues

The site does not fall within a flood zone and no issues relating to flooding have been identified.

London Plan policies 5.12 and 5.13 require that development proposals should use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding. The scheme would need to investigate rainwater harvesting, including the provision of a ground storage tank, and permeable paving to replace the existing large expanse of non permeable hard standing.

Subject to conditions, the proposal is considered to comply with the intentions of the Hillingdon Local Plan: Part One and Part Two Saved UDP Policies (November 2012) in respect to water management and London Plan policies 5.12 and 5.13.

The Council's Floodwater Management Officer raises no objection to the scheme, subject to the application of the relevant SUDS and sustainable water management planning condition.

# 7.18 Noise or Air Quality Issues

The Council's Environmental Protection Unit has been consulted on the application and raises no objection on noise or air quality subject to appropriate conditions and planning obligations in respect of air quality monitoring.

# 7.19 Comments on Public Consultations

The objections raised during the public consultation are addressed in the report above.

#### 7.20 Planning obligations

Should the application be approved, a range of planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

- 1. Highways: to secure all necessary works and the provision of a Travel Plan, including Sustainable Transport Measures (such as a hopper bus service).
- 2. Construction Training: either a financial contribution, or an in-kind scheme delivered during the construction phase of the development, should be secured (in either event the 'obligation' should be delivered equal to the formula of £2,500 for every £1 million build cost).
- 3. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £25,000.
- 4. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

Should the application be approved after the Council's Community Infrastructure Levy (CIL)

charge comes into effect on 1 August 2014, obligation 4 would be deleted, as this is covered under the Council's CIL, which would then be payable on the new floorspace created at a rate of £40 per square metre.

In addition to the Council's S106 contributions and CIL requirements, the Mayor of London's CIL has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is liable for the Mayor's CIL with respect to new floorspace being created.

# 7.21 Expediency of enforcement action

No enforcement action is required in this instance.

#### 7.22 Other Issues

#### CONTAMINATION:

The most significant potential contamination identified relates to contamination from the adjacent petrol station to the west of the site. The Council has a ground investigation report from 2005 which indicate fuel contamination of the soil and groundwater at the petrol station. However this area was not investigated further in later investigations when soil contamination was identified in other locations.

The Council's EPU states that it appears remedial works may not have taken place, and the contamination appears to be located to the south east of the source in the groundwater. As such, it is recommend to include the standard contaminated land condition on any permission that may be given to ensure risk from contamination is suitably assessed and addressed for the extension and the conversion, as required.

It is noted the proposed development is an extension and conversion of the existing office building to a hotel use. The desk study refers to soft landscaping such as planters, but does not expand any further, however the landscaping specification document and plan seems to suggest there may be more works, therefore the soil imports and landscaping condition is recommended to ensure the soils are suitable for use.

# 8. Observations of the Borough Solicitor

#### General

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

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

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

## **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be

permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

# Planning Obligations

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

# Equalities and Human Rights

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

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

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

#### 9. Observations of the Director of Finance

None.

#### 10. CONCLUSION

There is no objection to the principle of the development involving the change of use of the site to a hotel.

The general size, height and massing of the proposed building is considered acceptable echoing the height and scale found on the surrounding buildings. It is not considered that the development would have any detrimental impact on the street scene, or upon anyone's residential amenity or upon the setting of the Green Belt land lying opposite.

Consideration has been given to the principal issue of traffic generation, vehicles servicing the hotel, and guest collection and drop off, and these matters taken together are not considered would have any significant detrimental impact on the existing highway network or highway safety given the sightlines outside the site, the bar on cars parking for any length of time (with double yellow lines in place), the small number of vehicular movements anticipated (as a 136 bedroom hotel) serving Heathrow where most guests will arrive by public transport or taxi .

The National Planning Policy Framework is clear that there should be a presumption in favour of sustainable economic development and that the key priority is the delivery of new jobs. The application proposals would deliver on these objectives, bringing a number of full time equivalent jobs on site (plus additional job creation in off site hotel servicing role) and secure the regeneration of a site that presently is unused and does not presently positively contribute to the street scene and with little prospect that the existing building being brought back to active life.

The scheme is considered to be visually acceptable and is considered to comply with relevant London Plan and Hillingdon Local Plan policies accordingly, approval is recommended subject to appropriate conditions and planning obligations.

#### 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

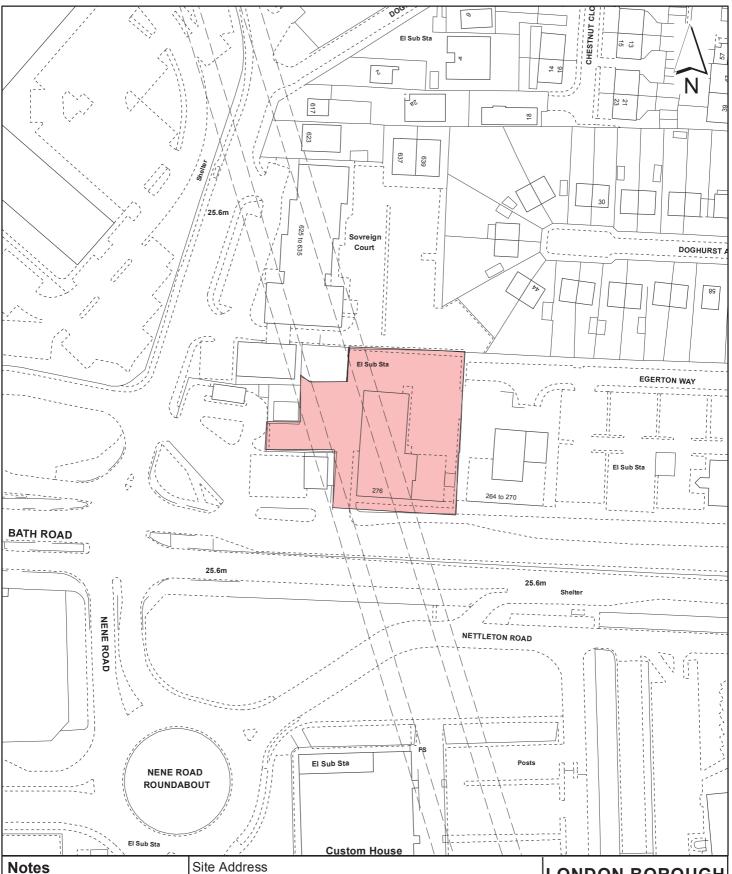
Hillingdon Supplementary Planning Document - Planning Obligations

Hillingdon Supplementary Planning Guidance - Air Quality

Hillingdon Supplementary Planning Guidance - Community Safety by Design

Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Tiago Jorge Telephone No: 01895 250230





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# 272-276 Bath Road **Sipson**

Planning Application Ref: Scale 1:1,250 464/APP/2014/2886 Planning Committee Date November 2014 Major Page 52

# LONDON BOROUGH OF HILLINGDON

**Residents Services Planning Section** 

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

# Agenda Item 8

# Report of the Head of Planning, Sport and Green Spaces

Address TEMPORARY FLIGHT CONNECTIONS CENTRE - STAND 323 T3

**HEATHROW AIRPORT HOUNSLOW** 

**Development:** Temporary Flight Connections centre at Terminal 3, consultation under

Schedule 2 Part 18 of the Town and Country Planning (General Permitted

Development) Order 1995.

**LBH Ref Nos**: 27277/APP/2014/3202

**Drawing Nos:** 1S323-00-GA-200-000002 v. 6

1S323-00-GA-200-000002 v. ( 1S323-XX-SE-200-000002 v. 4 1S323-XX-SE-200-000006 v. 4 1S323-XX-SE-200-000007 v. 4 19030-00-GA-200-000007 v. 3 19030-00-GA-200-000008 v. 3

**Design and Access** 

Letter from Heathrow dated 4th September 201

Date Plans Received: 09/09/2014 Date(s) of Amendment(s):

Date Application Valid: 11/09/2014

#### 1. SUMMARY

The development involves a temporary Flight Connection Centre (FCC) to be located on Stand 323 at Terminal 3 for the duration of the construction of a new permanent FCC. The temporary FCC will be two storeys high and will comprise an apron level coaching gate and first floor security screening facilities. Connection to the FCC will be via Pier 5 or the coaching gate.

The scheme is airside therefore presents no amenity issue to neighbours, is directly related to the operational activities of Heathrow Airport and accordingly is recommended for approval under the prior notification procedure within the Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995 procedure.

#### 2. RECOMMENDATION

No objection subject to the following considerations:

# 1 COM3 Time Limit

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

Within 3 months of occupation of the permanent Flight Connections Centre at Terminal 3 (permitted under application 27277/APP/2014/3204) the Temporary Flight Connections Centre hereby permitted shall be removed and the land restored to its former condition.

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:

```
1S323-00-GA-200-000002 v. 6;
1S323-00-GA-200-000002 v. 6;
1S323-XX-SE-200-000002 v. 4;
1S323-XX-SE-200-000006 v. 4;
1S323-XX-SE-200-000007 v. 4;
19030-00-GA-200-000003 v. 2;
19030-00-GA-200-000007 v. 3; and
19030-00-GA-200-000008 v. 3
```

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).

#### **INFORMATIVES**

# 1 | 152 | Compulsory Informative (1)

The decision to no objection to this consultation 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 raise no objection to this consultation 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.

A2	Developments at Heathrow airport likely to increase demand for off-
	airport development or have significant adverse environmental impac
A4	New development directly related to Heathrow Airport
BE13	New development must harmonise with the existing street scene.

# 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local

Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 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)

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

Stand 323 is located on Golf Taxiway and is the southern most stand on Pier 5. This location is close to the existing FCC and at the end of the cul-de-sac taxiway.

The site is airside and set far away from any residential development or any non-airport operational development

# 3.2 Proposed Scheme

The development involves a temporary FCC to be located on Stand 323 at Terminal 3 for the duration of the construction of a new permanent Flight Connection Centre (FCC). The temporary FCC will be two storeys high and will comprise an apron level coaching gate and first floor security screening facilities. Connection to the FCC will be via Pier 5 or the coaching gate.

# 3.3 Relevant Planning History

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

None directly relevant to the application.

# 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:

A2 Developments at Heathrow airport likely to increase demand for off-airport

development or have significant adverse environmental impact

A4 New development directly related to Heathrow Airport

BE13 New development must harmonise with the existing street scene.

#### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 27th October 2014

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

#### 6. Consultations

#### **External Consultees**

HEATHROW AERODROME SAFEGUARDING

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observation: Cranes Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, Cranes and Other Construction Issues (available at http://www.aoa.org.uk/policysafeguarding.htm Regards Simon Vince Bsc(Hons) Safeguarding Manager Airside Safety & Compliance

# NATIONAL AIR TRAFFIC SERVICES (NATS)

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

# **Internal Consultees**

ENVIRONEMTNAL PROTECTION UNIT No objections.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The proposed temporary FCC is directly related to the operational needs of the airport and is therefore acceptable in principle.

# 7.02 Density of the proposed development

Residential density is not relevant to the consideration of this application.

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

The application site is located within an existing highly developed area of Heathrow Airport, and accordingly raises no concerns with respect to heritage impacts.

#### 7.04 Airport safeguarding

Both Heathrow Safeguarding and NATs Safeguarding have been consulted and raise no objection to the proposals.

#### 7.05 Impact on the green belt

The application site is not located within and would not have any adverse impacts on the Green Belt.

# 7.07 Impact on the character & appearance of the area

The external finish materials will match existing materials on the releant elevationd and are airside and would not be visible from any streetscene.

# 7.08 Impact on neighbours

There is no impact to neighbours as the site is located within the airport and set well away from any residential properties.

# 7.09 Living conditions for future occupiers

Given the nature of the development there will be no future residential occupiers and accordingly the scheme raises no concerns in this regard.

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

The proposal is for a temporary FCC which is located airside at the airport. It is located a significant distance from the public highway and accordingly raises no concerns with respect to impacts on the public highway, vehicular or pedestrian safety.

# 7.11 Urban design, access and security

Issues relating to design and access are addressed elsewhere within the report.

Given the facility is located within the secure airside at the airport it raises no concers with respect to security.

#### 7.12 Disabled access

The temporary FCC makes appropriate provision for disabled access providing appropriate circulation space, lifts and accessible W.C.'s

# 7.13 Provision of affordable & special needs housing

The proposal is for a Temporary FCC and affordable housing is not relevant to consideration of this application.

# 7.14 Trees, landscaping and Ecology

The proposal is located within an existing hard stand area and accordingly has no impact on existing landscaping or ecological. Nor would the provision of additional landscaping be appropriate or necessary in this location.

# 7.15 Sustainable waste management

The proposal would be managed under existing waster management arrangement within the airport.

# 7.16 Renewable energy / Sustainability

The proposal is for a Temporary FCC. given the temporary nature of the development it is not consided

# 7.17 Flooding or Drainage Issues

The Temporary FCC will incorporate pitched roofs, each with a gutter and rainwater pipework which will discharge directly into the existing storm water drainage channel.

As the temporary FCC is to be located above an existing apron hard standing, there is would be no change in the storm water discharge into the existing storm water infrastructure. Given, the above and the fact that the FCC is a temporary structure no concerns are raise in respect of water management.

# 7.18 Noise or Air Quality Issues

Given the location and nature of the facility it does not raise any concerns with respect to noise or air quality impacts.

#### 7.19 Comments on Public Consultations

None.

# 7.20 Planning obligations

The proposal would not necessitate the provision of any planning obligations and given the temporary nature of the building it would not be liable for the Community Infrastructure Levy

# 7.21 Expediency of enforcement action

Not applicable.

#### 7.22 Other Issues

None.

# 8. Observations of the Borough Solicitor

#### General

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

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

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

#### Planning Conditions

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

# Planning Obligations

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

#### Equalities and Human Rights

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where

equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

#### 9. Observations of the Director of Finance

#### 10. CONCLUSION

The development involves a temporary Flight Connection Centre (FCC) to be located on Stand 323 at Terminal 3 for the duration of the construction of a new permanent FCC. The temporary FCC will be two storeys high and will comprise an apron level coaching gate and first floor security screening facilities. Connection to the FCC will be via Pier 5 or the coaching gate.

The scheme is airside therefore presents no amenity issue to neighbours, is directly related to the operational activities of Heathrow Airport and accordingly is recommended for approval under the prior notification procedure within the Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995 procedure.

#### 11. Reference Documents

Contact Officer: Charlotte Bath Telephone No: 01895 250230





For identification purposes only.

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# TemporaryFlight Connections Centre Stand 323 T3 Heathrow Airport

Planning Application Ref: 27277/APP/2014/3202

Scale

1:1,250

Planning Committee

Major Page 60

Date November 2014

# LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section

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



# Agenda Item 9

# Report of the Head of Planning, Sport and Green Spaces

Address FLIGHT CONNECTION CENTRE, TERMINAL 3, CENTRAL TERMINAL AREA

**HEATHROW AIRPORT HOUNSLOW** 

**Development:** Demolition of existing Flight Connection Centre and erection of new larger

centre serving Terminal 3.

**LBH Ref Nos**: 27277/APP/2014/3204

**Drawing Nos:** 13148-XX-RP-XXX-000009 T3IB Factual Ground Investigation Repc

Design and Access Statemen 19030-00-GA-200-000003 v. 2 19030-00-GA-200-000004 v. 2 19030-00-GA-200-000005 v. 6 19030-00-GA-200-000007 v. 3 19030-00-GA-200-000009 v. 3 19030-00-GA-922-000001 v. 3 19030-10-GA-200-000004 v. 2 19030-10-GA-200-000005 v. 6 19030-10-GA-922-000001 v. 3 19030-20-GA-200-000004 v. 2 19030-20-GA-200-000005 v. 6 19030-20-GA-922-000001 v. 3 19030-30-GA-200-000004 v. 3 19030-XX-SE-200-000006 v. 4 19030-XX-SE-200-000007 v. 3 19030-XX-SE-200-000008 v. 2

Date Plans Received: 09/09/2014 Date(s) of Amendment(s):

Date Application Valid: 11/09/2014

# 1. SUMMARY

This application involves the demolition of the existing Flight Connections Centre (FCC) and its replacement with a larger facility on the same site.

The proposed replacement building by reason of its acceptable design, size, scale and siting is not considered to have a detrimental impact on the character and appearance of the surrounding area and is considered appropriate development within the airport boundary. The scheme hereby complies with the Councils adopted policies and guidance and approval is recommended.

#### 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 COM30 Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 3 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 19030-XX-SE-200-000008 v. 2; 19030-00-GA-200-000003 v. 2; 19030-00-GA-200-000004 v. 2; 19030-00-GA-200-000005 v. 6; 19030-00-GA-200-000007 v. 3; 19030-10-GA-200-000009 v. 3; 19030-10-GA-922-000001 v. 3; 19030-20-GA-200-000004 v. 2; 19030-10-GA-200-000005 v. 6; 19030-10-GA-922-000001 v. 3; 19030-20-GA-200-000004 v. 2; 19030-20-GA-200-000005 v. 6; 19030-20-GA-922-000001 v. 3; 19030-30-GA-200-000004 v. 3; 19030-XX-SE-200-000006 v. 4; 19030-XX-SE-200-000007 v. 3 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).

#### **INFORMATIVES**

# 1 I1 Building to Approved Drawing

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

#### 2 I15 Control of Environmental Nuisance from Construction Work

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

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

# 3 Building Regulations - Demolition and Building Works

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

# 4 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).

# 5 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 A5	New development directly related to Heathrow Airport New development at airports - incorporation of ancillary retail and leisure facilities and other services
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
	(i) Dial-a-ride and mobility bus services
	(ii) Shopmobility schemes
	(iii) Convenient parking spaces
	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
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.
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 6.6	(2011) Aviation
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

#### 6 160 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)

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

The existing FCC is located within Terminal 3 between the new T3IB, Pier 5, the International Departure Lounge and various back of house facilities. The site is therefore completely enclosed within the existing Terminal 3 structure and airport associated buildings.

# 3.2 Proposed Scheme

The Flight Connections Centre (FCC) screens passengers who have arrived at Heathrow and have onward travel through Terminal 3. These connecting passengers are taken through a process of customs, compliance and validations before passing through a security search. Once through security, passengers enter the Internaltion Departure Lounge and are free to board their connecting flight.

The continuing airline moves from Terminal 3 into the new Terminal 2 coupled with the grouping of Oneworld Alliance airlines from Terminals 1 and 4 to Terminal 3, has resulted in an increase in the number of connecting passengers through the T3 FCC. This increase is expected to continue and will lead to a decline in passenger experience. This proposal is required to address these concerns and ensure that passenger service levels are enhanced

This scheme proposes to demolish the existing FCC and replace this with a larger facility on the same site. The enlarged facility will comprise a three storey building with a total gross internal area of 7,566sqm.

# 3.3 Relevant Planning History

27277/APP/2014/3202 Temporary Flight Connections Centre - Stand 323 T3 Heathrow Airpo Temporary Flight Connections centre at Terminal 3, consultation under Schedule 2 Part 18 of th Town and Country Planning (General Permitted Development) Order 1995.

#### **Decision:**

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

The relevant planning history is listed above.

# 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

A5 New development at airports - incorporation of ancillary retail and leisure facilities

	and other services
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
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.
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 6.6	(2011) Aviation
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework
OE1	Protection of the character and amenities of surrounding properties and the local area
0=0	

# 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 27th October 2014

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

# 6. Consultations

#### **External Consultees**

#### **HEATHROW**

OE3

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development. However, we would like to make the following observation: Cranes Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at http://www.aoa.org.uk/policysafeguarding.htm

Buildings or uses likely to cause noise annoyance - mitigation measures

#### **NATS**

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this

response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

### **Internal Consultees**

FPU

With reference to this planning application I have no adverse comments but recommend the following as an informative:

Control of environmental nuisance from construction work

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

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974; (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

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

#### **EPU**

FLIGHT CONNECTION CENTRE, TERMINAL 3, CENTRAL TERMINAL AREA HEATHROW AIRPORT HOUNSLOW

Demolition of existing Flight Connection Centre and erection of new larger centre serving Terminal 3 Submitted Report - Heathrow Terminal 3 Integrated Baggage Hall - Factual Report by South West Geotechnical for Heathrow Airport Ltd dated April 2010

I refer to your consultation of 2 October regarding the new Flight Connection Centre. I can comment as below.

The report submitted is from 2010 and is a geotechnical factual report to confirm the ground conditions where the building will be built. The report shows the ground present and tests are made for building design. It is not a contaminated land report and does not tell us whether of not there is any contamination in the soil or ground water (if present) below the site. It confirm that below the site concrete is gravel, London clay and deeper mud stone. No notes on the borehole logs mention

contamination such as fuel oil as can be found at airports. The gravels contain ground water.

Although no problems are confirmed by the factual report I would expect a contamination report or at least an initial desk study explaining whether of not contamination could be present. My particular concern would be spillage from aircraft jet fuel at the hydrants in this area. This has occurred on some parts of the airport in the past but I am not sure if it has ever been a problem around the original main terminals. It may be that Heathrow Airport have already considered contamination at Terminal 3 since 2010 and have some information which they can send to us.

It would be appropriate to add our contaminated land condition as a consideration. Heathrow Airport should then show by further information (such as a desk study and/or available ground investigation reports) that soil, gas or water is not an issue. Otherwise further site investigation may be needed to clarify the soil, gas and water conditions below the site before any ground is excavated out.

Please give me a ring if you want to discuss.

COM<sub>30</sub>

#### COM30- Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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

neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

There is no in principle objection to the development, which is a an enlargement of an exisitng building in the same location.

## 7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

# 7.04 Airport safeguarding

No objection is raised to the scheme in terms of airport safeguarding.

## 7.05 Impact on the green belt

Not applicable to the consideration of this application.

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

The replacement building is taller than the existing, however when viewed within the context of the immediate buildings, which display a varied height and scale, the overall scale, siting and design of the building would not appear out of character.

The siting of the building means that it is largely 'landlocked' by adjacent structures and there are few external areas that would be visible from the surrounding area. The visible parts of the building are to be finished with metal composite panel walls, with a flat single ply finished membrane roof. This design and finish is typical of other airport buildings and no objection is raised to this design approach.

#### 7.08 Impact on neighbours

Given the location of the site within the Heathrow Airport Boundary and over 1.5km from the nearest residential property, the scheme is not considered to have a detrimental impact on the amenities of residential occupiers.

## 7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

## 7.11 Urban design, access and security

The design and scale of the building has been discussed within 'Impact on the character & appearance of the area'.

## 7.12 Disabled access

In terms of access into the building, the applicants have confirmed that the scheme is compliant with Building Regulations Approved Document M.

## 7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

### 7.14 Trees, landscaping and Ecology

No landscaping is proposed given the location of the site between other buildings and within the airport boundary. No objection is raised in this regard.

### 7.15 Sustainable waste management

A Site Waste Management Plan is to be produced prior to the demolition of the existing FCI

and this will include a forecast of types and quantities of materials generated from demolition and construction activities, as well as a zero wast to landfill benchmark.

Recycling of several of the features in the existing FCC such as grilles/louvres, lights, cables and sanitary fittings have been identified also for re-use within the new building.

Recycling and Sustainable Waste Management is welcomed and no objection is raised in this regard.

# 7.16 Renewable energy / Sustainability

The building will be designed to have an improved energy performance compared with the existing FCC. As this is an 'island' development (a rebuild surrounded by an existing structure), there is little scope for large scale sustainability improvements.

The capacities of the existing pipework connection have been used to estimate the peak heating and cooling demand of the current FCC. The temporary and proposed FCC buildings have been analysed based on the proposed architectural layouts and their peak heating and cooling demand identified. An assumed annual usage profile has been applied to each building, and the heating and cooling prorated against the external temperature. The results illustrate that the new building will very will insulated and given the lack of windows and internal gains generated by equipment and lighting, means that there will be very little heating required for the new FCC.

Given the location of the building and site constraints, the inability of the scheme to provide any sustainable technologies is accepted. There are notable energy improvements to the new building and these are considered acceptable.

### 7.17 Flooding or Drainage Issues

There are no flooding or drainage issues associated with the application.

## 7.18 Noise or Air Quality Issues

The EPU officer has reviewed the application and raises no objection in regard to noise or air quality.

#### 7.19 Comments on Public Consultations

The matters raised through consultation have either been addressed in the body of the report or by way of recommended consideration.

## 7.20 Planning obligations

Not applicable

#### 7.21 Expediency of enforcement action

Not applicable

# 7.22 Other Issues

## PASSENGER NUMBERS

The enlargement of the FCC will not result in an increase in the capacity of Terminal 3. The actual number of passengers through the Terminal will remain broadly the same, however by 2020, it is forecast that the proportion of connecting passengers will increase. However, there will be a proportional decrease in origin/destination passengers.

## 8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so

far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

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

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

## **Planning Conditions**

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

#### Planning Obligations

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

#### **Equalities and Human Rights**

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

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

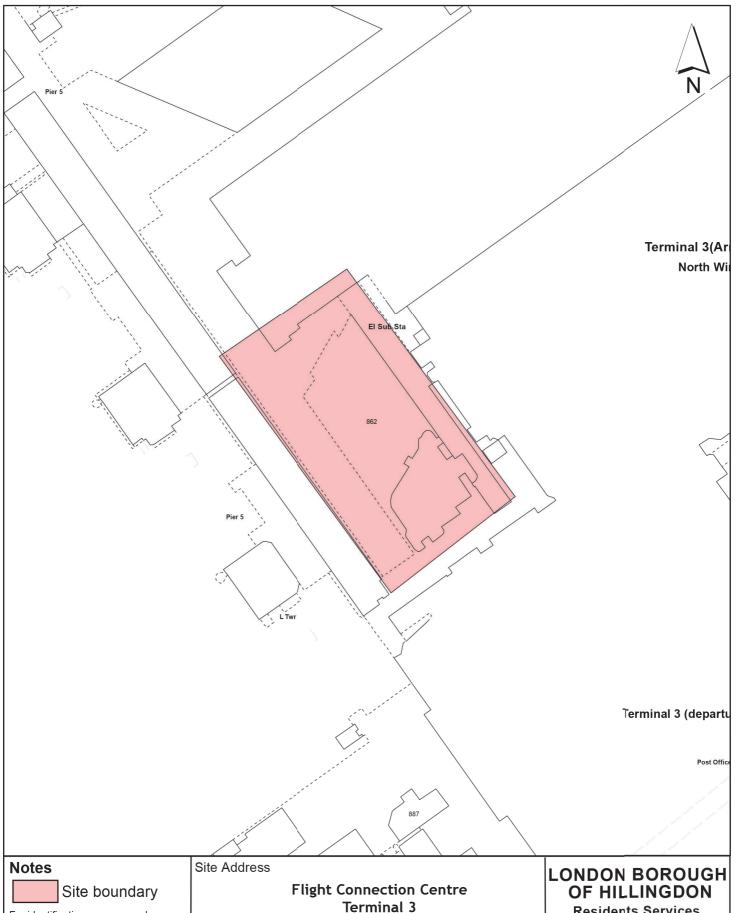
Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance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

#### 9. Observations of the Director of Finance

## 10. CONCLUSION

Overall, the proposed replacement building by reason of its acceptable design, size, scale and siting is not considered to have a detrimental impact on the character and appearance of the surrounding area and is considered appropriate development within the airport boundary. The scheme hereby complies with the Councils adopted policies and guidance.

**Contact Officer:** Charlotte Bath **Telephone No:** 01895 250230



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Planning Application Ref:

27277/APP/2014/3204

Scale

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**Planning Committee** 

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Date

November 2014

Residents Services Planning Section

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



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# Agenda Item 10

## Report of the Head of Planning, Sport and Green Spaces

Address UNIT 5, LOMBARDY RETAIL PARK COLDHARBOUR LANE HAYES

**Development:** Installation of mezzanine within existing retail unit with ancillary customer

cafe.

**LBH Ref Nos:** 63098/APP/2014/3081

**Drawing Nos:** 0500\_Rev

0501\_Rev 0502\_Rev 0503\_Rev 0503\_Rev 0516\_Rev 0518\_Rev 0519\_Rev

**Energy and Sustainability Statement** 

Planning Statement

Cover Letter with Application

Location Plan

**Transport Statement** 

0517\_Rev. A 0515\_Rev. A

 Date Plans Received:
 27/08/2014
 Date(s) of Amendment(s):
 04/11/2014

 Date Application Valid:
 18/09/2014
 27/08/2014

## 1. SUMMARY

Planning permission is sought for the installation of a mezzanine sales area to an existing vacant retail unit (Unit 5), formally occupied by Kiddicare, at the Lombardy Retail Park. An application (ref: 63098/APP/2014/3080) for the sub division of the existing retail unit 5 into units 5b and 5c has been submitted separately and has recently been approved. The mezzanine floor subject to this application will add an additional 2,415.5 sq m GIA in floor space to the newly created Unit 5c.

Unit 5c is to accommodate a Next store, relocated and amalgamated from existing Next stores at Unit 3 Lombardy Retail Park and Hayes Bridge Retail Park.

The application is supported by a detailed planning statement which concludes that the additional floorspace would will qualitatively improve the retail offer in the town centre and will generate substantial planning benefits in the form of approximately 36 new jobs.

The retail unit is located within a designated Town Centre and would meet national, regional and local policy on the location of new retail facilities. Accordingly, there are no objections to the principle of the development.

The increase in showroom area is unlikely to translate into a significant increase in customers visiting the store or in vehicle trips. The existing car parking and servicing facilities for the retail park would be retained for use by the proposed unit and would continue to meet the needs of the proposed unit and retail park as a whole. The Highway

Engineer considers the number of spaces being retained as acceptable for the existing and proposed floor space within the retail park.

The proposed external changes to the building, which are subject to a separate application are minor and would remain in keeping with the character and appearance of the surrounding area.

In addition, the development would not result in any detrimental impacts on the amenity of nearby residential occupiers. The development also proposes acceptable accessibility arrangements.

Subject to conditions, the proposal is considered to be acceptable and accord with the provisions of the development plan. Accordingly, approval is recommended.

#### 2. RECOMMENDATION

## APPROVAL subject to the following:

## 1 T8 Time Limit - full planning application 3 years

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

#### **REASON**

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

### 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

0500\_Rev

0501 Rev

0502 Rev

0503\_Rev

0503 Rev

0515\_Rev.A

0516 Rev

0517 Rev.A

0518 Rev

0519 Rev

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

#### REASON

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

#### 3 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development contained within the submitted report entitled Energy and Sustainability Statement Job No: 1010215 Doc No: 1010215-RPT-00002 Revision: A dated 22/08/2014 shall be integrated into the development and thereafter permanently retained and maintained.

#### **REASON**

To ensure that the development incorporates appropriate energy efficiency measures in

accordance with London Plan (July 2011) Policies 5.1, 5.3, 5.4, 5.5, 5.7, 5.9 and 5.10

#### 4 SUS6 Green Travel Plan

Prior to the commencement of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as submitted shall follow the current Travel Plan Development Control Guidance issued by Transport for London and will include:

- (1) targets for sustainable travel arrangements [insert desired for target(s)];
- (2) effective measures for the ongoing monitoring of the Travel Plan;
- (3) a commitment to delivering the Travel Plan objectives; and
- (4) effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

#### REASON

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan (July 2011) Policies 6.1 and 6.3.

## 5 H16 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 3 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

#### **REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

## 6 NONSC Non Standard Condition

The retail unit shall not be sub divided unless otherwise agreed in writing by the Local Planning Authority.

### **REASON**

To enable the Local Planning Authority to assess the implications of the intensification of the use of the floorspace in the context of the relevant devlopment plan policies for retail development, specifically in terms of its impact on traffic, car parking and other environmental issues.

## 7 NONSC Non Standard Condition

Development shall not commence until details of the location and dimentions of the lift to the mezzanine level have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

## REASON

To ensure that people with disabilities have adequate access to the development in

accordance with Policy R16 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.2 and 3.8 of the London Plan.

#### **INFORMATIVES**

## 1 | 14 | Installation of Plant and Machinery

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1½ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1½ million Btu/hr; The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery. Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

#### 2 | 15 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.

#### 3 | 125 | Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

#### 4 | 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).

## 5 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.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact
	on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design
	of highway improvement schemes, provision of cycle parking
	facilities
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the
	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to
DE00	neighbours.
BE38	Retention of topographical and landscape features and provision of
OE1	new planting and landscaping in development proposals.
OET	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation
OLS	measures
R16	Accessibility for elderly people, people with disabilities, women and
	children
LPP 2.15	(2011) Town Centres
LPP 4.7	(2011) Retail and town centre development
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.7	(2011) Renewable energy
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
NPPF	National Planning Policy Framework
LDF-AH	Accessible Hillingdon , Local Development Framework,
	Supplementary Planning Document, adopted January 2010

#### 6 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control

decisions.

## 7 I6 Property Rights/Rights of Light

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

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

This application relates to a large vacant retail unit, last occupied by Kiddicare, which is located within the Lombardy Retail Park. An application for the sub division of this unit (known as unit 5) into two separate units has been submitted separately and has been granted planning permission (application reference 63098/APP/2014/3080). The current application relates to the larger of these newly created units, hereafter referred to as Unit 5c.

The retail park consists of large retail warehousing units, arranged on three sides facing onto a central car park of 867 spaces, together with a decked car park on the eastern side of the retail park.

The western retail terrace (of which the application site forms part) comprises large retail units currently occupied by TK Maxx, Sports Direct, Next and Mothercare. At the northern end of the western terrace is unit 5 (the application site), with a gross internal floor area of some 3,717 sq m. This application, together with the associated applications 63098/APP/2014/3080 and 63098/APP/2014/3082 pertain to alterations to this unit. Adjacent to Unit 5 to the north is a new retail unit (Unit 5a), occupied by JD Sports.

The northern side of the Retail Park is occupied by 4 smaller retail units, occupied by Costa, Game, O2 and Carphone Warehouse. The eastern side of the retail park is occupied by a large Sainsbury's superstore (which comprises a large element of comparison goods sales) and a decked car park.

The retail park is accessed by two separate vehicular entrances. The main access is from Uxbridge Road, which leads directly into the central car parking area. The secondary access is from Coldharbour Lane, which also provides access to McDonalds, Pizza Hut and the petrol filling station located on the western boundary of the retail park. Lombardy Retail Park is located within the Uxbridge Road Town Centre as indicated on the adopted Unitary Development Plan Proposals Map.

The last occupier of Unit 5, Kiddicare, vacated the unit in September 2014.

# 3.2 Proposed Scheme

This application seeks full planning permission for the construction of a 2,415.5 sq. m. mezzanine within the newly created Unit 5c. On completion, Unit 5c would therefore comprise a gross floorspace totalling 5,182.5 sq.m.

Unit 5c is to accommodate a Next store, relocated and amalgamated from existing Next stores at Unit 3 Lombardy Retail Park and Hayes Bridge Retail Park. The surplus space

after accommodating Next's requirements results in the creation of Unit 5b.

The newly proposed Next home and fashion store will have a net sales area of 3,602 sq.m, an uplift of 1,047 sq m net over the two existing units to be amalgamated. The remaining floorspace within the new unit (1,585 sqm) will be used as storage, back of house and staff facilities.

The applicants submit that increase in sales space will provide a larger area to display existing product ranges. The home range will be the majority range within the expanded store and no new product ranges will be introduced over those already sold by Next at the Lombardy Retail Park. The proposed large Next home and fashion store will also incorporate an ancillary cafe (115 sq m net) on the mezzanine, for the use of their customers.

The application is supported by two reports that assess the impact of the proposal. A summary and some key conclusions from these reports are provided below:

## · Transport Statement

This report considers the impact of the proposed development on the local road network. It concludes that the level of additional traffic as a result of the development will be insignificant in comparison with baseline conditions. There will therefore be a negligible impact on traffic flows on the surrounding road network. Parking provision on the existing retail park is sufficient to accommodate the predicted demand for on site parking, as a result of the development proposals.

## Energy Statement

The statement sets out the principal objectives to to reduce the site's contribution to the causes of climate change by minimising the emissions of CO2, by reducing the site's needs for energy and providing some of the requirement by renewable or sustainable means.

An application for a mezzanine within the new Unit 5b of 697 sq m GIA has been submitted separately.

# 3.3 Relevant Planning History

63098/APP/2014/3080 Unit 5, Lombardy Retail Park Coldharbour Lane Hayes

Subdivision of existing retail unit, re-cladding of unit, removal of existing entrance canopy, creati of new entrances and other associated external alterations, reconfiguration of car parking space

#### **Decision:**

63098/APP/2014/3082 Unit 5, Lombardy Retail Park Coldharbour Lane Hayes Installation of mezzanine within existing retail unit.

#### **Decision:**

## **Comment on Relevant Planning History**

The site has an extensive planning history. Relevant history is provided below: 40601/APP/2004/502 approved in May 2004 for:

Redevelopment of existing retail provision to provide an extension to the supermarket (class A1), a new retail unit above a supermarket extension class A1), re-positioned and enlarged DIY warehouse with mezzanine and garden centre (class A1), two retail warehouse units (class A1), two retail warehouse units with mezzanines, two shop units (class A1), reconfigured car park (part-decked), repositioned bus stop, landscaping and associated works (involving the demolition of existing non-food warehouse).

· 40601/APP/2006/1774 granted in June 2006 for:

Construction of mezzanine floorspace to nits 4 and 5. Amendment to planning permission reference 40601/APP/2004/502 dated 10 May 2004: Redevelopment of existing retail provision, reconfiguration of car park, repositioned bus stop, landscaping and associated works.

· 40601/APP/2007/3759 granted in May 2008 for:

Variation of Condition 32 of planning permission 40601/APP/2004/502 dated 10 May 2004 to allow subdivision of units 6 and 7 to create four separate units, together with alterations to the elevations and service yard.

- In November 2010, a Certificate of Lawfulness was issued under application reference 63098/APP/2010/2157 in relation to unit 5, the current application unit: Internal reconfiguration to provide mezzanine floorspace [929 sq m].
- · 63098/APP/2010/2284 granted in December 2010 in respect of Unit 5 for:

Alterations to existing facade and to windows and doors to side and conversion of existing external garden centre, two additional car parking spaces (involving demolition of existing canopy to site).

· An application for a Certificate of Lawful Existing Use or Development (CLEUD) was submitted in March 2012 under application reference63098/APP/2010/808 to certify in relation to the application unit:

The use of Unit 6 [now known as Unit 5], Lombardy Retail Park as A1 retail premises without restriction on the range of goods that can be sold.

The application was refused by the Council in May 2012. The applicants appealed against the refusal and the CLEUD was issued following an appeal in December 2012.

- $\cdot$  62438/APP/2012/2591 granted in January 2013 for an extension to the existing mezzanine in Unit 2 by 584 sq m GIA
- · 40601/APP/2013/1243 granted in July 2013 for a new retail unit (5a) to the north of Unit 5

#### 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.E5 (2012) Town and Local Centres

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

Part 2 Policies:

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

AM2 Development proposals - assessment of traffic generation, impact on congestion

	and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R16	Accessibility for elderly people, people with disabilities, women and children
LPP 2.15	(2011) Town Centres
LPP 4.7	(2011) Retail and town centre development
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.7	(2011) Renewable energy
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
NPPF	National Planning Policy Framework
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 17th October 2014

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

#### 6. Consultations

### **External Consultees**

The proposal has been advertised as a major application and 50 nearby owner/occupiers have been consulted individually. Site notices were posted on the site. No responses have been received in relation to the consultation.

LONDON BOROUGH OF EALING - No response.

#### **Internal Consultees**

**ACCESS OFFICER** 

Unit 5 is located on the Lombardy Retail Park, which leads from Ossie Garvin Roundabout, Uxbridge

Road. The proposal is to sub-divide unit 5 and create separate unit entrances to meet future retail demand, provide additional car parking spaces and install a mezzanine within the existing retail unit with ancillary customer cafe.

Having evaluated the submitted plans, it would seem that the proposed mezzanine floor would not be accessible by lift, and thus would exclude people with a mobility impairment. The provision of an enclosed platform lift would suffice.

Conclusion: Revised plans which detail lift access to the proposed mezzanine should be requested prior to any grant of planning permission.

(Officer note: Revised plans have been submitted showing a passenger lift to the mezzanine level. In addition, the Design and Access Statement accompanying the associated application for the sub division of Unit 5 states that access to any future mezzanine floors will be via stairs and passenger lifts. This can be secured by condition in the event of an approval).

#### HIGHWAY ENGINEER

The development is for the provision of a mezzanine floor(s) to create additional retail floor space in units 5B and 5C. Units 5B and 5C will be created as part of the subdivision of the existing building and implemented following the grant of planning consent under planning application reference 63098/APP/2014/3080.

It is understood, at present, unit 5B has not yet been allocated to any specific operator and unit 5C (subject to this application), will be occupied by the retailer Next. Following the sub division, both units will continue to operate under the A1, non-food Use Class. Under the proposals, it is noted that no additional cycle parking above that of the existing use at the site will be provided. However, as part of planning application reference 63098/APP/2014/3080, the existing car parking area adjacent to the building will be reconfigured, resulting in 2 additional parking spaces being provided.

There are no proposals to alter the means of access to the site in relation to either customers or servicing vehicles.

When considering the development, it is noted that a Transport Statement (TS) has been submitted in support of the proposals. The TS has undertaken assessment of the likely trip generation as a result of the development, which has demonstrated that any increase in traffic is unlikely to have a material impact along the adjacent highway.

In addition, an assessment of the existing and future parking demand and available capacity has been undertaken in relation to the retail park as a whole. This has identified that the increased demand for car parking can be accommodated within the site.

Therefore, provided that the details below are provided under a suitably worded planningcondition or S106 agreement, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan, 2012 (Part 2) and an objection is not raised in relation to the highway aspect of the proposals.

## Conditions/S106 Agreement

A Travel Plan is required to be submitted to and approved in writing by the LPA before occupation of each unit and thereafter, maintained and retained for the lifetime of the development. The Travel Plan shall identify initiatives to encourage sustainable modes of travel to and from the site, including by public transport, walking, cycling and car sharing.

The development shall not be occupied until the details of provision for 5 cycle parking spaces have been submitted and agreed by the LPA. Thereafter, the proposed cycle parking provision shall be maintained and retained at all times for the occupants of the site.

#### SUSTAINABILITY OFFICER

The 600m2 unit (Unit 5b) does not require an energy assessment as it is not a major application.

The larger unit 5c requires an energy assessment which in this instance is adequate. There are complexities to refurbishments which require leniency. In general, it is better to improve and update existing building stock, as this reduces the need for new builds. However, there are limitations in terms of energy efficiency, due to the lack of building work. For example, the supporting structure will remain unchanged which reduces the ability to alter services, such as heating and cooling. It also reduces the ability to improve insulation and window efficiency. As a consequence, the energy assessment in this instance is acceptable and should be conditioned as part of any subsequent approval, to ensure the final details and specifications are agreed prior to commencement.

#### 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

The application site is located within the Lombardy Retail Park which is allocated on the adopted UDP Proposals Map as falling within the Uxbridge Road Town Centre.

Paragraph 17 of the NPPF sets out a number of key principles that should underpin decision-taking. These include the need to proactively support sustainable economic development. Paragraph 19 of the NPPF makes clear that planning decisions should operate to encourage sustainable growth and that significant weight should be placed on the need to support economic growth through the planning system.

Section 2 of the NPPF deals specifically with the vitality of town centres. Paragraph 23 states that it is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Paragraph 24 of the NPPF states that planning authorities should apply a sequential test to planning applications and main town centre uses that are not in an existing centre and are not inaccordance with an up-to-date Local Plan. Paragraph 24 also states that the sequential assessment requires applications for main town centre uses to be located in town centres, then in edge-of-centre locations and only if suitable sites are not available should out-ofcentre sites be considered. The site is within an allocated town centre, so a sequential assessment is not therefore required in this case, in accordance with the NPPF.

Paragraph 26 of the NPPF sets out the circumstances under which an Impact Assessment should be undertaken to accompany proposals for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan. An Impact Assessment is not required on the basis that the site is located within a town centre.

Policy 2.15A of the London Plan states that Boroughs should co-ordinate the development of London's town centre network so they provide:

- The main foci beyond the Central Activities Zone for commercial development and intensification:
- The structure for sustaining and improving a competitive choice of goods and services accessible by public transport, walking and cycling; and
- · The main foci for most Londoners' sense of place and local identify.

Policy 2.15C of the London Plan states that development proposals within town centres should conform with policies 4.7 and 4.8 of the plan and:

- · Sustain and enhance the vitality and viability of the town centre;
- · Accommodate economic growth through intensification in appropriate locations;
- · Support and enhance the competitiveness, quality and diversity of town centre retail uses;
- · Be in scale with the centre; and
- · Promote access by public transport, walking and cycling.

Policy 4.7B of the London Plan states that the following relevant principles should be applied to planning decisions:

- · The scale of retail, commercial, culture and leisure development should be related to the size, role and function of the town centre and its catchment; and
- · Retail development should be focussed on sites within town centres.

In summary the London Plan states that town centres should be the main foci of new retail development outside the Central Activities Zone, and that retail uses should be intensified in appropriate locations to accommodate economic growth and of an approporiate scale to the centre. The London Plan and NPPF also support proposals that improved the quality of the range of retail facilities available to consumers. It is considered that the proposal complies with the aims of national and London Plan aspirations in this respect.

In terms of local policy, Strategic Objective SO16 of the Local Plan is to manage appropriate growth, viability and regeneration of town and neighbourhood centres. The Local Plan Part 1 allocates Uxbridge Road Town Centre as a 'Minor Centre'. Paragraph 5.42 of the Local Plan states that additional comparison goods floorspace will be accommodated within the existing town centre boundaries. The Local Plan does not propose any changes to the town centre boundaries as set out on the adopted UDP.

Policy E5 of the Local Plan states that the Council will improve town and neighbourhood centres across Hillingdon. The supporting text states that Policy E5 will be delivered by applying national policy and that increases in retail floorspace will be achieved through the redevelopment of existing sites, refurbishment of existing units or the intensification of floorspace. Therefore the proposal unit complies with Policy E5 in this respect.

The application proposals will provide additional retail floorspace within the centre to allow an existing retailer to expand their premises and will therefore improve the quality and range of retail facilities available to customers. The additional floorspace proposed represents a small proportion of the total floorspace in the town centre, and will be provided within an existing building. It is therefore not considered to represent a disproportionate scale of development.

In addition, the proposals as a whole will generate substantial planning benefits in the form of approximately 36 new jobs.

With regard to the type of goods that can be sold from Unit 5, a recent appeal decision removed the restriction on the range of goods that can be sold from the unit. However, a covenant exists on Lombardy Retail Park, which prohibits another food retailer from operating from the park for so long as Sainsubry's are in operation. The presence of the existing Sainsbury's upermarket at the retail park will ensure that that Unit 5c will continue to operate under the A1, non-food goods restriction. In addition, given the excess number of parking spaces and the town centre location of the site, it is considered that a condition restricting the use of the unit to non-food uses is not required in this instance.

The National Planning Policy Framework and the London Plan requires main town centre uses, such as retail units, to be located within town centres. The proposed retail floorspace would be located within a town centre and would be in accordance with the NPPF, Policy 4.7 of the London Plan and Part 1 Policy E5 of the Hillingdon Local Plan (November 2012). No objections are therefore raised to the principle of the development in this location.

#### 7.02 Density of the proposed development

The proposal seeks a permission for a retail unit. Considerations relating to residential density are therefore not relevant.

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

The proposed development would not involve any groundworks and accordingly would not result in any detrimental impacts on archaeology.

The proposal is not within a Conservation Area, Area of Special Local Character or located in proximity to any Listed Buildings.

# 7.04 Airport safeguarding

The proposal would not conflict with airport or aerodrome safeguarding criteria.

## 7.05 Impact on the green belt

The application site is not located within, nor is it conspicuous from any land within the Green Belt.

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

The proposed mezzanine floor would be constructed within the existing building envelope of Unit 5. The external physical alterations proposed as part of the sub-division of Unit 5 are dealt with as part of a separate application on this agenda and do not fall within the remit of this application. Nevertheless, the external alterations are minor and it is considered the retail unit would remain in keeping with the design and character of the existing retail park and would have an acceptable impact on the street scene. Therefore, the development is considered to comply with Part 1 Policy BE1 and Part 2 Policies BE13, BE15 & BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## 7.08 Impact on neighbours

With regard to impact on residential amenity, since the proposed mezzanine does not involve any external alterations, the proposed development will not have a visual impact on nearby residential properties in terms of loss of light, loss of outlook, overshadowing or loss of privacy.

In terms of additional traffic/shoppers attracted to the retail park, the application site is within an established retail location where there are sufficient car parking facilities and also existing arrangements for accessing the site. In addition, the proposed retail unit would be located over 64 metres from the nearest residential dwelling, No.44 Devonshire Way, which is located on the opposite side of Uxbridge Road. At this distance from the nearest residential dwelling, the proposal is considered to cause no significant noise pollution to the occupiers of this, or any other residential dwelling.

Therefore, the development is considered to comply with Policies BE20, BE21, BE24 & OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# 7.09 Living conditions for future occupiers

Not applicable to this application as there is no residential component.

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

ACCESS AND TRAFFIC GENERATION

Following the subdivision into two units a total of 3,112.5sqm of mezzanine is proposed between the two units 5b and 5c, representing an 84% increase in floor space. The mezzanine subject to this application will produce a maximum of 2,415.5 m2 sqm floor space.

The accompanying Transport Statement concludes that the proposal for additional floor space will not have an unacceptable impact on the local highway network. The Transport Statement submitted in support of the application notes that the increase in floor space is not expected to produce an increase in trading on a pro rata basis, and by extension trips to the store, as in practice a proportion of these trips to the Unit 5 floor space will be fromcustomers already visiting the retail park in any event.

In terms of additional traffic/shoppers attracted to the retail park, the application site is within an established retail location where there are sufficient car parking facilities and also existing arrangements for accessing the site via public transport. In addition, the additional floorspace would be serviced by the existing service yard at the rear of the unit, which benefits from large open vehicular circulation routes.

The Highway Engineer has reviewed the proposed traffic generation and advises that the nature of the use is such that there will not be any significant impacts on road safety or congestion.

The Highway Engineer therefore raises no objection to the proposal on traffic generation grounds, subject to the submission of a Travel Plan.

Overall, it is considered that the increase in floor space is unlikely to translate into a significant increase in customers visiting the store or in vehicle trips. In terms of traffic generation and access arrangements, the development is therefore considered to comply with Policies AM2 and AM7 of the Hillingdon Local Plan (November 2012).

#### **PARKING**

In terms of car parking arrangements, the Lombardy Retail Park provides 869 car parking spaces, including those set aside for disabled access and 6 brown badge spaces. It is intended as part of the proposals for the sub division of Unit 5, that 2 additional car parking bays are provided. An assessment of the existing and future parking demand and available capacity has been undertaken in relation to the retail park as a whole. This has identified that the increased demand for car parking can be accommodated within the site.

#### Cycle/Pedestrian Facilities

Currently the Retail Park benefits from cycle parking which is located throughout the park. The retail park is also accessible by workers and shoppers by foot with pavements linking the site to Uxbridge Road and nearby bus stops. The Highway Engineer has recommended the provision for 3 additional cycle parking spaces to cater for the increased floorspace. This can be secured by cndition, in the event of an approval.

#### CONCLUSION

Overall, the increase in the floorspace for Unit 5c taking into account the cummulative impact of the increased floor space owithin Unit 5b is not considered to result in a requirement for additional parking or result in a significant increase in traffic generation.

Subject to conditions requiring the submission of a travel plan and details of additional cycle storage the proposal is considered to be in compliance with Policy AM7, AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## 7.11 Urban design, access and security

Issues relating to design and accessibility are addressed elsewhere within this report.

It is not consider that the proposal would have any implications in relation to security issues.

#### 7.12 Disabled access

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

Policies 7.2 and 3.8 of the London Plan provide that developments should seek to provide the highest standards of inclusive design and this advice is supported by the Council's Supplementary Planning Document - Accessible Hillingdon.

The mezzanine level proposed as part of this application will be accessible for all users including wheelchair users and parents with pushchairs, as the additional retail floorspace will be accessed via a lift as well as a staircase. Details of the lift could be secured by appropriately worded condition. Subject to this condition, it is considered that the proposal would comply with Policies 7.2 and 3.8 of the London Plan and the Accessible Hillingdon SPD.

## 7.13 Provision of affordable & special needs housing

Not applicable to this application as there is no residential component

## 7.14 Trees, landscaping and Ecology

No existing landscaping is affected by the new building proposal. Existing landscaping on the boundaries of the retail park and within the existing car park lies outside of the application site and is located at such a distance that it would not be impacted on by the limited level of physical works proposed.

It is considered that the existing level of landscaping within the wider retail park is sufficient and it is not considered that the level of physical alterations proposed would necessitate provision of any additional landscaping within the wider retail park. Accordingly, 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 proposals waste and recycling would be accommodated in a similar manner to those of the previous occupier of the unit. There would be adequate space for the provision of facilities for the storage of waste and recycling either within the existing service yard to the rear of the building or within the building itself. Accordingly, the proposal is considered to comply with relevant policies in the the London Plan.

#### 7.16 Renewable energy / Sustainability

Sustainability policy is now set out in the London Plan (2011), at Policy 5.2. Part A of the policy requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by employing the hierarchy of: using less energy; supplying energy efficiently; and using renewable technologies. Part B of the policy currently requires nondomestic buildings to achieve a 40% reduction from a 2010 Building Regulations

compliant development. Parts C, D of the policy require proposals to include a detailed energy assessment.

A Sustainability Statement has been submitted in support of the associated application for a mezanine floor in Unit 5c. The Energy and Sustainability Statement indicates that energy efficiency measures associated with the development as a whole show an improvement of 34.1% over the Building Regulations minimum requirements.

An analysis of renewable technologies has identified Air Source Heat Pumps as the most appropriate technology. This results in a potential further reduction of 3.0% in the development's regulated emissions. The design of the refurbishment minimises overheating in summer and increases passive gains in winter. Low energy lighting and efficient control systems (e.g. water) will further reduce energy wastage.

Subject to compliance with a condition requiring the implementation of the measures contained within the submitted Sustainability Statement, it is considered that the scheme will have satisfactorily addressed the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan, Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF.

## 7.17 Flooding or Drainage Issues

The proposal would not alter the footprint of the existing building or the level of hardstanding and accordingly would not serve to worsen floor risk or increase surface water run off from the existing situation.

## 7.18 Noise or Air Quality Issues

NOISE

The proposal would not alter the use or servicing arrangements from those of the existing retail unit, which is located approximately 64 m from the nearest residential property. Since the unit will be subject to the same operational restrictions that are applied to the wider retail park, it is not considered that the proposal would give rise to any detrimental impacts by way of noise. Accordingly the proposal would comply with Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) in this respect.

## AIR QUALITY

The London Plan, Policy 7.14, supports the need for development to be at least air quality neutral and not lead to further deterioration of existing poor air quality.

The proposed development is within the declared AQMA. However, the proposal is not considered to give rise to any significant additional traffic generation as discussed in the traffic impact section of this report. Accordingly, it would not result in any significant detriment to local air quality and would comply with policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.14 of the London Plan and the Council's Air Quality SPG.

#### 7.19 Comments on Public Consultations

No comments have been received.

## 7.20 Planning obligations

The proposal would not give rise to any impacts which would need to be mitigated by way of planning obligations.

## 7.21 Expediency of enforcement action

Not Applicable.

## 7.22 Other Issues

None.

## 8. Observations of the Borough Solicitor

#### General

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

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

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

#### **Planning Conditions**

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

#### Planning Obligations

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

#### Equalities and Human Rights

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

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

circumstances.

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

#### 9. Observations of the Director of Finance

Not applicable.

#### 10. CONCLUSION

The proposal is considered to satisfy the requirements of national, regional and local policy in retail terms. Accordingly, there are no objections to the principle of the development.

The application proposals comprise the internal refurbishment of a retail unit, which in itself will reduce carbon emissions over a new build development of a similar size. The the proposals seek to bring back into economic use a vacant unit, which will improve the character, quality and inclusiveness of the Retail Park within the locality. The proposal will have a positive impact on the economic and physical environment and regeneration of the area, as well as having a positive impact on local employment, and will increase economic output.

The proposed external amendments are minor and would remain in keeping with the character and appearance of the surrounding area. The development would not result in any detrimental impacts on the amenity of nearby residential occupiers, and acceptable accessibility arrangements could also be secured by way of condition.

The development would not result in any significant increase in traffic generation, whilst the existing car parking and servicing facilities for the retail park would be retained for use by the proposed unit and would continue to meet the needs of the proposed unit and retail park as a whole.

Overall, subject to conditions, the proposal is considered to be acceptable and accord with the provisions of the development plan. Accordingly, approval is recommended.

#### 11. Reference Documents

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan 2011

National Planning Policy Framework (NPPF)

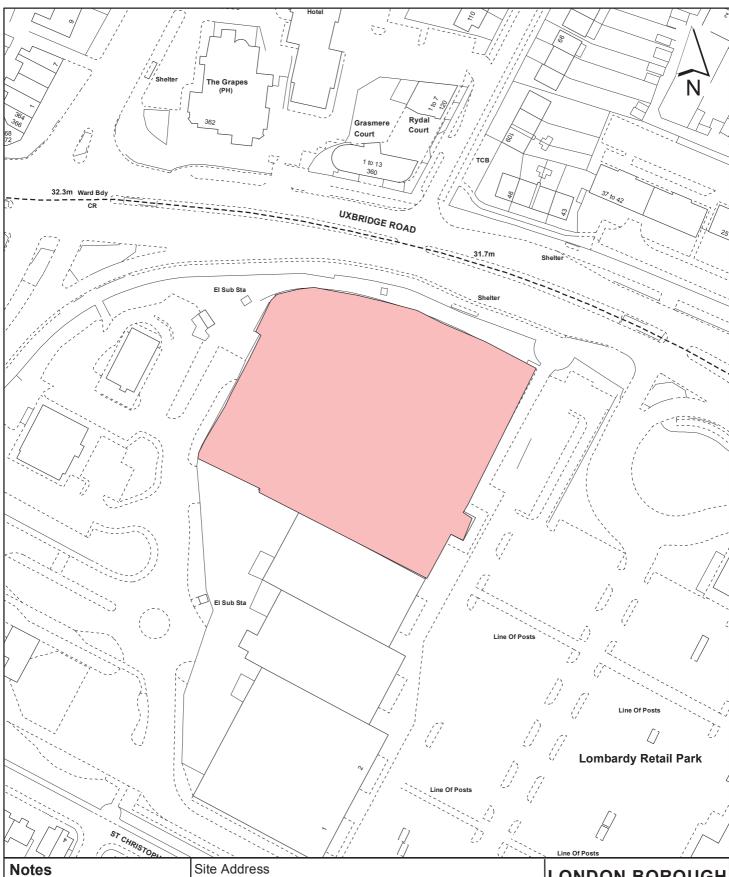
The Greater London Authority Sustainable Design and Construction (2006)

Council's Supplementary Planning Guidance - Community Safety by Design

Council's Supplementary Planning Document - Air Quality

Hillingdon Supplementary Planning Document: Accessible Hillingdon January 2010)

Contact Officer: Karl Dafe Telephone No: 01895 250230





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# **Unit 5, Lombardy Retail Park Coldharbour Lane Hayes**

Planning Application Ref:

63098/APP/2014/3081

**Planning Committee** Major Page 93 Scale

1:1,250

Date

November 2014

# LONDON BOROUGH OF HILLINGDON

**Residents Services Planning Section** 

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



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# Agenda Item 11

## Report of the Head of Planning, Sport and Green Spaces

FORMER NATIONAL AIR TRAFFIC SERVICES HEADQUARTERS SITE **Address** 

PORTERS WAY WEST DRAYTON

**Development:** Reserved matters (appearance and landscaping) in compliance with condition

> 2 and 3 for Phase 4, second application (23 residential units) of planning permission ref: 5107/APP/2009/2348 dated 01/10/2010, for the proposed mixe

used redevelopment of the Former NATS Site.

5107/APP/2014/2454 LBH Ref Nos:

**Drawing Nos:** MCA1113-02 Landscape Details

> Existing Signage and Lighting 3406-PL01 Location Plan 3406-PL11 House Type 2 3406-PL12 House Type A Design & Access Statemen 3406-PL20 Boundary Treatmen

Lighting Detail - Polar & Vector Product Shee

Lighting Detail - Milano Product Shee

Landscape Management Plar Landscape Specification

3406-PL14 Rev A House Type 3 3406-PL05 Rev B Site Plan 3406-PL13 Rev A House Type 1 3406-PL10 Rev A House Type 7 3406-PL15 Rev A House Type 5

3406-PL16 Rev A Street Scene Elevations

**Date Plans Received:** 11/07/2014 Date(s) of Amendment(s): 11/07/2014 Date Application Valid: 12/08/2014

22/09/2014 07/11/2014

30/07/2014

#### 1. SUMMARY

Outline Planning Permission for the comprehensive, mixed-use re-development of the former NATS site was granted 1 October 2010 (LBH Ref: No. 5107/APP/2009/2348). The outline application was for consideration of 'Means of Access', 'Layout' and 'Scale'. Matters which were reserved were 'Appearance' and 'Landscaping'.

Condition 2 of this consent relates to the approval of Appearance and Landscaping 'Reserved Matters'.

Condition 3 requires the approval of the details of the landscaping and appearance of individual phases of the development. Condition 3 also describes the extent of the information required.

This application relates to Phase 4, second application, of the wider development. It is located in the north-western corner of the Drayton Garden Village development. The northern boundary of this particular section of the development directly abuts the railway

line with other phases to the east and south. Properties in Holly Gardens are located west of the site.

The proposal is for 23 residential houses, 37 parking spaces and the detailed landscaping of the application site. The scheme comprises:

- 5 two-bed four person houses
- 12 three-bed five person houses
- 1 three-bed five person wheelchair accessible house
- 2 three-bed six person houses
- 1 four-bed seven person house
- 2 five-bed eight person houses

The houses are 2 storeys, although a number of dwellings would have accommodation within the roof space. Each dwelling would have private amenity space at the rear.

#### 2. RECOMMENDATION

## APPROVAL subject to the following:

## 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,

3406-PL01 Location Plan

3406-PL05 Rev B Site Plan

3406-PL13 Rev A House Type 1

3406-PL11 House Type 2

3406-PL14 Rev A House Type 3

3406-PL15 Rev A House Type 5

3406-PL10 Rev A House Type 7

3406-PL12 House Type A

3406-PL16 Rev A Street Scene Elevations

3406-PL20 Boundary Treatment

MCA1113-02 Landscape Details

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

## **REASON**

To ensure the development complies with the provisions of the Hillingdon 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:

Landscape Management Plan Landscape Specification

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 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### 3 NONSC Front boundary treatment

Not withstanding the plans and details hereby approved, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected to the front of the residential dwellings within this scheme.

The fromnt boundary treatment shall include metal railings, and be a minimum 1m in height. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

#### REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to ensure the security of future occupiers, and 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.

#### **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
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementatio
	of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of
	highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people
	and people with disabilities in development schemes through (where
	appropriate): -

	() D: 1
	(i) Dial-a-ride and mobility bus services
	(ii) Shopmobility schemes
	<ul><li>(iii) Convenient parking spaces</li><li>(iv) Design of road, footway, parking and pedestrian and street</li></ul>
	furniture schemes
AM14	New development and car parking standards.
BE13	New development and car parking standards.  New development must harmonise with the existing street scene.
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
DLZT	neighbours.
BE38	Retention of topographical and landscape features and provision of
BLOO	new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties
·	and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood
	protection measures
OE8	Development likely to result in increased flood risk due to additional
	surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land
	- requirement for ameliorative measures
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.8	(2011) Outer London: Transport
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation
10007	(strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.1	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 6.1	(2011) Strategic Approach
LPP 6.7	(2011) Better Streets and Surface Transport
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
	, , <u> </u>

LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes

#### 3 I15 Control of Environmental Nuisance from Construction Work

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

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

#### 3. CONSIDERATIONS

## 3.1 Site and Locality

The wider application site was previously occupied by the National Air Traffic Services (NATS) as the main air traffic control centre for the southern England and London airports. Since 2008, the NATS operation has relocated to the new London Area Control Centre at Swanwick, near Fareham in Hampshire. The application site, measuring some 12.6ha, is now a major construction site that also includes an increasing number of completed and newly occupied homes together with an increasingly extensive and well landscaped public realm.

This Reserved Matters application relates to Phase 4, second application, of the wider development. It is located in the north-western corner of the Drayton Garden Village development. The northern boundary of this particular section of the development directly abuts the railway line with other phases to the east and south. Properties in Holly Gardens are located west of the site.

The site is located within a PTAL level of 1b.

## 3.2 Proposed Scheme

Outline Planning Permission for the comprehensive, mixed-use re-development of the former NATS site was granted 1 October 2010 (LBH Ref: No. 5107/APP/2009/2348).

The Committee has already approved a number of reserved matters applications for sites within phases 1 and 2. This application seeks approval for the Appearance and Landscaping of Phase 4, second application, and comprises 23 residential units, 37 parking spaces and the detailed landscaping of the application site.

## **Proposed Housing**

The proposal would provide 23 residential houses and would comprise of:

- 5 two-bed four person houses
- 12 three-bed five person houses
- 1 three-bed five person wheelchair accessible house
- 2 three-bed six person houses
- 1 four-bed seven person house
- 2 five-bed eight person houses

The houses are 2 storeys, although a number of dwellings would have accommodation within the roof space.

#### Materials

- i) Facing Brick, brick string course and brick soldier details: Weinerberger Brookhurst Yellow stock facing brick
- ii) Through coloured render: to match Portland Stone
- iii) Roof: Marley Duo Grey roof tiles with lead dormers
- iv) Rooflights: Black frames
- v) Entrance porticos White painted timber
- vi) Window and door frames: White UPVC sash windows
- vii) Front doors: Black viii) Railings: Black
- ix) Sub-cills, cappings and parapet copings: Reconsituted stone, colour to match Portland Stone

#### Amenity Space

Each dwelling would have a private garden which is accessible from the rear. A small play zone would be provided in front of Units 18 and 19. This part of Phase 4 is located 100m east of Autumn Green, one of two primary open spaces on the wider NATS site, which provides a children's play area.

#### Car Parking Provision

This portion of Phase 4 includes the provision of 37 parking spaces, some of which would be located within two rear parking areas. Cycle storage would be provided in the rear gardens of each dwelling.

#### Accessible Housing

All of the residential units would be constructed to Lifetime Homes standards. The original masterplan required a total of 10% wheelchair accessible units to be provided throughout

the whole of the NATS site, which equates to 78 wheelchair accessible units. One wheelchair accessible unit would be provided within this part of the site, whilst the remaining wheelchair accessible units would be provided within other phases. The scheme for this part of Phase 4 would provide 5 disabled parking spaces.

#### Site Access

All vehicular and pedestrian access points to the site would be via the permanent on-site roads and pavements linking Porters Way to the separate areas of the development.

#### Landscaping

A comprehensive schedule of hard landscaping materials has been provided together with detailed supporting information in respect of the soft landscape planting. These are of an acceptable quality and range.

## 3.3 Relevant Planning History

5107/APP/2009/2348 Former National Air Traffic Services (Nats) Headquarters Porters Wa

Proposed mixed-use redevelopment comprising: 773 dwellings comprising 12no. studios, 152 n 1-bedroom flats, 316no. 2-bedroom flats, 21no. 2-bedroom houses, 23no. 3-bedroom flats, 181no. 3-bedroom houses, 59no. 4-bedroom houses and 9no. 5-bedroom houses; Class D1 Primary Healthcare facility including room for joint community use (up to 1085sqm gea); Class C2 Nursing Home (up to 3630sqm gea); Classes A1-A3 Shop units to complement Mulberry Parade (up to 185sqm gea, depending on size of Primary Healthcare facility); Class B1 Business units including site management office (up to 185sqm gea); Energy Centre (up to 220sqm gea) with combined heat and power unit; foul water pumping station; associated access roads from Porters Way (and excluding all access including pedestrian and bicycle access from Rutters Close); 1085 car parking spaces; cycle parking; public open space areas; cycleways and footpaths; and landscaping works (Outline Application)

Decision: 01-10-2010 Approved

#### Comment on Relevant Planning History

The most relevant planning history for the application site is the Outline Planning Permission (LBH Ref: 5107/APP/2009/2348 granted 1 October 2010), reserving matters of Landscaping and Appearance.

Condition 2 of this consent relate to the approval of Appearance and Landscaping 'Reserved Matters' while Condition 3 requires the approval of the details of the landscaping and appearance of individual phases of the development. Condition 3 also prescribes the extent of the information required.

#### 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.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM11	(2012) Sustainable Waste Management
PT1.EM6	(2012) Flood Risk Management
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.H1	(2012) Housing Growth
PT1.H2	(2012) Affordable Housing
PT1.T1	(2012) Accessible Local Destinations
Part 2 Policies	S:
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requiremer

for ameliorative measures

LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.8	(2011) Outer London: Transport
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 6.1	(2011) Strategic Approach
LPP 6.7	(2011) Better Streets and Surface Transport
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes

# 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 5th September 2014
- **5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

# **External Consultees**

Consultation letters were sent to 34 local owners/occupiers. No responses were received.

Heathrow Aerodrome Safeguarding:

I have reviewed the proposed Appearance & Landscaping details in compliance with conditions 2 & 3 for the above application and can confirm that these meet safeguarding criteria. I can therefore recommend that these conditions are discharged from a Heathrow Airport Ltd point of view.

Heathrow Airport Limited:

No objection received.

#### NATS:

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

# **Internal Consultees**

Access Officer:

I have considered the detail of this planning application and deem there to be no accessibility issues related to this discharge of conditions application.

Conservation Officer:

The move away from the original design concept for the architecture of this phase, i.e. a fairly modern design approach, is to be regretted, as this is considered to be more architecturally interesting than the rather more standard Neo-Georgian design now proposed.

Whilst there are no objections in principle to the current scheme, there are a few minor comments re the detailing of the proposed houses:

House type 1: the main facades have large areas of unrelieved brickwork; this could be addressed by including a window to the first floor family bathroom and also one onto the stair case.

House type 3: the roof plan does not appear to match the elevations (the junction of the roofs to types 3 and 5, where the ridge level does not seem to tally).

House type 5: could a smaller front door canopy be used to avoid crashing into the arch for the WC ground floor window?

House type 7: could a larger window be used on the staircase and again, could a bathroom window be incorporated to the rear elevation?

Re materials, we would need the brick type to be definitely confirmed, I assume that the "or similar" has been included to address the current issues re brick supplies.

Officer comments:

The applicant has provided revised plans which address the above issues.

**Environmental Protection Unit:** 

EPU have no adverse comments re this discharge of conditions application.

Highways:

A total of 1085 car parking spaces for a mixed use development of 773 dwellings were approved at outline. The parking strategy indicates 51 spaces for the commercial uses and 153 visitor spaces for the residential units. Parking allocation is required to be to be 100% for flats, 120% for 2 and 3 bed houses, 200% for 4 and 5 bed houses.

Metropolitan Police:

No objection received.

# Trees/Landscape Officer:

These reserved matters refer to the Bellway development in the north-west corner of the site, in accordance with the Outline Approval for Drayton Garden Village Masterplan.

- · Bellway's Design & Access Statement confirms (section 4.0) that the boundary treatments will be in accordance with the Design Code, including 1.8 metre high close boarded fencing to private gardens with hedging to front gardens to define the interface between private defensible space and the public realm.
- · Section 9.0 describes the landscape objectives for the south-facing site.
- · MCA's layout drawing no. MCA 1113/02, Landscape Details, provides planting, schedules and brief specification notes.
- · Planting includes the provision of 20No. specimen trees, with cottage garden flowers to the front of the inner courtyard houses and low evergreen hedging and ornamental shrubs to the front of the houses on the external (southern) edge.
- · The planting plan is supported by MCA's Landscape Specification and a Landscape Management Plan.
- · The only hard landscape detail submitted with this application is Boon Brown's Typical elevation of fencing to individual plots.

### RECOMMENDATIONS

The soft landscape package of works is acceptable.

Unless submitted elsewhere, there are no hard landscape (surfacing) details.

# Officer comments:

Details of the hard landscaping have been provided on drawing ref: 3406-PL05 Rev B Site Plan.

#### 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The development principle was considered as part of the outline application (LBH Ref. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant on 25th May 2010 and the decision was issued on the 1st October 2010 following the Mayoral Stage II approval and completion of the S106 legal agreement.

As stated in the outline application committee report, it is noted in the Council's adopted Porters Way planning brief SPD 2005 that the previous use of the site was predominantly a single employment use. However, redevelopment provides a good opportunity to create a mixed, balanced and sustainable community as embodied in the Sustainable Community Strategy 2008-2011, the Unitary Development Plan and the emerging Local Development Framework, along with regional and national government policies.

Given the range of planning policy considerations in the outline application assessment, including the Hillingdon Employment Land Study (2009), Council's UDP Saved Policies, H8,

the Former NATS site, Porters Way, West Drayton SPD (NATS SPD), London Plan Policies as well as the Mayors Stage 1 response, the loss of industrial and business land is considered justified and a mixed use, residential-led redevelopment appropriate and acceptable in accordance with the NATS SPD and UDP Saved Policies LE2 and LE4 which enable consideration of a change of use of industrial/employment uses.

The current reserved matters application, for Landscaping and Appearance as it relates to 23 residential units is sufficiently consistent with the principles and illustrative information of the Outline Planning Permission. Therefore the scheme for Phase 4, second application (23 residential units) is considered acceptable in principle.

# 7.02 Density of the proposed development

Residential density can be used as an indicator of the overall character and acceptability of a proposal. The density of the whole site was considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision was issued on the 1st October 2010 following the Mayoral Stage II and completion of the s106.

As part of the outline application for the whole site, the provision of 773 residential units (2585 habitable rooms) on the 12.59 ha site equates to a density of 61 units per hectare or 205 habitable rooms per hectare.

For the reasons set out in the 25th May 2010 committee report the density remains acceptable and unchanged, and it is considered to comply with the London Plan.

# 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. There are no Listed Buildings on the site.

# 7.04 Airport safeguarding

BAA and NATS have reviewed the application and raise no objection to the Reserved Matters application from an airport safeguarding perspective.

# 7.05 Impact on the green belt

The site is not located within or near to the Green Belt.

# 7.07 Impact on the character & appearance of the area

The requirement to consider the proposal's potential future impact on the character and appearance of the surrounding area is contained in London Plan Policies, Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Polices BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). In addition, Policy BE35 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires a high standard of design and providing for an attractive view for sites adjacent to major rail connections into Central London.

In respect of the NATS SPD, the objectives of the site include, among other things, the promotion of a high quality scheme reflective of the area's general character as well as reinforcing local distinctiveness.

This section of Phase 4 would provide 23 residential units in the form of dwellings, together with 37 parking spaces. The Layout and Means of Access to and around the dwellings and parking areas were considered acceptable at the outline state. Therefore, consideration is limited to the Appearance and Landscaping.

As part of the outline planning permission the supporting information included a Design and Access Statement, Design Coding and 3D perspective drawings, and an Environmental Statement which included a Townscape and Visual Analysis. These provided an analysis of the scheme from vantage points around and within the development. Illustrative building elevation drawings were provided as a suggestion of the future detailed design of buildings to show how these areas would be framed by buildings in the future. The Council's Principle Urban Design Officer and the GLA were supportive of the scheme at Outline stage in respect of its appearance and character and no impacts were identified to neighbours or the area in general in this regard. Along with details of buildings, comprehensive information pertaining to hard and soft landscaping for the entire site was considered at the outline stage by a range of consultees including the Council's Trees/Landscape Officer.

The proposed materials for the residential blocks would be as follows:

- i) Facing Brick, brick string course and brick soldier details: Weinerberger Brookhurst Yellow stock facing brick
- ii) Through coloured render: to match Portland Stone
- iii) Roof: Marley Duo Grey roof tiles with lead dormers
- iv) Rooflights: Black frames
- v) Entrance porticos White painted timber
- vi) Window and door frames: White UPVC sash windows
- vii) Front doors: Black viii) Railings: Black
- ix) Sub-cills, cappings and parapet copings: Reconstituted stone, colour to match Portland Stone

These materials, along with the proposed hard surfaces for the parking courts, access roads and footpaths are considered to be acceptable.

Overall, the scheme is considered to result in an acceptable character and appearance to this part of West Drayton, thereby complying with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Polices BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

This application provides supporting information pertaining to 'Appearance' and 'Landscaping', and in particular, building elevations and sections, as well as plans of the hard and soft landscaping arrangements.

# 7.08 Impact on neighbours

It should be noted that the consideration of potential impacts upon neighbours formed part of the assessment of the outline application (LBH Ref: 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and was subsequently approved on 1st October 2010 following the Mayoral Stage II approval and completion of the S106. Matters considered include the following: construction impacts; traffic and car parking; noise and general disturbance; overlooking, outlook and overshadowing.

The reserved matters are consistent with the details and principles considered at the outline stage, and as such, it is not considered that there is a significant change in impacts on neighbours as to warrant refusal of this reserved matters application.

### 7.09 Living conditions for future occupiers

The outline application considered living conditions for future occupiers. The London Plan

requires all new developments to provide adequate levels of internal floor areas. It is considered that the proposed scheme provides adequate floor space for the units.

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires residential developments to provide or maintain sufficient external amenity space to protect the amenity of residents. The Council's guidelines state 60sq.m should be provided for two and three bed dwellings while four and five bed dwellings should be provided with 100sq.m of amenity space. Although the majority of the proposed dwellings are provided with external amenity space which either complies with or exceeds the above guidelines, there are a number of two and three bed dwellings with rear gardens slightly below the recommended amount of amenity space. However, it is considered that the amenity space provision would be acceptable given that Autumn Green, one of two primary open spaces on the wider NATS site, is located 100m east of this section of Phase 4.

New residential developments are required to provide adequate levels of light and privacy, and should not result in overdominance through their siting and bulk. The scale, location and height of the proposed dwellings are similar to the scale, location and height approved at the outline stage. The dwellings have been carefully laid out to ensure that privacy is maintained and adequate levels of light are provided to habitable rooms and kitchens.

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

The Council's Highways Engineer and TFL considered traffic and parking impacts along with means of access for the entire site as part of the original application (ref: 5107/APP/2009/2348). In addition to a transport assessment and travel plan, the outline application provided drawings detailing access, turning (refuse vehicle swept paths) and parking (cars, bicycles, car club, motorcycle allowance, 10% accessible parking provision allowance). Transport was also considered as part of the Environmental Impact Assessment, particularly in chapters 5, Construction and Phasing, (which contains the framework Construction Management Plan) and 9, Transport Accessibility and Movement, of the Environmental Statement. The outline consent imposed appropriately worded conditions of approval in respect of traffic management, parking numbers and allocation.

Matters relating to access and layout were approved as part of the outline consent. The car parking locations, road layout and widths as well as access are consistent with the outline proposal. The proposal would provide 37 parking spaces in total, five of which would be disabled parking spaces. It is considered that the amount of car parking spaces provided would be acceptable for the proposed development.

# 7.11 Urban design, access and security

Issues of access and security were considered as part of the outline planning application. Secure by Design principles, such as defensible space around the dwellings, visual surveillance and secure parking areas, were a key component of the original masterplan.

It should be noted that appropriately worded conditions relating to CCTV and security measures were imposed on the outline permission and are being dealt with through a concurrent details application.

#### 7.12 Disabled access

The proposed dwellings would comply with the Lifetime Homes standards and one wheelchair accessible unit would be provided, along with five disabled parking spaces. The Council's Access Officer considers the proposal to be acceptable in terms of accessibility.

# 7.13 Provision of affordable & special needs housing

The proposal seeks permission for reserved matters 'Landscaping' and 'Appearance'. Accordingly considerations relating to affordable or special needs housing are not relevant to the application. Planning obligations are secured by legal agreement.

# 7.14 Trees, landscaping and Ecology

This application seeks approval of the landscaping which was part of the reserved matters under condition 2 of the original planning permission. Approval of the details of the landscaping and appearance of individual phases of the development were required as part of condition 3, which also prescribed the extent of the information required.

The proposed landscaping proposals are considered to fully comply with the concepts and design objective indicated at outline stage. A landscape buffer comprising of native understory planting and a large number of native trees would be provided at the rear of the site; this would benefit ecology in the area adjacent to the railway line in accordance with the indicative outline details. Landscaping would also be provided in front of the proposed properties and additional trees would be provided within the site.

Overall, the development would provide for an appropriate landscape setting.

# 7.15 Sustainable waste management

The sustainable waste features of the proposed development were considered as part of the outline application (LBH Ref: 5107/APP/2009/2348). In the course of considering the outline scheme, the Highways and Waste teams confirmed that waste arrangements could be suitably accommodated on the site.

# 7.16 Renewable energy / Sustainability

The renewable/sustainable features of the development were considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision finally issued on 1st October 2010 following the Mayoral Stage II approval and completion of the s106 legal agreement.

The renewable and sustainable measures imposed were considered acceptable by both the Council and the GLA and appropriately worded conditions and s106 undertaking agreed accordingly.

The subject application for reserved matters of this part of Phase 4 is consistent with the principles established at the outline stage, and the permanent energy centre is now approved and is nearing completion on a separate part of the site.

# 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 Environmental Statement and flooding issues were considered as part of the outline application.

The assessment demonstrated that the proposal would not have an adverse impact to neighbouring properties as it will not increase flood risk through increased surface runoff.

The Environment Agency reviewed the application and raised no objection subject to a condition to ensure the development be carried out in accordance with the FRA.

Consideration of Flood Risk was satisfactorily addressed as part of the outline permission and is not relevant to this landscape and appearance Reserved Matters application.

### 7.18 Noise or Air Quality Issues

This section of Phase 3 is set well back from Porter's Way to the south. However, this section is located at the northern end of the NATS site beyond which lies the railway line. As such, at outline stage, consent was granted subject to conditions to ensure the development was not adversely impacted upon by noise from the railway or by air quality issues.

It is considered that these detailed design aspects would be controlled through the discharge of conditions and, as such, there are no issues to consider in the subject application for reserved matters.

# 7.19 Comments on Public Consultations

No responses were received during the public consultation.

# 7.20 Planning obligations

Not applicable to this reserved matters application.

# 7.21 Expediency of enforcement action

Not applicable to this reserved matters application.

# 7.22 Other Issues

None

# 8. Observations of the Borough Solicitor

#### General

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

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

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

#### Planning Conditions

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

### Planning Obligations

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

Equalities and Human Rights

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

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

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

#### 9. Observations of the Director of Finance

Not applicable to this reserved matters application.

#### 10. CONCLUSION

Conditions 2 and 3 of the outline planning consent (ref: 5107/APP/2009/2348) required the provision of details of the landscaping and appearance of individual phases of the development. This Reserved Matters application for Phase 4, second application (23 residential units) considers the Appearance and Landscaping to be acceptable, and in compliance with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

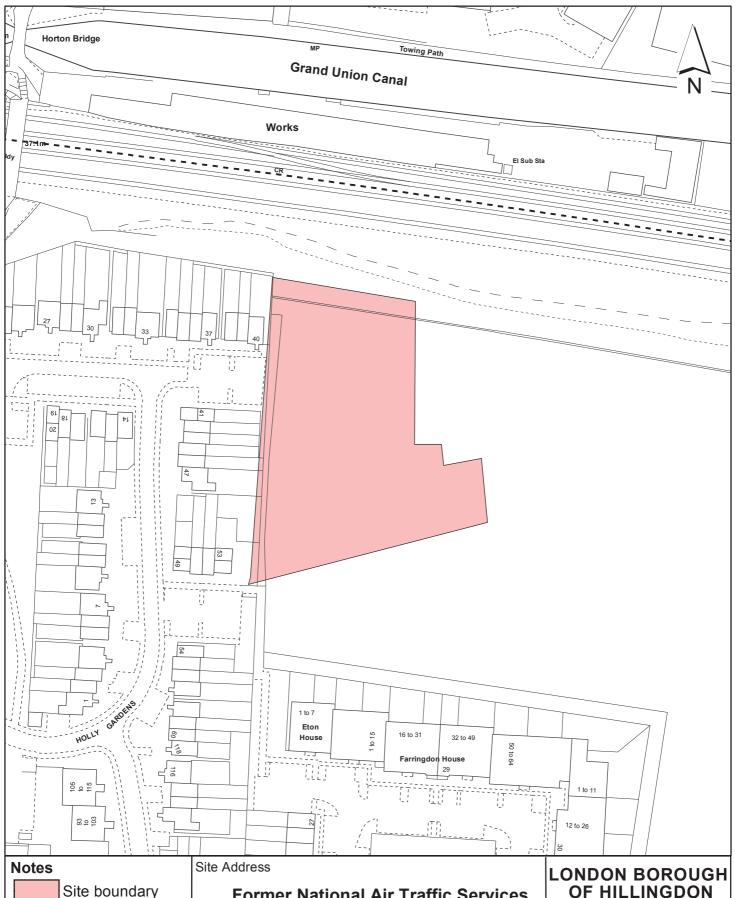
# 11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

The London Plan (July 2011)

National Planning Policy Framework 2012

Contact Officer: Katherine Mills Telephone No: 01895 250230





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# **Former National Air Traffic Services Headquarters Site Porters Way West Drayton**

Planning Application Ref: 5107/APP/2014/2454 Scale

1:1,250

**Planning Committee** 

November 2014 Major Page 112

Date

LONDON

**Residents Services** 

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

# Agenda Item 12

# Report of the Head of Planning, Sport and Green Spaces

Address 2 MIDCROFT RUISLIP

**Development:** Demolition of existing petrol station with tanks and erection of a four storey

building comprising 14 residential, an office unit at ground floor level plus

associated access, underground car parking and cycle storage.

**LBH Ref Nos:** 4918/APP/2014/1274

**Drawing Nos:** 1329 - Design and Access Statemen

1329 CIL Form P101 - Location Plan

P201 Rev E Proposed Elevations P202 Rev E Proposed Floor Plar P203 Rev D Proposed Floor Plar

 Date Plans Received:
 11/04/2014
 Date(s) of Amendment(s):
 11/04/2014

 Date Application Valid:
 04/09/2014
 31/10/2014

# **DEFERRED ON 7th October 2014 FOR SITE VISIT.**

The application was considered at the Major Planning Committee on the 7th October 2014, where it was deferred for a Members site visit.

The site visit has taken place prior to the 19th of November 2014 and therefore the application can be considered by this committee.

The proposed scheme has been amended to so that the ground floor use has been changed from a broad commercial use to be limited to Use Classes A2(a), A2(b) and B1(a). This alteratio to the proposal is considered to reduce the potential for any detrimental impact on the amenity c adjacent residential occupiers through innapropriate uses within the proposal.

In addition the roof terrace has been altered so that the accessible area is set further back from the edge of the building and improved screening has also been introduced. These amendments are considered to reduce the possibility of any overlooking from the roof terrace into the rear gardens of the adjacent residential properties.

### 1. SUMMARY

This application proposes the demolition of an existing petrol station and the erection of a four storey building comprising 14 residential units, a commercial/office unit at the ground floor level and associated access, underground car parking and cycle storage.

It is considered that the proposed development would provide an acceptable use on the ground floor in this location and residential units of an acceptable standard for future occupiers. The design, layout, parking and scale of the proposal are deemed to conform with the requirements of the Hillingdon Local Plan (2012) and the London Plan (2011).

Therefore, subject to conditions, the application is recommended for approval.

# 2. RECOMMENDATION

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

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

- i) Air Quality Management contribution £12,500;
- ii) Construction Training: £2500 per £1m of building costs + £9600 per phase of development for coordinator costs or an in kind scheme.
- iii) Travel Plan including a £20,000.00 bond;
- iv) Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution.
- v) Affordable Housing Review Mechanism.

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

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

D)If the Legal Agreements have not been finalised by 4th December 2014, 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 employment, air quality management and Travel Plan). The proposals therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Councils 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 completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

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

#### 1 RES3 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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P201 Rev E, P202 Rev E, and P203 Rev D.

#### REASON

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

# 3 RES5 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: Lifetime Home Standards and Accessibility (Design and Access Statement)

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

#### 4 NONSC Non Standard Condition

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification), the ground floor commercial premises shall be limited to the following Uses A2(a), A2(b) and B1(a) and shall not be used for any alternative use without the prior written consent of the Local Planning Authority.

#### **REASON**

To enable the Local Planning Authority to assess all the implications of the development and in accordance with policies AM14, OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

# 5 RES7 Materials (Submission)

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

- i) Render- colour, texture and finish
- ii)Brick sample to be provided for agreement
- iii)Design and materials for balconies, railings and screening, including high level enclosures
- iv) Design details, colour and finish for external doors and windows

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

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

# 6 RES9 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 Means of enclosure/boundary treatments
- 2.b Car Parking Layouts (including demonstration that 1 parking space will be served by electrical charging points)
- 2.c Hard Surfacing Materials
- 2.d External Lighting
- 3. Living Walls and Roofs
- 3.a Details of the inclusion of living walls and roofs or
- 3.b Justification as to why no part of the development can include living walls and roofs
- 4. Details of Landscape Maintenance
- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation
- 6. Other
- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

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

#### **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

#### 7 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

#### REASON

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

#### 8 RES16 Code for Sustainable Homes

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

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

#### **REASON**

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

#### 9 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 1 of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

### **REASON**

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

# 10 RES23 Visibility Splays - Pedestrian

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

#### REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 11 NONSC Non Standard Condition

Prior to the site being brought into use, full details of the traffic management system by shuttle signals, including details of the positioning of waiting vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details which shall thereafter be retained.

#### Reason

To ensure that adequate access arrangements are provided for the basement to prevent vehicular conflict, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### 12 RES24 Secured by Design

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

achieved.

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in 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.

#### 13 RES26 Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.
- (iv) All soils imported or used for the development shall be clean and free of contamination. Site derived soils and imported soils shall be inspected and tested for chemical contamination.

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

14 RES15 Sustainable Water Management (changed from SUDS)

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
- a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
- b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
- c. measures taken to prevent pollution of the receiving groundwater and/or surface waters d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

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

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

#### Reason:

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

# 15 COM17 Control of site noise rating level

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

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

#### 16 NONSC Non Standard Condition

The ground floor commercial premises shall not be used for loading and unloading including rubbish collections outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 01:00 on Saturdays and not at all on on Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

# 17 H7 Parking Arrangements (Residential)

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

### **REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012). and Chapter 3C of the London Plan (July 2011).

#### **INFORMATIVES**

1

Control of environmental nuisance from construction work

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

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

2

The applicant/developer is advised to review the Environment Agency's Pollution Prevention Guidelines (PPG) 7 'The safe operation of refuelling facilities'.

# 3 | 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).

# 4 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.

AM13	AM13 Increasing the ease of movement for frail and elderly people
	and people with disabilities in development schemes through (where
	appropriate): -
	(i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes
	(iii) Convenient parking spaces
	(iv) Design of road, footway, parking and pedestrian and street
	furniture schemes
AM14	New development and car parking standards.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE3	Investigation of sites of archaeological interest and protection of
	archaeological remains
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
BE26	Town centres - design, layout and landscaping of new buildings
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H8	Change of use from non-residential to residential
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon, Local Development Framework,
23. 7	Supplementary Planning Document, adopted January 2010
LPP 2.15	(2011) Town Centres
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime

LPP 7.4 (2011) Local character LPP 7.6 (2011) Architecture

OE1 Protection of the character and amenities of surrounding properties

and the local area

# 5 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 3. CONSIDERATIONS

# 3.1 Site and Locality

The site is located within Ruislip Town Centre, Ruislip Village Conservation Area, and within an archaeological priority area. It is also adjacent to an Area of Special Local Character and located opposite a locally listed building at No. 63 High Street.

There is a good quality public park and a cemetery to the north of the site (Church Field Gardens public open space). It is therefore a sensitive context in which to bring forward redevelopment. The site currently comprises of a petrol filling station that is not currently operational and a car wash facility that does not benefit from planning permission as a planning unit operating in isolation.

The site fronts onto Midcroft, a residential street comprising good quality two storey suburban housing. It is positioned immediately to the rear of No 53 - 61 High Street. This comprises a 1970s three storey building (including mansard roof) that has commercial/retail units at ground floor with office use above. Surface car parking lines its rear courtyard area, immediately abutting the site. To its east lies an important pedestrian route, leading into the expansive open space of Church Field Gardens, with good quality two storey family houses lining Midcroft beyond. The nearest house, No 4 Midcroft, abuts the pedestrian route and is a two storey single family dwelling with flank windows at ground and first floor level together with a long and large rear garden (all of which are sensitive to issues of overlooking). To the more immediate north of the site lie a series of service yards associated with uses to businesses in 43-51 High Street. These uses have considerable parking and servicing associated with them and which are accessed via the road/right of way that forms the site's eastern edge. On the south side of Midcroft the site faces onto the return two storey flank and service yard of the locally Listed Building at No 63 High Street.

The site is on the border of PTAL score areas of 3 & 4 and within a developed area as designated by the policies contained within the Hillingdon Local Plan (November 2012).

# 3.2 Proposed Scheme

The proposed development relates to the demolition of the existing petrol station and removal of petrol storage tanks with the construction of a four storey building with an

office/commercial unit on the ground floor limited to Use Classes A2(a), A2(b) and B1(a) plus three storeys of residential use above to provide a total of 14 units (11 x 2 bed units and 3 x studios. Also proposed is a basement car park with 14no. spaces and one surface level disabled parking space and an additional standard space. Cycle parking for 14 units and bin storage is also located within the building at ground floor level.

# 3.3 Relevant Planning History

4918/AD/83/0633 Jr Inwards Midcroft Ruislip

Alterations to elevations of sales building.

Decision: 07-06-1983 Approved

4918/AE/89/3615 R/O 53-61 Fronting Midcroft High Street Ruislip

Installation of an internally illuminated pole sign, shop fascia, wall mounted promotional sign and

canopy sign

Decision: 27-02-1990 Approved

4918/AG/94/1574 Midcroft Self-Serve, Midcroft High Street Ruislip

Installation of underground fuel storage tank and erection of jet wash facility

Decision: 29-03-1995 Approved

4918/APP/2001/482 Midcroft Self Service Midcroft Ruislip

INSTALLATION OF A 10,000 LITRE ABOVE GROUND DIESEL TANK TO THE REAR OF THE

**SERVICE STATION** 

Decision: 17-07-2001 Approved

4918/APP/2008/805 Jet Petrol Station Midcroft Ruislip

Erection of a 60-bedroom hotel (involving demolition of existing petrol station) (outline

application).

Decision: 29-08-2008 Withdrawn

4918/PRE/2006/36 Jet Petrol Station Midcroft Ruislip

T P PRE - CORRES: RESIDENTIAL DEVELOPMENT

#### **Decision:**

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

The site has been subject to a number of applications relating to its former use as a petrol station, such as the installation of fuel tanks. In relation to the current proposal an application was made in 2008 (ref. 4918/APP/2008/805) for a 60 bedroom hotel. This application was withdrawn however prior to a determination on the schemes acceptability being made.

# 4. Planning Policies and Standards

No additional policies.

# **UDP / LDF Designation and London Plan**

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

# Part 1 Policies:

PT1.BE1 (2012) Built Environment

# Part 2 Policies:

Part 2 Policies:		
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes	
AM14	New development and car parking standards.	
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity	
AM7	Consideration of traffic generated by proposed developments.	
BE13	New development must harmonise with the existing street scene.	
BE19	New development must improve or complement the character of the area.	
BE20	Daylight and sunlight considerations.	
BE21	Siting, bulk and proximity of new buildings/extensions.	
BE22	Residential extensions/buildings of two or more storeys.	
BE23	Requires the provision of adequate amenity space.	
BE24	Requires new development to ensure adequate levels of privacy to neighbours.	
BE3	Investigation of sites of archaeological interest and protection of archaeological remains	
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.	
BE4	New development within or on the fringes of conservation areas	
BE26	Town centres - design, layout and landscaping of new buildings	
H3	Loss and replacement of residential accommodation	
H4	Mix of housing units	
H8	Change of use from non-residential to residential	
HDAS-LAY		
TIDAO-LAT	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006	
LDF-AH		
	Planning Document, adopted July 2006  Accessible Hillingdon , Local Development Framework, Supplementary Planning	

LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
OE1	Protection of the character and amenities of surrounding properties and the local area

### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 26th June 2014
- **5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

### **External Consultees**

46 neighbouring occupiers were consulted on the proposal on the 28/05/14 and a site notice was displayed. By the end of the consultation period twenty two comments or letters of objection had been received. These can be summarised as:

- Inappropriate use
- Out of scale
- Out of character
- Overlooking/loss of privacy
- Health and safety
- Impact of shop displays
- Delivery concerns
- Overdevelopment
- Poor design for the area
- Loss of light
- Insufficient parking
- Do they have the legal right to build over the rear access road?
- Insufficient height and width for refuse collection and delivery vehicles
- Detrimental impact on access to Churchfield Gardens
- Neighbouring properties would all be seriously inconvenienced by the construction
- The proposed structure comes too far towards the pavement
- Could set precedent for future proposals damaging to the quiet residential nature of the street
- Impact on outlook
- Potential youth problems and anti social behaviour
- The fence on the West side of the pedestrian access to Churchfield Gardens must be maintained and should be a condition of any consent
- Development is not environmentally friendly
- Strain on the waterworks and sewage system
- Oversight of playground (or not) and any attendant risks
- Fails to provide sufficient green areas that would make it compatible with its setting

- The proposed front and rear building lines do not follow the existing building lines.
- Devalue of property
- No reconsultation following amendments

Following amendments being made to the plans neighbouring occupiers were re-consulted on the proposal on the 31/10/14. At the time of writing 2 letters of objection had been received. These can be summarised as:

- Additional greenery is welcome
- Loss of light to office block
- Out of scale
- Out of character
- Increase in traffic

The second consultation is for a period of 14 days expiring on the 14th of November 2014 and as such any submissions received between the time of writing the report and the committee meeting on the 19th of November 2014 will be reported via the addendum.

# RUISLIP, NORTHWOOD AND EASTCOTE LOCAL HISTORY SOCIETY

I am writing on behalf of the society to express our grave concerns about the application to demolish the garage and car wash at 2 Midcroft and replace them with a four storey block of flats.

The proposed development of four full storeys will be higher than the surrounding buildings and the monolithic solid looking design will make it obtrusive and over-dominant. The flat roof will not be in keeping with the predominant pitched roofs of all the surrounding properties especially the locally listed building opposite (the NatWest bank).

The site is very sensitive as it sits within the Ruislip Village Conservation Area and adjacent to an Area of Special Local character. When the Conservation Area was extended in 2008 to include the High Street it was to protect a remarkably intact Metroland suburban shopping centre with its two storey buildings in an attractive brickwork with pitched roofs and gables. The centre of Ruislip was planned as a garden suburb and the Area of Special Local Character has retained this feel with its good quality housing and mature gardens and tree-lined streets.

The site is also within an archaeology priority area and we are concerned that the necessary evaluation and assessments must be taken into account when making a planning decision.

We think that this proposed development will be detrimental to an important historical site and have a negative impact on the Ruislip Village Conservation Area and should be refused.

Following amendments to the proposed plans a second consultee response has been received:

I am writing on behalf of the society to register our continued opposition to the proposed development at 2 Midcroft. There have been some minor amendments to the application but they do not address our original concerns.

The height of the development has been slightly reduced so it is in line with the Halifax Building Society in the High Street but it will still be a four storey building of a monolithic design, which will be out of keeping with the rest of the area. It will be an intrusive structure in a residential suburban area of two storey houses, planned as a garden suburb and it will overshadow the adjacent Churchfield

#### Gardens.

The site is part of the Ruislip Village Conservation Area, which is a fine example of a typical Metroland suburban development of low rise buildings with hipped roofs and gables in attractive brickwork. These proposed flats will be very obtrusive and detrimental to the conservation area.

We therefore ask that this application be refused.

#### WARD COUNCILLOR

A local Ward Councillor also raised concerns regarding the scale of the development and an objection to the proposal on the grounds that it would be over dominant.

#### RUISLIP CONSERVATION PANEL

I am writing on behalf of the Ruislip Village Conservation Area Panel because of the effect such a development would have upon the Conservation Area, which it adjoins, and the High Street, upon which the Council has spent so much money in recent years, not to mention the lives of people living in the houses in Midcroft.

The main objections are to the height of the building and its monolithic appearance. It would be quite out of keeping with the High Street, which generally provides a pleasing townscape of low-rise buildings in brick, characterised by hipped roofs and gables, many with Arts and Crafts details, complementing the Garden Suburb principles of the 1914 Ruislip-Northwood Town Plan that guided Ruislip's suburban development.

If such a development were allowed to proceed, it would appear to residents that Conservation Areas are not valued in this Borough.

### Case Officer's Comments:

The Conservation Panels comments relate to the original plans. The proposal has since been reduced in height to match the adjacent building and the Council's Urban Design and Conservation Officer has not objected to the proposal.

### Additional Comments from RUISLIP CONSERVATION PANEL

- 1. The site stands in the middle of the Ruislip Village Conservation Area and adjacent to the Midcroft Area of Special Local Character and the locally-listed National Westminster Bank. The proposed building would be just behind the High Street which is composed of two and three -storey shops with lower subordinate buildings behind and in Midcroft, a road of two- storey houses. Although down a slope, it would still top the shops and grossly overshadow the houses at the top of Midcroft and the children's play area in Churchfield Gardens. It would be uncharacteristic of its surroundings and out of scale with them, thereby not conforming to Saved UDP Policies
- 2. Because of its height and bulk, the proposed building would mar the skyline, blocking views towards St Martin's Church and Park and Copse Woods, going against UDP Policy BE36.
- 3. The site is within the Conservation Area that includes Manor Farm, significant in the archaeological and historic framework of the Greater London area. Various policies, UDP BE4 and Policy DMHB6 relating to Conservation Areas, DMHB1 dealing with Heritage assets, in the emerging policies of the Local Plan, Pt 2, should be taken into account.
- 4. The proposed building would not harmonise with the street scene and therefore would not conform

#### Case Officer's Comments:

- 1. The issues relating to whether the design and scale of the building are appropriate are addressed in the Conservation Officers responses to points 2,3 and 4 below. In relation to the shadowing issue, the application is accompanied by a detailed sunlight, daylight and overshadowing report prepared by an appropriate consultancy. The report indicates that there would be no additional overshadowing of any residential properties between 0700 and 1300 on the 21st March, the development therefore far exceeds the BRE guideline recommendations that at least 50% of the area of the amenity space of a residential property should receive sunlight for at least 2 hours on the 21st March.
- 2. The Council's Conservation Officer disagrees with this viewpoint, considering that the large canopy to the former petrol station already blocks the view to the sky and the other substantial buildings to the rear of the site that block other views past. Further, whilst a new building on the site would obscure direct views to some of the mature trees (on the boundary to St Martin's graveyard), the Council's Conservation Officer does not consider it could be argued that it would block views to St Martin's Church, Copse Wood, Churchfield Gardens and the playground. In any case, the mature trees would still be visible from Midcroft. Further, the Conservation Officer does not consider the building would be overtly taller than the existing buildings within the streetscene and that it would relate in height to the closest building, he does not consider that the building's height in itself would negatively impact on views to the skyline or longer views of the conservation area.
- 3. The archaeological policies/implications have been taken into account. The site does fall within an Archaeological Priority Area (APA). In this respect, a report by Archaeological Solutions Ltd (14 May 2014) has been undertaken and was referred to the Greater London Archaeological Advisory Service on 29 May 2014. The Archaeology Advisor, has advised in a letter dated 09 June 2014 that 'Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.' and has recommended no archaeological requirement.
- 4. The Council's Conservation Officer maintains his original conclusion and is satisfied that a contemporary-style building is acceptable in principle. In terms of the streetscene and scale/bulk, it would be exceedingly hard to resist a building of a substantial size on this site given the scale of the existing commercial office blocks to the High Street and the existing petrol garage.

# RUISLIP RESIDENTS ASSOCIATION

We are writing as the local Residents Association to express our concerns with this proposed development on a site within the Ruislip Village Conservation Area. If the site is to be redeveloped it should be something that provides a complimentary/attractive transition from the High Street into Midcroft. The present proposal does not do that.

- It is higher than the adjacent office building (Halifax/Sharps etc) and Barclays Bank on the opposite side of the road.
- It is overdominant to the existing street scene and out of character with the existing two storey houses in Midcroft.
- We would question the impact on the skyline when looking southwards from Churchfield Gardens.
- The balconies and roof terrace would overlook the gardens of nos. 4,6,8 etc in Midcroft.
- Impact on the outlook from habitable room windows on nearby properties in Midcroft.
- Obstructs daylight into rear windows of the adjacent office buildings.
- The inclusion of retail outlets would be of doubtful benefit given there are already several vacant retail units already in the vicinity. Also if not taken up and there was an application to convert to residential use it might be difficult to refuse given recent legislation.
- Inadequate parking for two retail units and fourteen flats. Note only one disabled space provided.

We trust that these views will be taken into account when the application comes up for decision which we sincerely hope would go before full planning committee.

A second letter was subsequently received:

We wrote on the 23rd of June expressing our concerns with the proposed development of this site and despite certain changes mooted our main concerns have not been adequately addressed. One of the main objections is the bulk of the building particular where immediately adjacent to the Halifax office. The latter is two storeys high with a mansard roof incorporating a third storey. This has the effect of reducing the impact of the building on both the High Street and Midcroft streetscene. It also complements the Nat West building on the opposite corner.

Although it is proposed to set the new building back a little from the building line established by the side wall of the Halifax it will still be a full four storey high. This will reduce the area of sky seen when entering Midcroft and it is also out of character with the existing Halifax and Nat West buildings, both of which respect the residential nature of the road.

Whilst redevelopment of the site might be welcomed it should be aimed to improve the general character of the area. We doubt that the current proposal will have this effect.

We would also register our concerns that amendments appear to have been submitted to the original plans before being considered by the North Planning Committee with no opportunity for further local comment.

#### Case Officer's Comments:

Following amendments being made to the plans neighbouring occupiers were re-consulted on the proposal on the 31/10/14. The proposed use of the ground floor unit has now been limited to commercial/office use (within Use Classes A2(a), A2(b) and B1(a)) as opposed to retail. Change of use to alternative use classes, e.g. residential or retail, can be controlled by appropriate condition which is recommended to be attached to any grant of planning consent. Additional screening has also been introduced to better prevent overlooking from the proposed roof terrace. Other issues/concerns raised are dealt with within the body of this report.

A third letter was subsequently received:

We have previously written to you expressing concern about this proposal (see letters 23/06/14 and 29/09/14). Following the withdrawal of the application from the Major Application Committee Agenda (07/10/14) amended drawings have since been submitted. We note the minor changes in respect of commercial use and bamboo planting at third floor level. However if these are intended to respond to local concerns they fail to do so in respect of the impact the building would have on the local area. It may therefore be useful if we reiterate our main concerns with this application.

The site lies within the Ruislip Village Conservation Area (RVCA) and is adjacent to the Midcroft Area of Special Local Character (MASLC). As such any development should take account of the relevant council policies e.g. BE4, BE5 and BE13.

Policy BE4 requires a development "to preserve or enhance" features of the Conservation Area. Policy BE5 requires development to "harmonise" with, style and heights predominant in the Area. Policy BE13 requires new developments to "harmonise with the existing street scene." The current proposal fails to meet these criteria in several respects.

Any development should create a comfortable transition between the three storey building at No 61

High Street in the RVCA and the two storey houses in the MASLC. Instead it would be higher than the adjacent No 61 High Street as well as presenting a full four storeys high elevation to Midcroft. This conflicts markedly with the mansard and pitched roofs of the adjacent buildings at 61-63 High Street and 4 Midcroft.

Due to its size, height and style the style of the building would be over dominant on the area and would not:

"preserve and enhance local features" (BE4)

"harmonise" with the buildings at Nos 61 & 63 High Street or the two storey houses in Midcroft" (BE5 "harmonise" with the street scene (BE13).

The increased height would adversely impact on the skyline when viewed from both an easterly or westerly direction in Midcroft as well as from the adjacent Churchfield Gardens. (It would be helpful if some photos could be provided of these views overlaid with the profile of the building so that officers and committee members can judge the full impact of the proposed building).

The proposed building clearly does not conform to the general character of the area and as such does not comply with council policy. We trust these concerns will be taken into account when officers consider the application.

### Case Officer's Comments:

The issues/concerns raised are dealt with within the body of this report. A request has been made for 3D images/visuals of the scheme which the developer has provided. There is no statutory requirement for the developer to provide these or other additional images.

#### **ENVIRONMENT AGENCY**

As potentially contaminating activities have previously been conducted at this site, an assessment of risks to controlled waters from the land should be carried out in accordance with the National Planning Policy Framework (NPPF) (Reference ID: 33-007-20140306).

National Planning Policy Framework (NPPF) 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 of water pollution. Government policy also states that, after remediation, land should not be capable of being determined as Contaminated Land under Part 2a of the Environmental Protection Act 1990.

Responsibility for the safe development and secure occupancy of the site rests with the developer/landowner. Any visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present.

We also recommend that developers:

- Apply the risk- based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follow the guidance in that document so that you can make the best decisions for your site.
- Refer to the Environment Agency guidance on requirements for land contamination reports.
- Should the level of contamination exceed the Generic Risk assessments, a detailed Quantitative risk assessment should be carried in accordance with Environment Agency Remedial Targets Methodology (2006).

- Use MCERTS accredited methods for testing contaminated soils at the site.

# Surface Water and foul drainage

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach giving preference to the use of infiltration. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. We would like to refer the applicant/enquirer to our groundwater positions in Groundwater Protection: Principles and Practice (August 2013), this sets out our position for a wide range of activities and developments including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage

#### Pollution Prevention Guidance

The applicant is advised to review our Pollution Prevention Guidelines (PPG), in particular PPG 27 on the Installation, Decommissioning and Removal of Underground Storage Tanks.

### Case Officer's Comments:

The condition requested by the Council's Water and Flood Management Officer is designed to ensure both issues raised by the EA will be implemented.

Following reconsultation a second letter was received from the Environment Agency stating no additional comments or objections to the proposal.

# GREATER LONDON ARCHEALOGICAL ADVISORY SERVICE (GLAAS)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Despite several unreliable or questionable assertions (see below), the applicant's desk-based assessment has helped clarify the site's archaeological potential. Most valuably it has shown that although adjacent to thehHgh Street and close to the village's medieval core, the site lay just within Ruislip's the medieval open fields and so is unlikely to have significant remains of that period.

Assertions that there is no evidence for the motte & bailey castle at Ruislip (4.2.3) is of course absurd - it is a scheduled monument situated c 400m to the north of the application site. It is stated that the site is not in an Archaeological Priority Area - this is incorrect as a simple reading of my pre-application advice letter would have shown, and if in doubt could have been checked. The assumption that the archaeological interest would have been removed by use as a petrol station is too sweeping a generalisation to be acceptable without further site-specific evidence - whilst some disturbance will have occurred examples are known of sites which nevertheless have significant surviving interest.

Overall however despite these technical flaws the relatively modest scale of the development, location

outside the known extent of the medieval village and modern ground disturbance overall do taken together support an assessment of low potential. No further assessment or conditions are therefore necessary.

#### **Internal Consultees**

#### **ENVIRONMENTAL PROTECTION UNIT:**

This Phase 1 report follows the correct procedure in assessing the site for a desk study. The report details a conceptual model showing the potential pollutant linkages and classifies the site as 'Medium to High' risk. The main potential problems are anticipated to be from the fuel tanks (above and below ground tanks), the fuel interceptors, any other associated pipework and spillage of fuel affecting the soil or ground water. The ground water under the site appears to be in an unproductive aquifer with 300 metres to a more sensitive secondary A aquifer.

The tanks and infrastructure are not removed and the application is at the stage of the desk study only. A remediation strategy cannot be proposed until the site investigation and risk assessment is completed.

For this application I would ideally like sufficient ground investigation information to confirm what likely level of remediation is required at the site including the removal of all tanks and infrastructure. I cannot currently assess whether or not there is likely to be a problem with a sensitive residential use. It is possible that the building of the basement (523 m2) may remove most of the contaminated soil if found below the site.

If the past contamination investigations and assessments can be obtained from the developer or current owner (if the site is not yet purchased) these may help clarify the likely pollution levels below the site. I appreciate that the site is full of cars so new boreholes by a rig or even window sampling may be difficult prior to the application being considered.

We have a number of residential developments mainly flats on former petrol stations in the borough. These have been remediated but at each site a precautionary gas/vapour membrane has been installed. I would anticipate a similar membrane at this site.

Should a decision be taken to allow a planning permission for residential flats with some commercial units it is essential to apply our full contaminated land condition below to the consent.

Contaminated Land Condition

#### RES26 - Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and

recommendations for remedial measures to make the site suitable for the proposed use; and

- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
- (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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 (November 2012).

Please attach the following conditions:

# Noise affecting residential property

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

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

### Loading/unloading/deliveries

The premises shall not be used for loading and unloading including rubbish collections outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 01:00 on Saturdays and not at all on on Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

INF 20 Control of environmental nuisance from construction work (~ Informative 20)

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

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974; (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

#### TREES AND LANDSCAPING

The site is occupied by a small petrol station and forecourt to the rear of Ruislip High Street. The site is situated at the interface of the Town Centre and a residential street, whose character and visual amenity is enhanced by front gardens and street trees.

The site lies within the Ruislip Village Conservation Area. However, there are no trees, protected or otherwise, within the curtilage.

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

- · No trees or other landscape features of merit will be affected by the proposal.
- · The Design & Access Statement proposes that the entrance forecourt will feature hard and soft landscape, providing pedestrian access and two off-street parking spaces (including one disabled access space).
- · The visualisations and Location Plan: Proposed Floor Plans drawing No. 1329\_P202 indicate the provision of a specimen tree on the frontage, which will benefit both the setting of the building and the street scene.
- · Planting in the form of low hedges / shrubs will define the site boundaries and wrap around the building. This layout drawing indicates one (disabled) parking space only.
- · Drawing No. 1329\_P901 (aerial view) indicates the provision of photovoltaic cells and a green roof on the flat roof structure.
- · With appropriate hard and soft landscape detailing the development could enhance this site and provide an enhanced transition between the High Street and the neighbouring residential street.
- · If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

### Recommendations:

No objection, subject to the above observations and COM9 (parts 1,2,3,4,5, and 6).

#### **ACCESS OFFICER:**

Located within Ruislip Town Centre the site consists of a disused fuel filling station and car wash facility. Planning permission is sought to form two commercial units on the ground floor, with 14 flats above over three floors. It is understood from the Design and Access Statement that the development would be constructed to comply with the Lifetime Homes Standards.

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. In addition, 10% of new housing should comply with the Wheelchair Home Standards.

The proposed building would be of a contemporary design with a flat roof, an entrance forecourt with hard and soft landscaping. Two parking spaces are proposed on the forecourt, including one accessible bay.

The design incorporates a basement car park with 14 spaces, accessed via a 12.7% car ramp. Access to the residential units from the car park would be via a stair case and lift. The entrance to the

residential core is in the middle of the layout, stepped back and facing Midcroft Road. Each floor typically comprises one studio flat and four, two bedroom units. All units have a private balcony leading from the living room.

It would appear that the proposed design does not include the requisite one unit which has been designed to meet the Wheelchair Home Standards.

The following access observations are provided:

- 1. A minimum of one bathroom in every flat should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
- 2. To allow a minimum of one bathroom in every flat to be used as a wet room in future, plans should indicate floor gulley drainage.
- 3. The development is required to incorporate a minimum of one dwelling which has been designed to meet the Wheelchair Home Standards. To ensure that the flat is designed to the correct specifications, reference should be made to the 'Accessible Hillingdon' SPD.

#### Case Officer's Comments:

The above issues have been addressed through revised plans and the attachment of an appropriate condition.

#### FLOODING AND WATER MANAGEMENT OFFICER

The site already has underground tanks and a desktop study has been undertaken indicating the site should have a low risk of groundwater issues. Therefore please can I request the following condition be placed on the permission. A detailed site investigation should be submitted to support any drainage proposals, and the site should as a minimum meet the requirements of a 50% reduction in surface water discharge from the site ideally aiming for greenfield run off rates.

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
- a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
- b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
- c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

iii incorporate water saving measures and equipment.

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

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

#### Reason:

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

In response to comments received from the Environment Agency - there are two issues which they raise, firstly that of contamintation and what the standard the site will be remedicated too after development, and second is how the developer will manage water on site to ensure that controlled waters are not polluted and that sustainable drainage systems are utilised where ever possible. The condition I have requested is designed to ensure both will be implemented.

#### SUSTAINABILITY OFFICER

I have no objections to the proposed development subject to a roof plan showing the required m2 of PVs as set out in the energy report.

#### Case Officer's Comments:

The applicant has provided this detail in plan reference number P203 Revision D.

### CONSERVATION AND URBAN DESIGN OFFICER

This site lies opposite a Locally Listed Building (The Natwest Bank), close to the village centre and within the Ruislip Village Conservation Area. It is also adjacent the Midcroft, Ruislip, Area of Special Local Character - all heritage assets. The existing building on the site is a petrol garage and associated shop which has no architectural merit. The area can otherwise be characterised by the commercial post-War office premises relating to the High Street to one side and the inter-War semi-detached properties to the other. A public facing site, within and surrounded by heritage assets, the proposal should be of a quality that sustains and enhances the appearance of the area.

Comments: There is no objection to the demolition of the existing building; it is of no heritage merit. The site was formerly the rear garden/yard to 61 High Street, redeveloped as a garage in late 70s. A gap site, it is in need of careful redevelopment.

Position: The new building would be set back from the established building line and the plan-form generally integrates well within the plot. However, because it fills the plot, there is little by way of green amenity space for the occupants and little by way of green buffering to the side and rear. A smaller scheme would of course enable the incorporation of more green space as part of the

development.

Scale/bulk: It would be hard to resist a building of a substantial size on this site given the scale of the existing commercial office blocks to the High Street and the existing petrol garage. However, I am concerned about the overall height, as it is higher than 61 High Street. Ideally, it could be reduced in height and width.

Design: A contemporary design is proposed, and to the Midcroft frontage, it could certainly be said to sustain the appearance of the area - especially if high quality materials are used. The revised drawings locate bike storage and bins to the front of the ground floor. This creates a less active frontage, but does not harm the overall appearance of the front elevation. However, to the sides and rear, the square pilotis make the building look as if it is floating, albeit less visible to the streetscene. The side elevation is lacking in any articulation and the main entrance could be made more prominent, increasing legibility. There is simple hard and soft landscaping.

Materials: There is no objection to the proposed materials, but the overall design could be let down if not of quality.

Conclusion: Acceptable in principle. On balance, it would be difficult to argue the building does not sustain appearance of the streetscene.

#### Case Officer's Comments:

Amendments have been made to the proposed plans following receipt of these comments, including the introduction of a 'green wall' in the front elevation, architectural variety in the side elevation and a slight reduction in the total height of the development.

S106 OFFICER

The S106 Heads of Terms sought are:

- 1. Construction Training: Training costs £2500 per £1m build cost £2500 x 5 = £12,500 + £9600 coordinator costs = £22,100 or an in-kind scheme.
- 2. Air Quality Monitoring: £12,500
- 3. Project management & Monitoring fee equal to 5% of total cash contributions.

HIGHWAYS OFFICER

No adverse comments received

#### 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

Paragraph 17 of the National Planning Policy Framework states that one of the core principles of the document is the "effective use of land by reusing land that has been previously developed (brownfield land)."

The London Plan (July 2011) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure. In terms of new housing supply, the Borough of Hillingdon has been allocated a minimum target of 4,250 in the period from 2011-2021.

The form of such housing should provide a mix of dwelling types in different locations with

those at higher densities providing for smaller households focused on areas with good public transport accessibility.

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is also located in a conservation area and the building is not listed. There are no policies which prevent the redevelopment of the site, in principle. The principle for redevelopment of the site is thus accepted.

Redevelopment of the site is not opposed and the opportunity to enhance the Conservation Area, support the town centre, and upgrade the quality of the pedestrian entrance to the park in this location is welcomed. Given the site is located in a town centre the Council's first preference in policy terms would be for a mixed use development with ground floor commercial units and residential above, as currently proposed.

Hillingdon Local Plan (November 2012) Policy H4 states that wherever practicable a mix of housing units of different sizes should be provided in schemes of residential development including in particular units of one or two bedrooms. Within town centres predominantly one and two bedroom development will be preferable, as proposed.

The development is considered an acceptable reuse of a brownfield site and would represent an increase in residential accommodation, in accordance with the NPPF and Policy H4 of the Hillingdon Local Plan (November 2012). Therefore, the development is considered acceptable in principle.

# 7.02 Density of the proposed development

Table 3.2 of the London Plan (July 2011) recommends that developments on urban sites with a PTAL score of 3/4 should be within the ranges of 45 - 185 u/ha or 200 - 700 hr/ha. The application proposes 11 x 2 bedroom, 3 x studio units, with the site area being approximately 775 sqm. This equates to a development density of 180 units per hectare and 645 habitable rooms per hectare which is within the density range for dwelling numbers and the habitable room density thresholds contained within Table 3.2 of the London Plan (July 2011).

It is considered that the density of the development is acceptable and the site can accommodate the proposed level of development whilst maintaining a satisfactory environment within and around the site.

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

The Greater London Archealogical Advisory Service (GLAAS) has reviewed the development and concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. GLAAS conclude that 'the relatively modest scale of the development, location outside the known extent of the medieval village and modern ground disturbance overall do, taken together, support an assessment of low potential. No further assessment or conditions are therefore necessary. The impact of the development on the Archaelogical Priority Area is therefore deemed acceptable.

The site lies opposite a Locally Listed Building, close to the village centre and within the Ruislip Village Conservation Area. It is also adjacent the Midcroft/Ruislip Area of Special Local Character - all heritage assets. However the existing building on the site is a petrol garage and associated shop which has no architectural value or heritage merit. The

Councils Conservation and Urban Design Officer has reviewed the proposal and determined that the scheme is acceptable in principle and that it would be difficult to argue the building does not sustain the appearance of the streetscene as required by policy.

The proposed development is therefore deemed in accordance with Policie BE1, BE3 and BE4 of the Hillingdon Local Plan (November 2012).

#### 7.04 Airport safeguarding

Not applicable to this application

#### 7.05 Impact on the green belt

Not applicable to this application

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

As stated above the existing building on the site is a petrol garage which has no architectural merit. The area can otherwise be characterised by the commercial post-War office premises relating to the High Street to one side and the inter-War semi-detached properties to the other.

Notwithstanding that the site is located in a designated conservation area and adjacent to a designated area of special local character, there is no objection to the principle of a contemporary architectural design as proposed. The site sits in a transitional position in townscape terms from the relative scale associated with the commercial High Street of Ruislip that lies to its west and the residential neighbourhood to its east. It is also directly opposite a 2 - 3 storey locally listed building.

To the Midcroft frontage, it is considered to sustain the appearance of the area, subject to the use of high quality materials. The proposal locates bike storage and bins to part of the front of the ground floor. This creates a less active frontage, but does not harm the overall appearance of the front elevation. The developer has agreed to introduce a green wall in this location, to be agreed by the Council's Landscape Team, so as to improve the appearance of the frontage.

The Council's Conservation and Urban Design Officer has reviewed the proposal and states that 'The new building would be set back from the established building line and the plan-form generally integrates well within the plot.'

With regards to the scale of the development they go on to say 'It would be hard to resist a building of a substantial size on this site given the scale of the existing commercial office blocks to the High Street and the existing petrol garage. However, I am concerned about the overall height, as it is higher than 61 High Street. Ideally, it could be reduced in height and width.'

Concerns regarding the height of the scheme were brought to the attention of the applicant during the planning process and the height of the development has now been reduced to match that of the adjacent property No. 61 High Street.

The Council's Conservation and Urban Design Officer has therefore considered the proposal as submitted and determined that the design of the scheme is acceptable and that on balance, it would be difficult to argue that the proposed building would not sustain the appearance of the streetscene. The proposed mass and height of the building, with a step down in height to the east, is considered to be acceptable in this location, responding to the existing transition in the townscape.

#### 7.08 Impact on neighbours

The nearest residential properties to the development site are located to the north on the opposite side of the access path for the adjacent Church Field Gardens public open space. The nearest house, No 4 Midcroft, abuts the pedestrian route and is a two storey single family dwelling with flank windows at ground and first floor level together with a long and large rear garden, all of which are sensitive to issues of overlooking.

Concerns have been raised throughout the pre-application process regarding what impact the scheme would have on the amenity of adjacent occupiers. As a result the proposed scheme has been through a number of redesigns in order to achieve an acceptable solution. The current proposal incorporates the units in a manner that allows them to benefit from acceptable levels of outlook and natural daylight without detrimentally impacting on the amenity of adjacent occupiers. The use of only high level windows in the side elevations is considered to have resolved concerns regarding overlooking. There is a roof garden proposed, however it will be set back from the edge of the building to again prevent issues of overlooking.

Following concerns raised during the consultation process the applicant has further set in the roof terrace and improved the level of screening to reduce the level of potential overlooking. Given the constraints on the site in terms of the proximity of adjacent buildings, the proposal is deemed to achieve an acceptable solution.

#### 7.09 Living conditions for future occupiers

Floor Space

The proposed flats are 3 x studios with a stated floor area of 47.6sq.m flats and 11 x 2 bedroom 4 person flats with a stated floor area range of between 73.7sq.m and 86.7sq.m.

The standards required by Policy 3.5 of the London Plan 2011, are a minimum floor area of 70sq.m for a 2 bedroom 4 person flat and 39sq.m for a studio flat in order to ensure the development would be considered good quality housing stock. All of the proposed flats meet these standards and therefore the proposal provides an acceptable standard of living accommodation in accordance with Policy 3.5 of the London Plan.

#### External Amenity Space

The Council is committed to ensuring that new residential developments provide an acceptable standard of living accommodation for future occupiers, including the provision of acceptable levels of external amenity space. Policy H4 of the Hillingdon Local Plan (November 2012) states that in town centre locations predominantly one and two bedroom development will be preferable, as proposed. Council standards normally require 20sq.m of amenity space for 1 bedroom/studio flats and 25 sq.m for 2 bedroom flats. However Hillingdon Design and Accessibility Statement: Residential Layouts document goes on to state:

'Exceptions to garden area requirements will only apply in special circumstances such as the provision of small non-family housing, predominantly made up of 1 bedroom units, in town centres or the provision of small nonfamily housing above shops. However, even in these areas, care should be taken to provide some usable and reasonable private outdoor amenity space, perhaps in the form of balconies.'

The proposed development includes the provision of balconies for 12 of the proposed units and a roof garden of 50.8sq.m. On balance, given the location of the site within a Town

Centre, above a commercial unit on the ground floor and within close proximity to the adjacent Church Field Gardens public open space, the development is considered to provide sufficient levels of external amenity space. The proposal is therefore deemed in accordance with Policies H4 and BE23 of the Hillingdon Local Plan (November 2012) and the Hillingdon Design and Accessibility Statement: Residential Layouts SPD.

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

**Traffic Impact** 

The highways officer has reviewed the proposal and raised no objection in terms of traffic generation. Therefore, the development is considered to comply with Policy AM2 of the Hillingdon Local Plan (November 2012).

#### Car Parking

The development proposes the creation of 14 basement car parking spaces and 2 surface level parking spaces, one of which will be a disabled access space, to service the 14 flats. The highways officer has reviewed the proposal and considers that the provision of more than 1 space per flat is acceptable in this location and in accordance with Policy AM14 of the Hillingdon Local Plan (November 2012) and the Council's adopted car parking standards.

#### Cycle Storage

The submitted plan shows the creation of a secure internal cycle storage room with space for 14 bicycles. This provision is considered acceptable and appropriate given the scale of the development.

#### 7.11 Urban design, access and security

#### Security

Should the application be approved, a condition is recommended to ensure that the scheme meets all Secured By Design Criteria.

#### Contamination

The Environment Agency and the Council's Environmental Protection Unit have reviewed the proposal. In terms of potential contamination concerns regarding the former use of the site as a petrol filling station neither the Environment Agency nor the Council's Environmental Protection Unit raised any objections to the proposal, subject to the attachment of appropriate conditions to any planning consent. As such the development is considered in accordance with policy OE11 of the Hillingdon Local Plan (November 2012).

#### 7.12 Disabled access

The Council's Access Officer has reviewed the development and raised no objection to the development subject to it being in compliance with Lifetime Homes standards. To ensure this requirement is met it is recommended to be covered by way of a condition.

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

The development would introduce a total of 14 residential units, therefore triggering the affordable housing requirement threshold of 10 units as set out in Policy 3.13 of the London Plan.

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council note however, that subject to the provision of robust

evidence, it will adopt a degree of flexibility in its application of Policy H2, to take account, of tenure needs in different parts of the borough as well as the viability of schemes.

Whilst no affordable housing has been included within the proposed scheme a Financial Viability Assessment has been submitted with the application which has been independently assessed by a specialist third party contractor. They have confirmed that, with an obligations package of £236,430 accepted together with a review mechanism, the current proposal is deemed acceptable.

#### 7.14 Trees, landscaping and Ecology

The site lies within the Ruislip Village Conservation Area. However, there are no trees, protected or otherwise, within the curtilage.

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 Councils Trees and Landscape Officer has reviewed the proposal and determined that no trees or other landscape features of merit will be affected. The visualisations and proposed floor plan indicate the provision of a specimen tree on the frontage, which will benefit both the setting of the building and the street scene. It is considered that with appropriate hard and soft landscape detailing the development could improve this site and provide an enhanced transition between the High Street and the neighbouring residential street.

A landscape condition is recommended to be attached to any approval to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment. As such the development is considered to accord with Policy BE38 of the Hillingdon Local Plan (November 2012).

#### 7.15 Sustainable waste management

The proposal makes adequate provision for refuse/recycling storage.

#### 7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan 2011 requires the highest standards of sustainable design and construction to be achieved. To ensure the development complies with this policy a condition would be added to any approval for the development to be built to Code for Sustainable Homes Level 4, with an interim certificate and specification provided before the commencement of works.

The Council's Sustainability Officer has reviewed the submitted plans and raised no objections to the development subject to a roof plan showing the required m2 of PVs as set out in the energy report. The applicant has provided this detail in plan reference number P203 Revision D.

#### 7.17 Flooding or Drainage Issues

The Environment Agency and the Council's Flooding and Water Management Officer have reviewed the development and raised no objection to the proposal subject to the attachment of an appropriate condition to any consent. As such the development is considered to accord with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) and Policy 5.12 Flood Risk Management of the London Plan (July 2011).

#### 7.18 Noise or Air Quality Issues

Not applicable to this application.

Major Applications Planning Committee - 18th November 2014 PART 1 - MEMBERS, PUBLIC & PRESS

#### 7.19 Comments on Public Consultations

The matters raised in submissions have been either been dealt with by amendments made to the proposed plans, conditions attached to any approval, covered in the body of the report or are not material planning considerations.

#### 7.20 Planning obligations

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

As of 1st August 2014, the Council's CIL would become effective which replaces a number of S106 requirements. In this instance new floorspace is CIL liable, which would require a payment calculated as:

627 x £35 = £21,945 1174 x £95 = £111,530 Total = £133,475

The new floorspace would also be liable for the Mayoral CIL at a payment calculated as: Mayoral CIL = £66,992.35 (this is an approximate figure as it needs to be adjusted for inflation).

The applicants advise that there are exceptional development costs associated with this scheme that effect the viability and as such no affordable housing can be provided. These costs include the removal of the existing petrol tanks and remediation works for the former petrol station site plus the construction and ventilation costs for the proposed basement car park. The application was therefore referred to an independent third party, appropriately qualified, financial advisor who concluded that, with an obligations package of £236,430 accepted together with a review mechanism, the current proposal is deemed acceptable.

The S106 Heads of Terms sought are:

- 1. Construction Training: Training costs £2500 per £1m build cost £2500 x 5 = £12,500 + £9600 coordinator costs = £22,100 or an in-kind scheme.
- 2. Air Quality Monitoring: £12,500
- 3. Project management & Monitoring fee equal to 5% of total cash contributions.

Subject to the payment of the above by the applicant, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

#### 7.21 Expediency of enforcement action

Not applicable to this application

#### 7.22 Other Issues

No further issues for consideration

#### 8. Observations of the Borough Solicitor

General

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

with all relevant primary and secondary legislation.

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

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

#### **Planning Conditions**

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

#### Planning Obligations

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

#### **Equalities and Human Rights**

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

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

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

#### 9. Observations of the Director of Finance

None

#### 10. CONCLUSION

It is considered that the proposed development would provide an acceptable use on the

Major Applications Planning Committee - 18th November 2014 PART 1 - MEMBERS, PUBLIC & PRESS

ground floor in this location and residential units of an acceptable standard for future occupiers. The design, layout, parking and scale of the proposal are deemed to conform with the requirements of the Hillingdon local Plan (2012) and the London Plan (2011).

The application, subject to appropriate conditions, is therefore recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

National Planning Policy Framework.

Hillingdon Design and Access Statement 'Residential Layouts'.

Supplementary Planning Document 'Accessible Hillingdon'.

Supplementary Planning Document Noise.

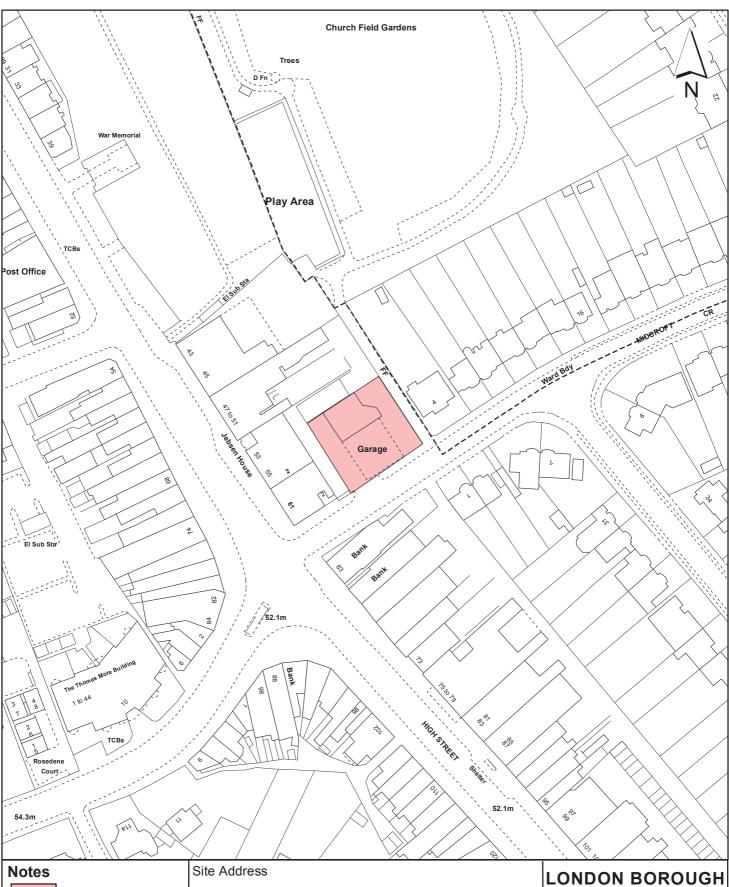
Supplementary Planning Guidance Planning Obligations.

Supplementray Planning Guidance Planning Obligations - Revised Chapter 4 Education Contributions.

The London Plan 2011.

GLA's Supplementary Planning Guidance - Housing.

Contact Officer: Ed Laughton Telephone No: 01895 250230



#### **Notes**



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#### Site Address

### 2 Midcroft Ruislip

Planning Application Ref: Scale 1:1,250 4918/APP/2014/1274 Planning Committee Major Page 146

OF HILLINGDON **Residents Services** 

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

November 2014

# Plans for Major Applications Planning Committee

18th November 2014





#### Report of the Head of Planning, Sport and Green Spaces

Address HILLINGDON AND UXBRIDGE CEMETERY HILLINGDON HILL HILLINGDOI

**Development:** Repair and refurbishment of Gatehouse and Chapel buildings to include: re-

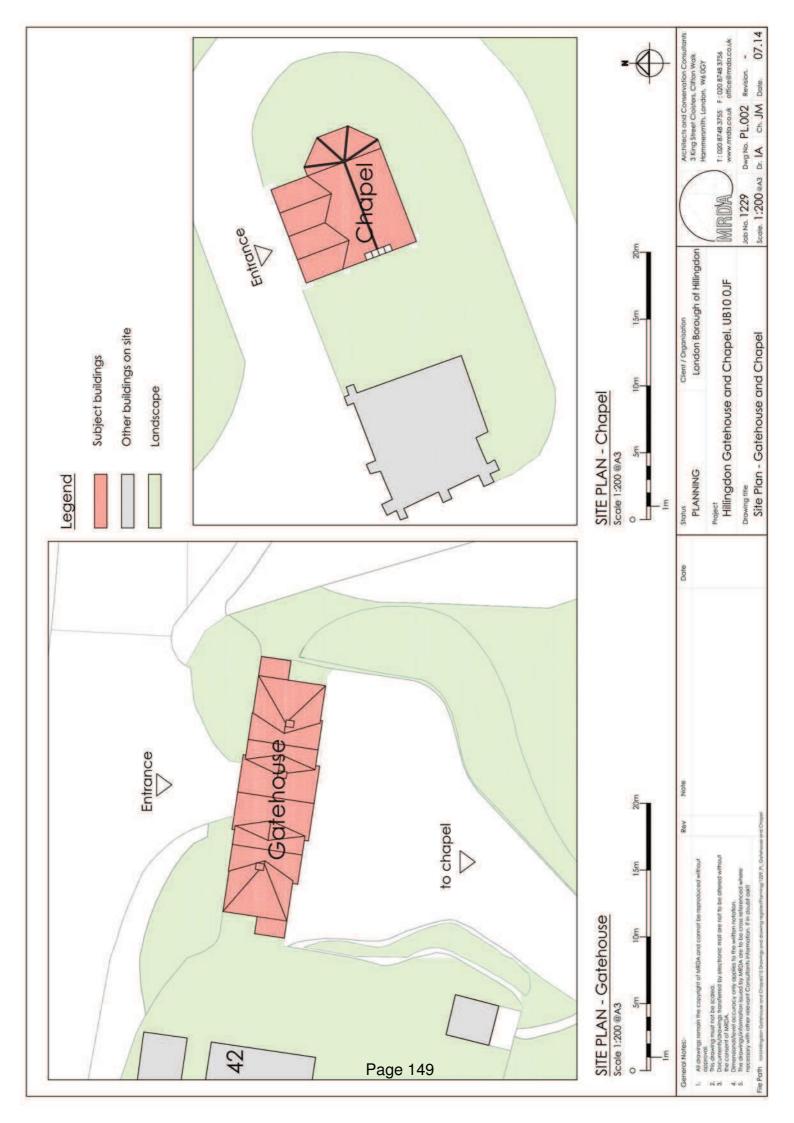
roofing, overhaul of rainwater goods, repairs and re-pointing to stonework, overhaul windows and external and internal doors, upgrading to fire doors, upgrade of timber floors and structural repairs in accordance with structural

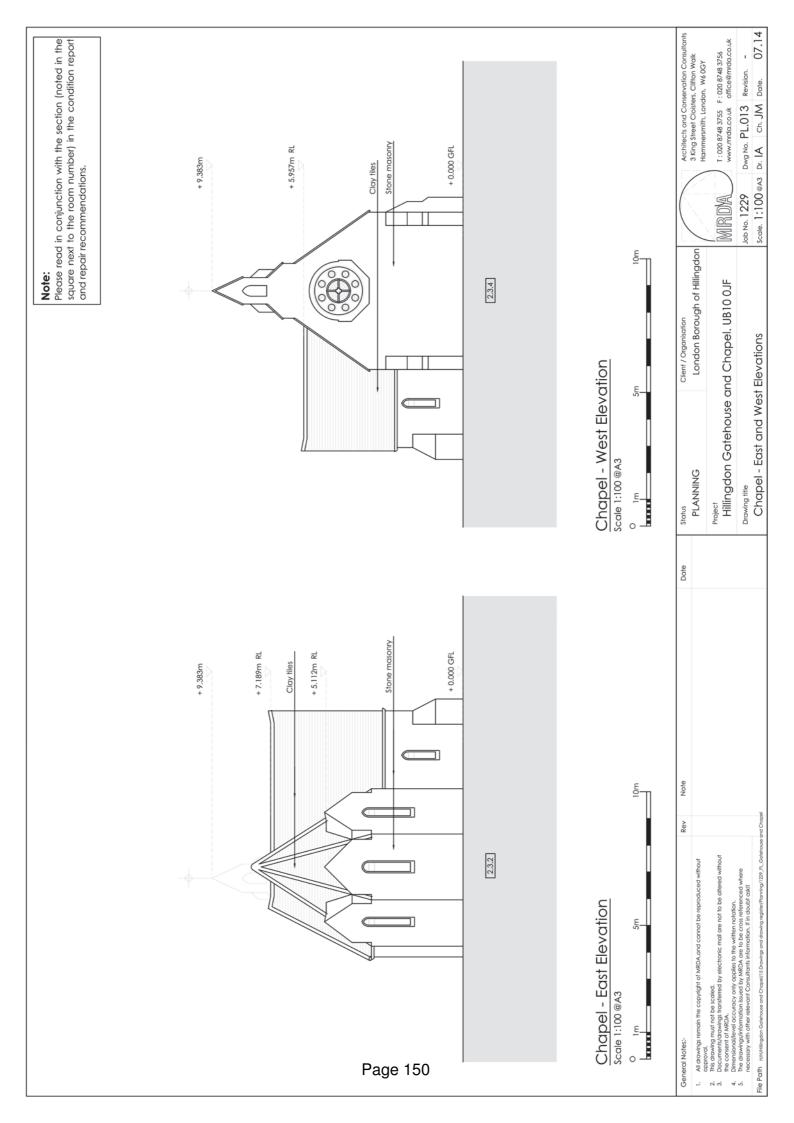
engineer's report (Listed Building Consent)

**LBH Ref Nos:** 64409/APP/2014/3560

Date Plans Received: 06/10/2014 Date(s) of Amendment(s):

**Date Application Valid:** 06/10/2014





Architects and Conservation Consultants 3 King Street Cloisters, Clifton Walk Hammersmith, London, W6 0GY

Client / Organisation London Borough of Hillingdon

PLANNING

Date

Project Hillingdon Gatehouse and Chapel. UB10 0JF

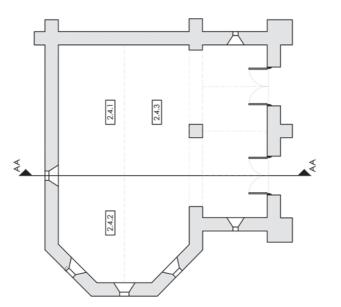
Drawing title
Chapel - Ground Floor Plan

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07.14

Job No. 1229 Dwg No. PL.010 Revisio scale. 1:100 @A3 Dr. IA Ch. JM Date.

**Note:**Please read in conjunction with the section (noted in the square next to the room number) in the condition report and repair recommendations.



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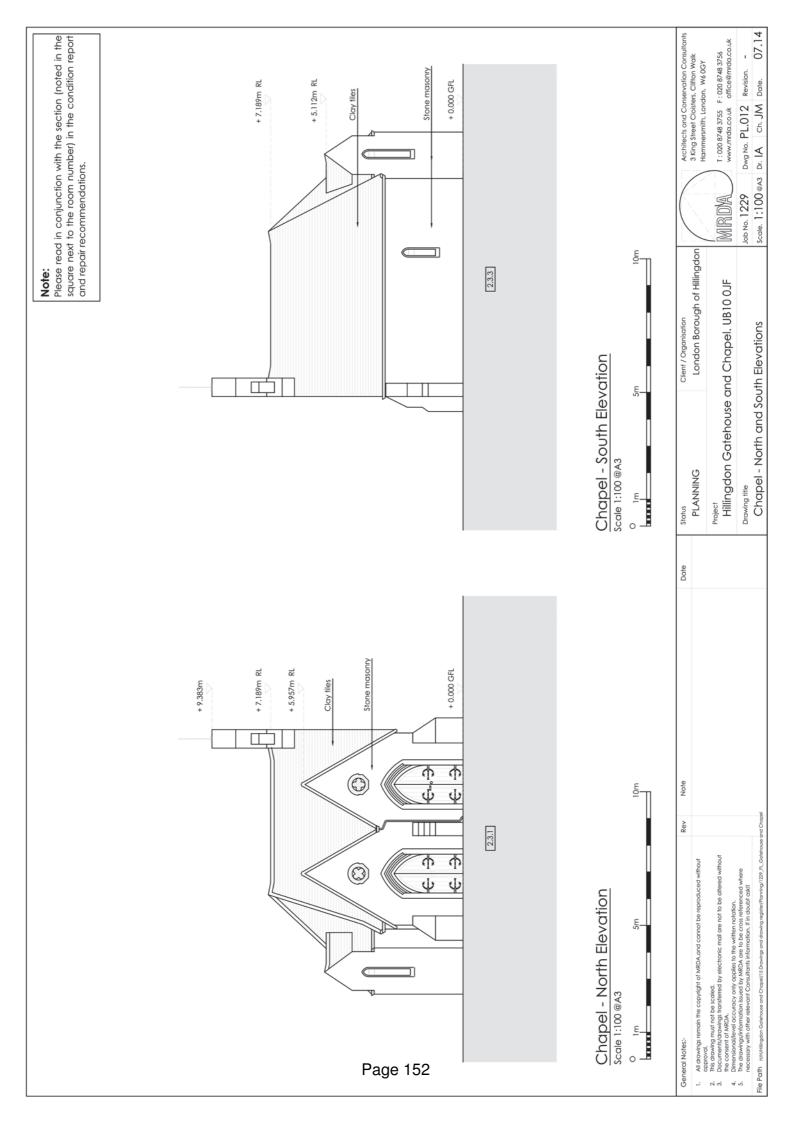
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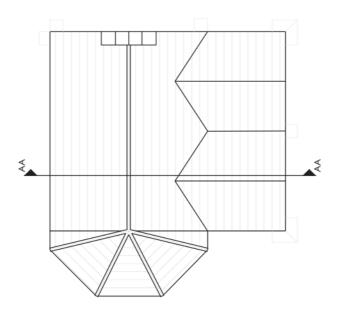


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This drawing to be read in conjunction with the section 2.3.5 in the condition report and repair recommendations.



Architects and Conservation Consultants 3 King Street Cloisters, Clifton Walk Hammersmith, London, W6 0GY

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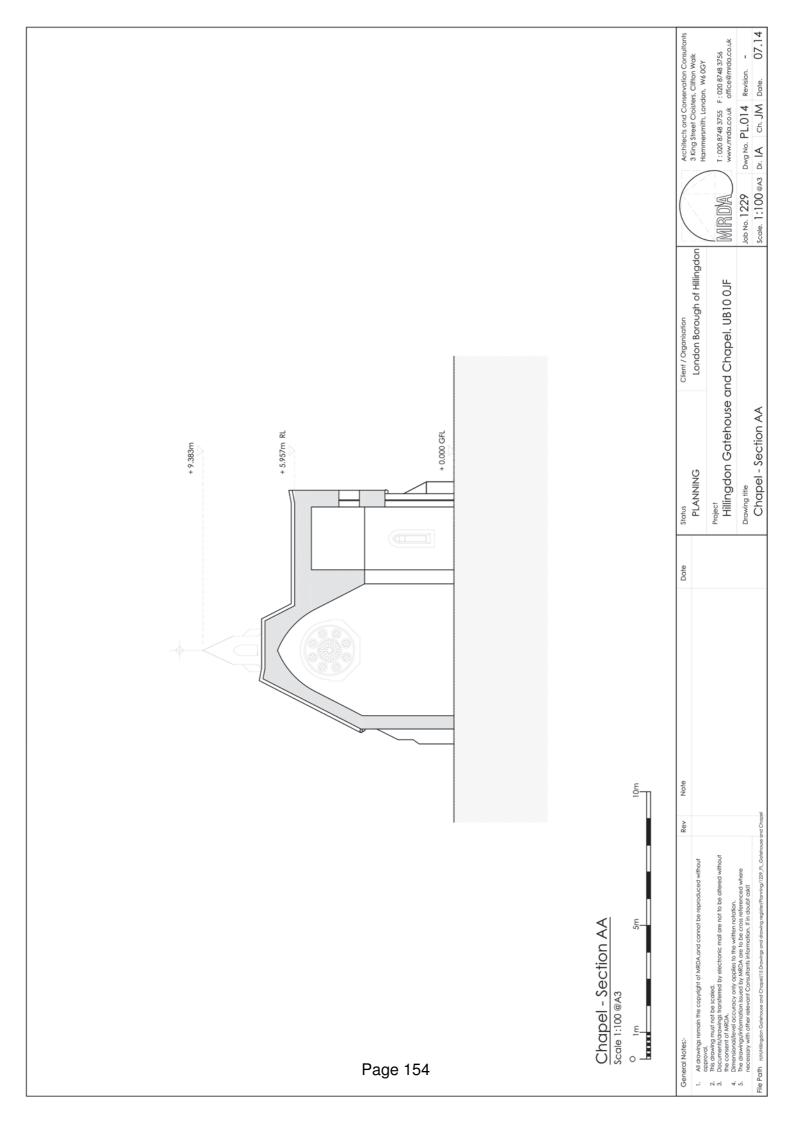
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Gatehouse - Existing Ground Floor Plan Remove security bars from windows. WC extension to be demolished. 2.2.5 05 Remove metal gates and height restrictor. PLANNING 22.4 8 Dote Remove security bars from windows Create opening to accommodate new door 2.2.3 63 Existing WC extension to be demolished 222 Note Gatehouse - Existing Ground Floor Plan 2.2.1 couracy only applies to the written notation.
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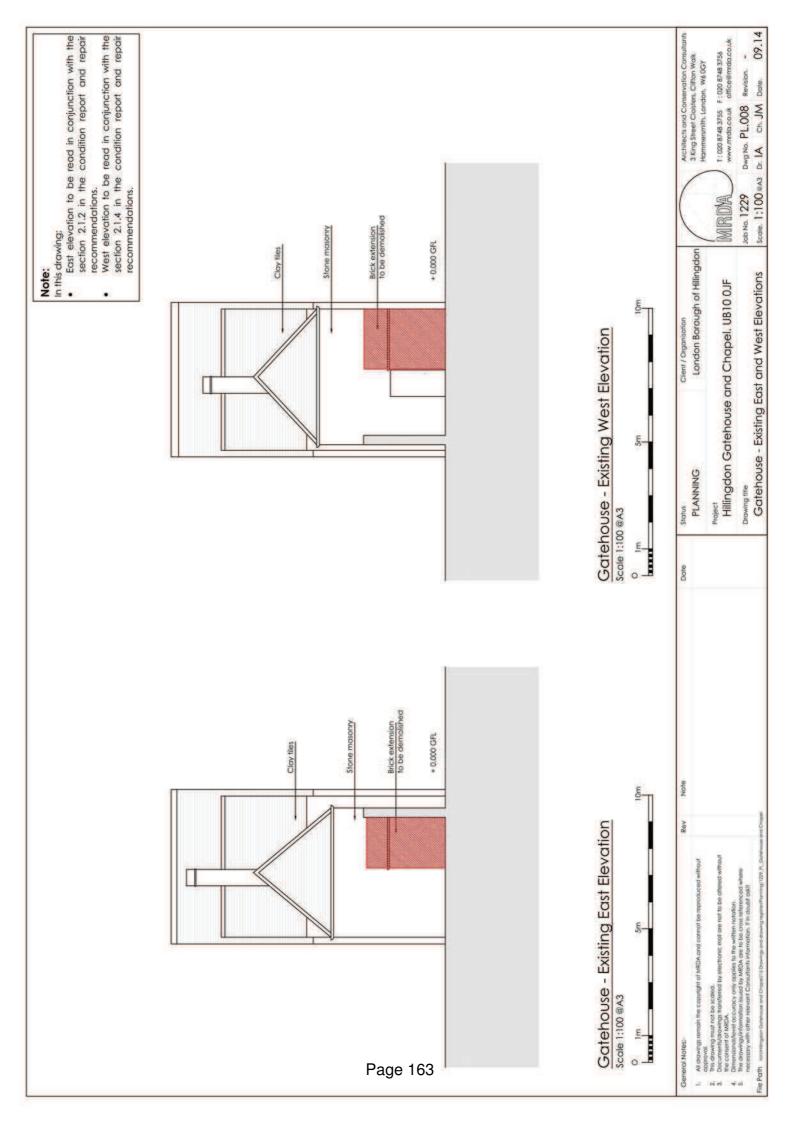
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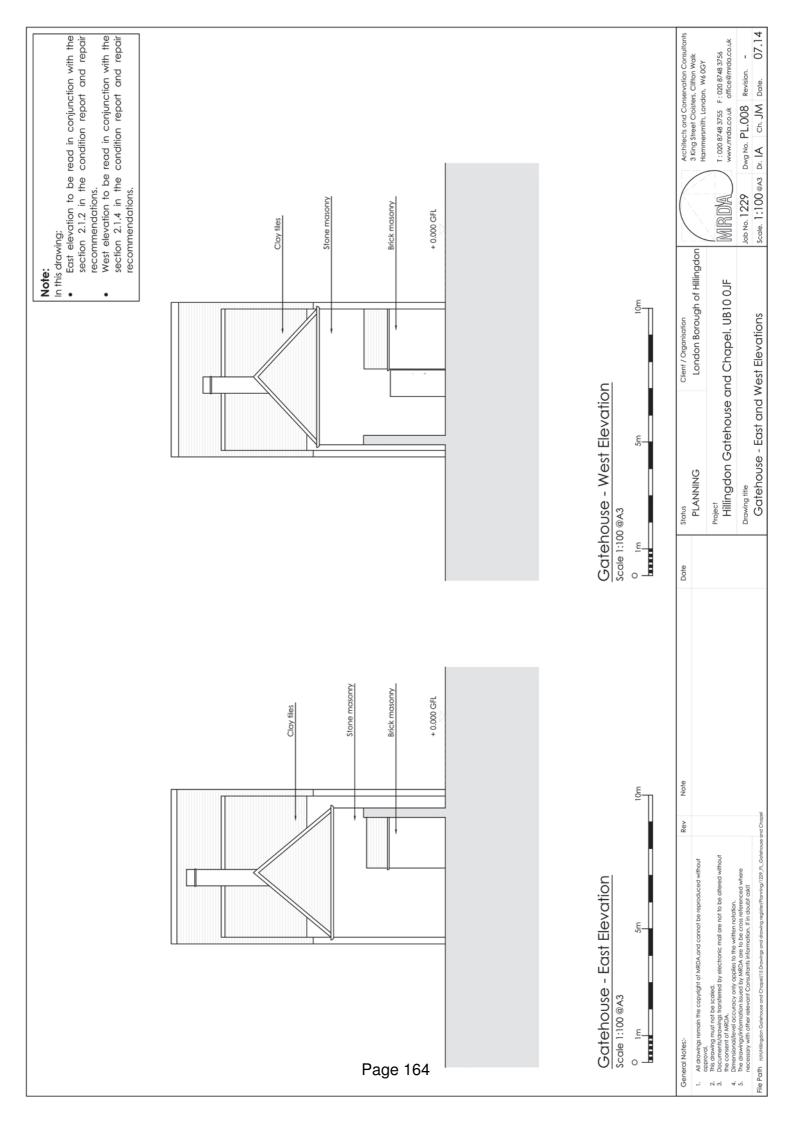
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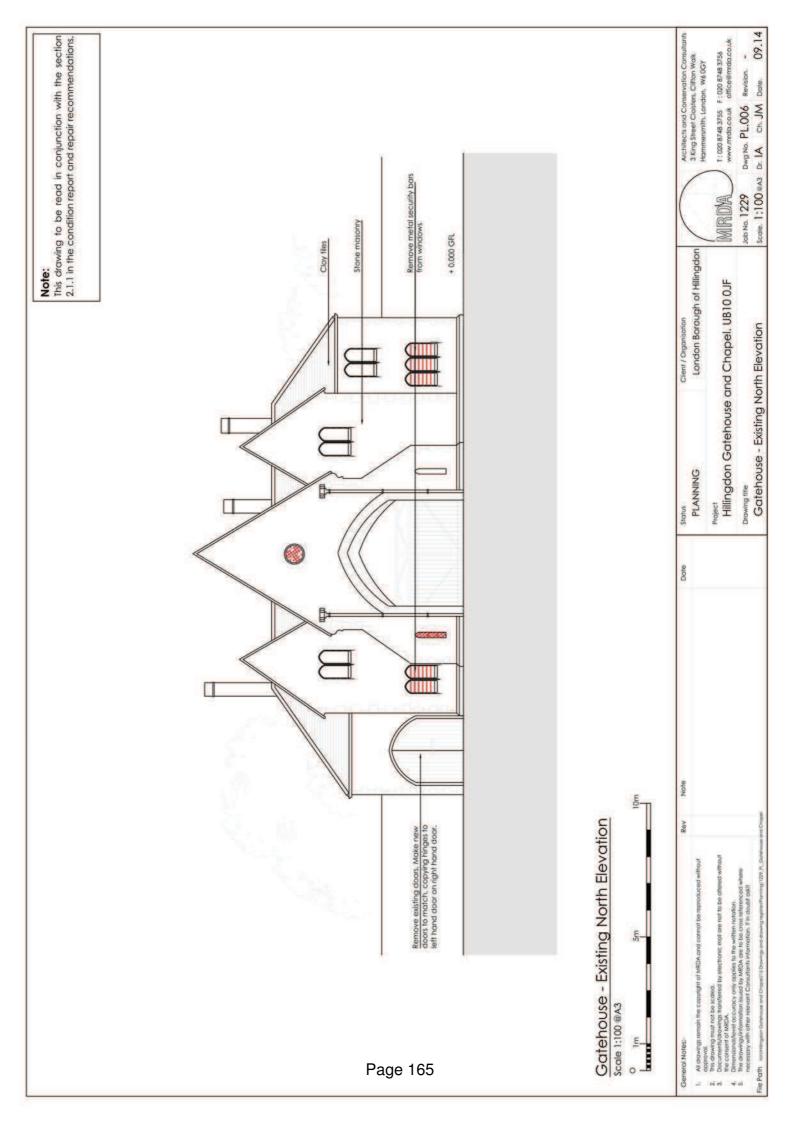
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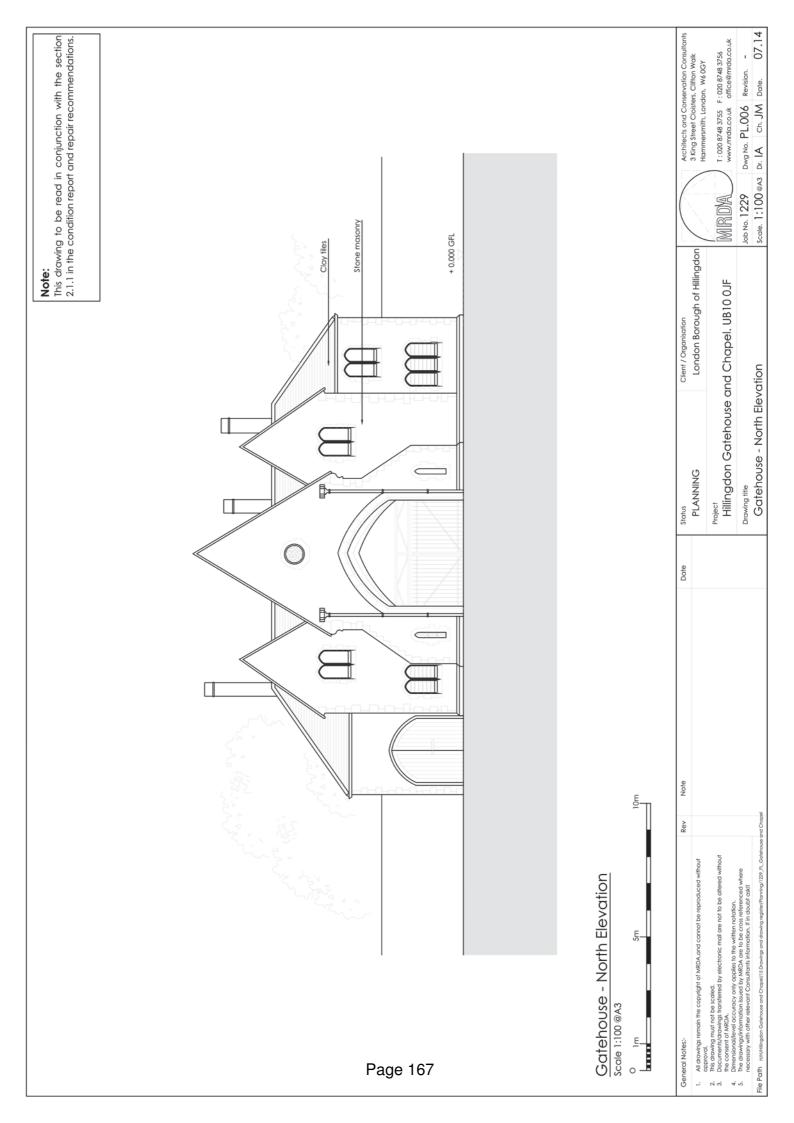
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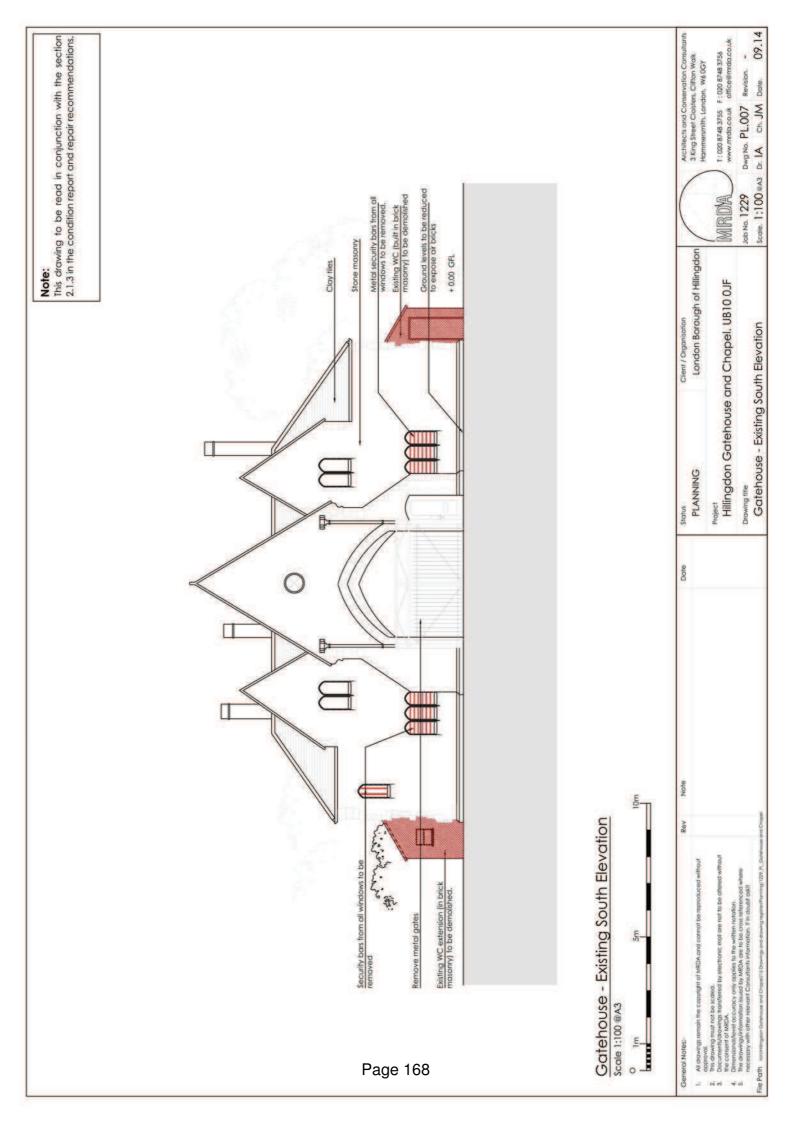


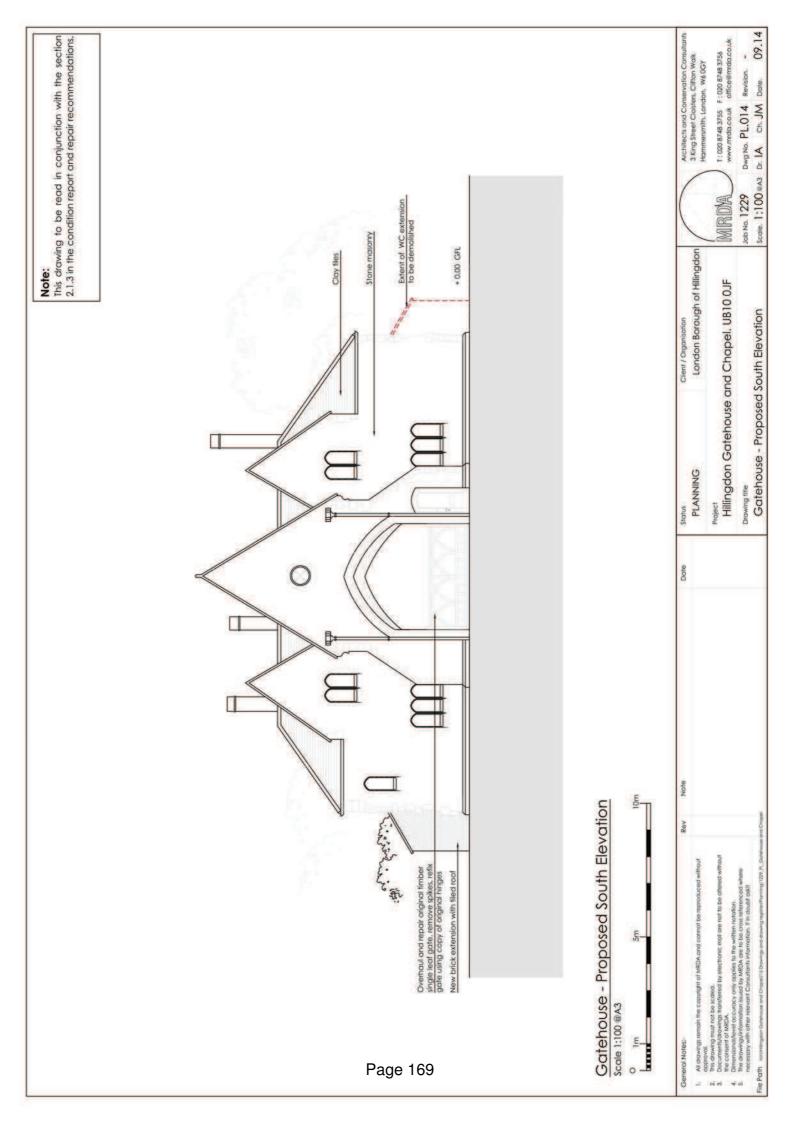


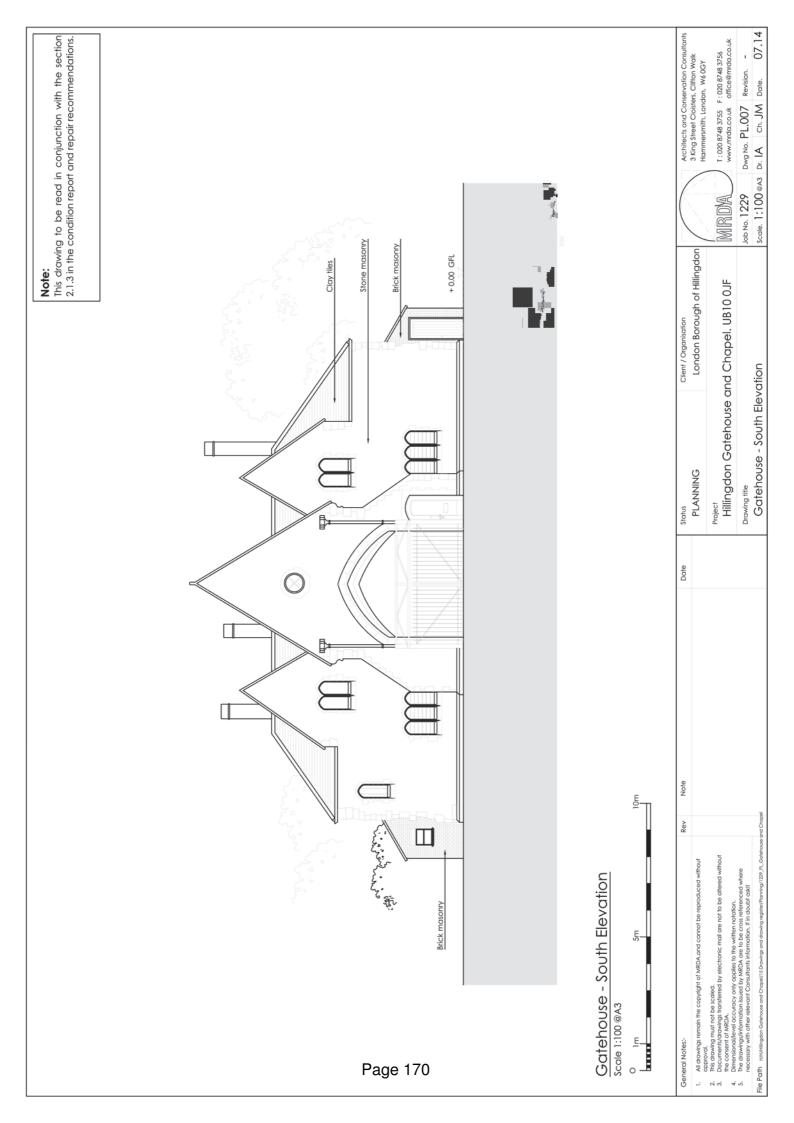


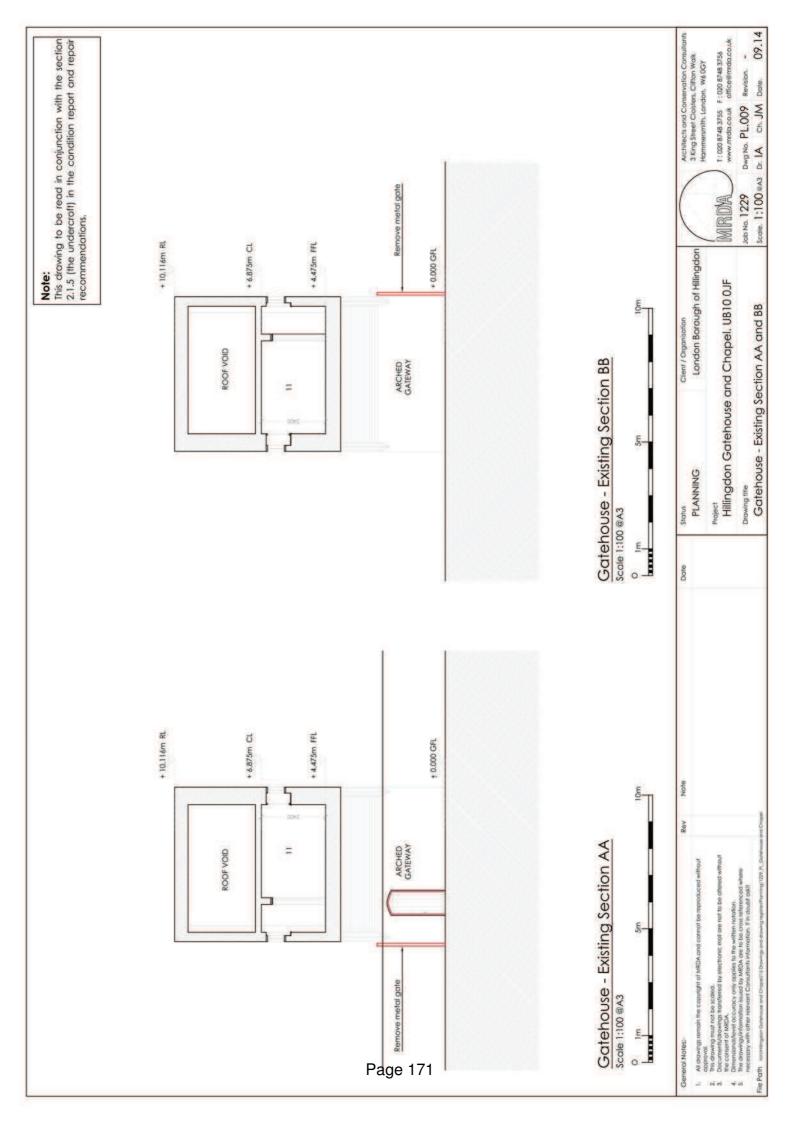
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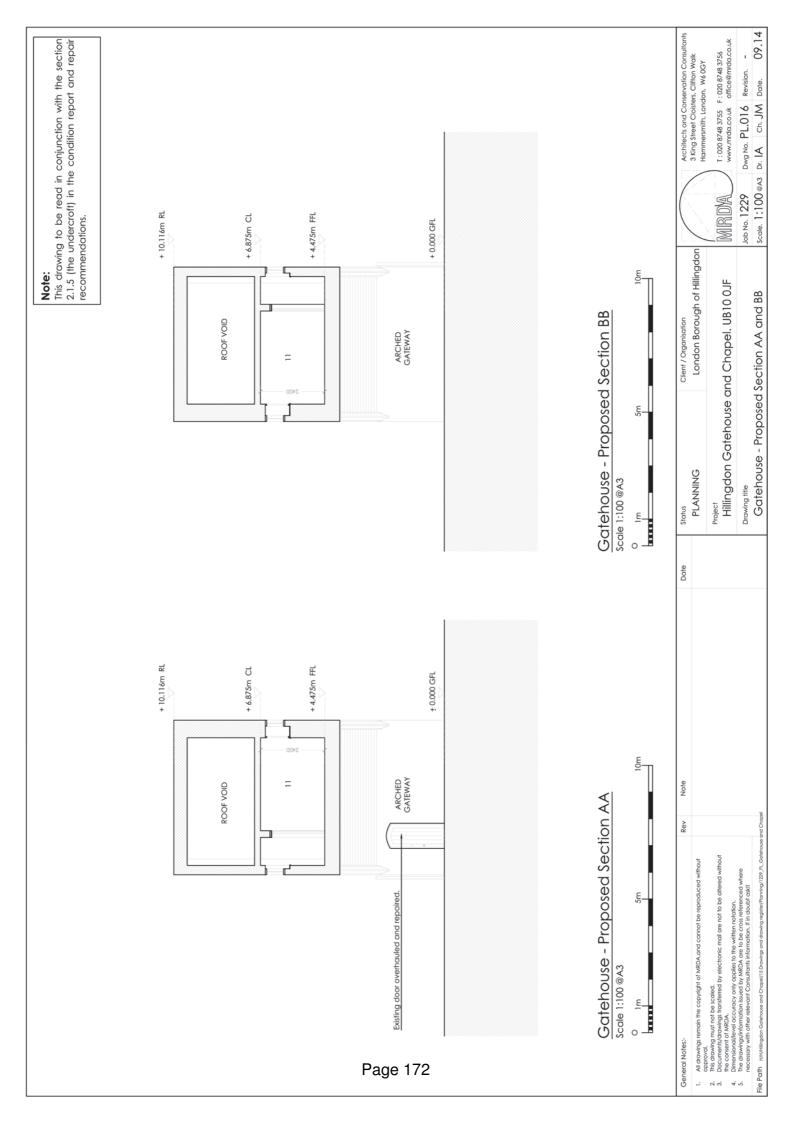


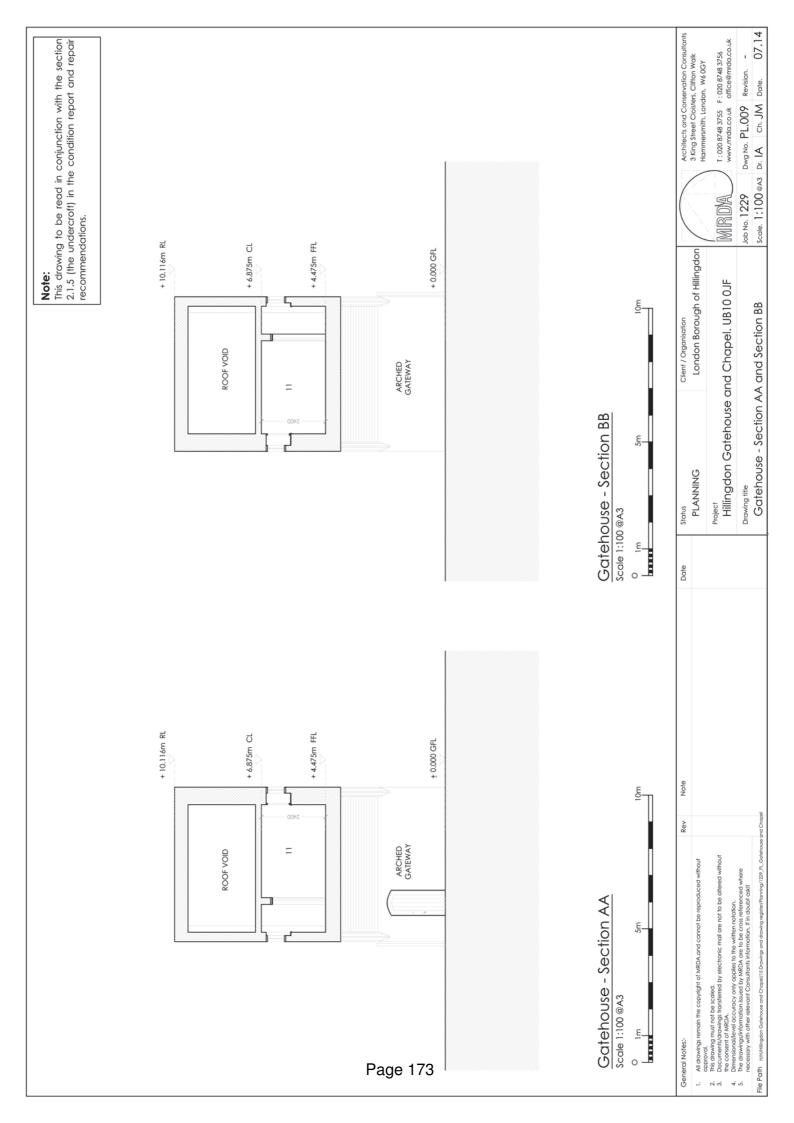


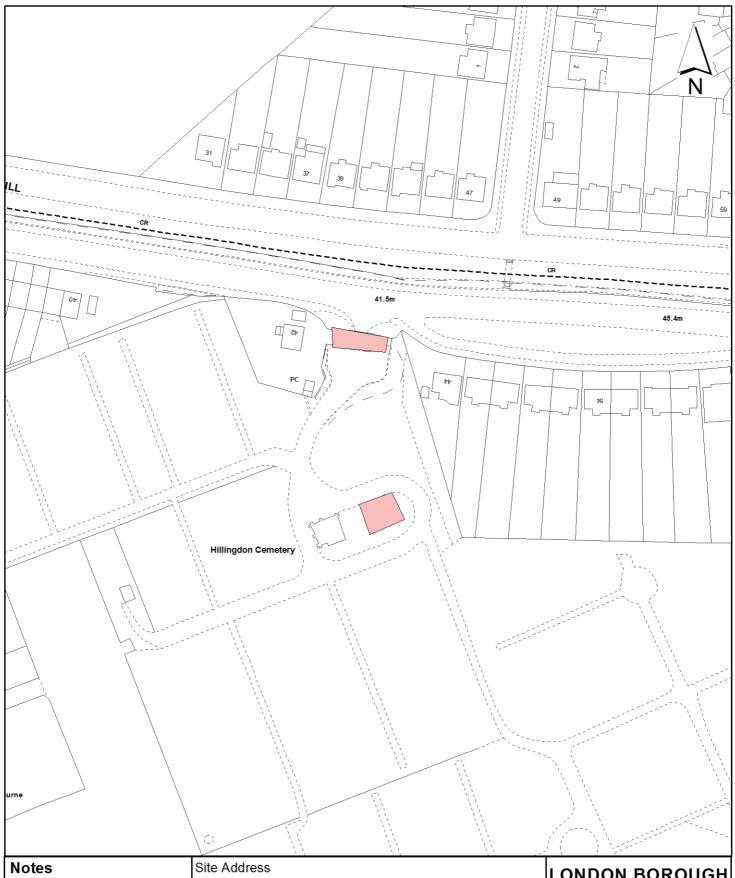














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## Hillingdon & Uxbridge Cemetery Hillingdon Hill

Planning Application Ref: 64409/APP/2014/3560

Scale

1:1,250

Planning Committee

Major Page 174

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November 2014

#### LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section

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



## Report of the Head of Planning, Sport and Green Spaces

Address 272-276 BATH ROAD SIPSON

**Development:** Change of use of existing building from office (Use Class B1(a)) to 135-room

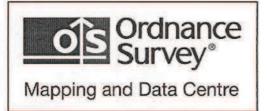
Hotel (Use Class C1), including 4-storey side extension (to rear of adjacent petrol station), and 4-storey rear extensions, and associated alterations to

landscaping and car parking.

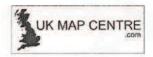
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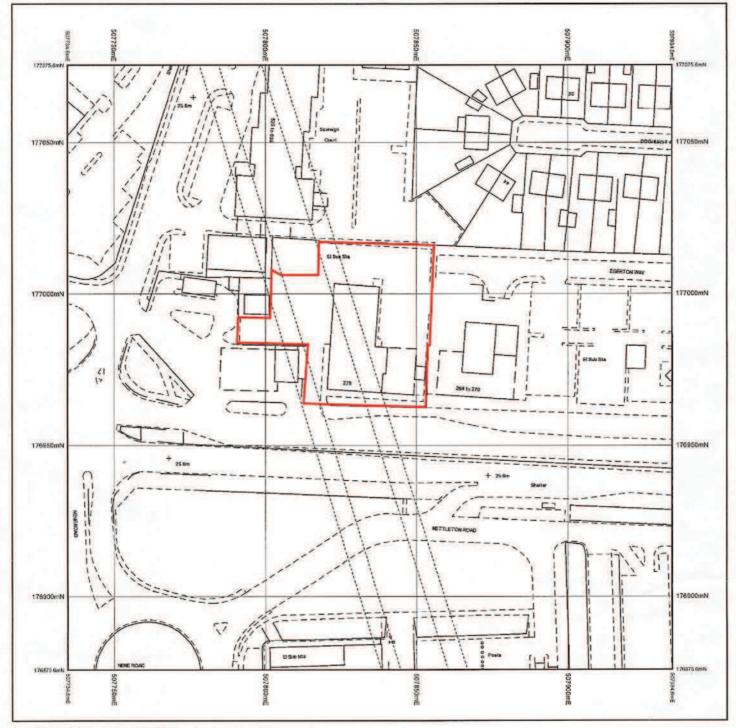
Date Plans Received: 13/08/2014 Date(s) of Amendment(s):

Date Application Valid: 05/09/2014





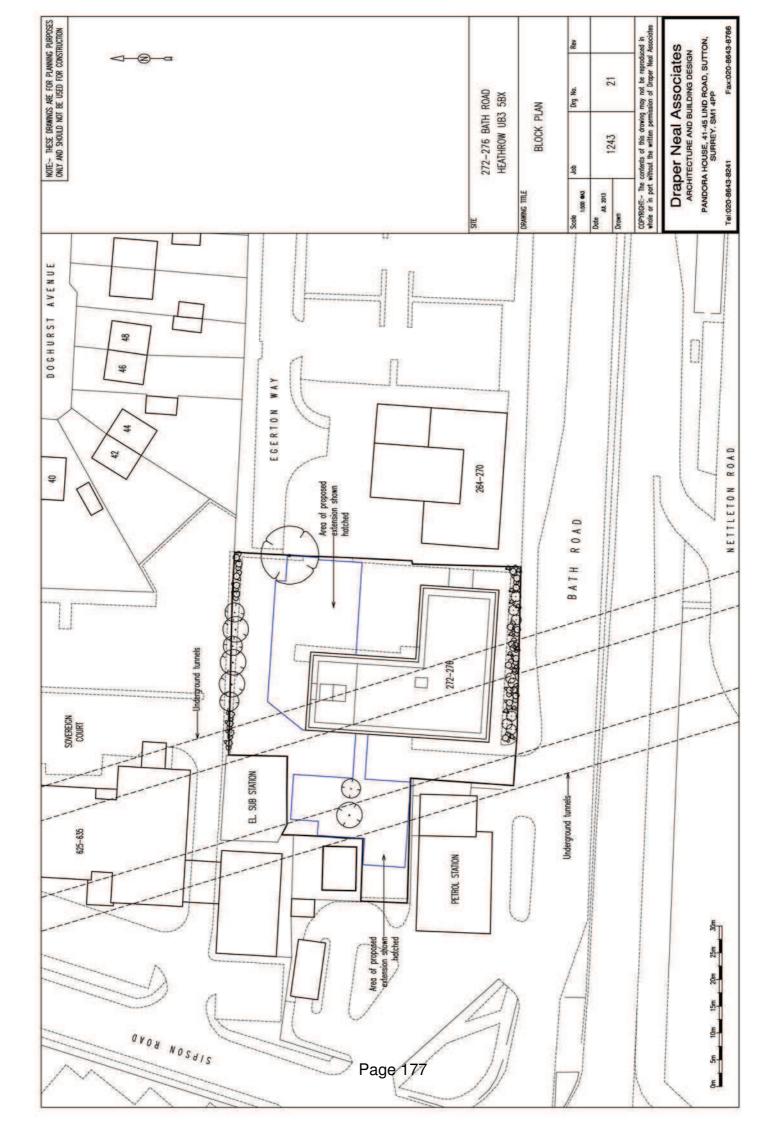


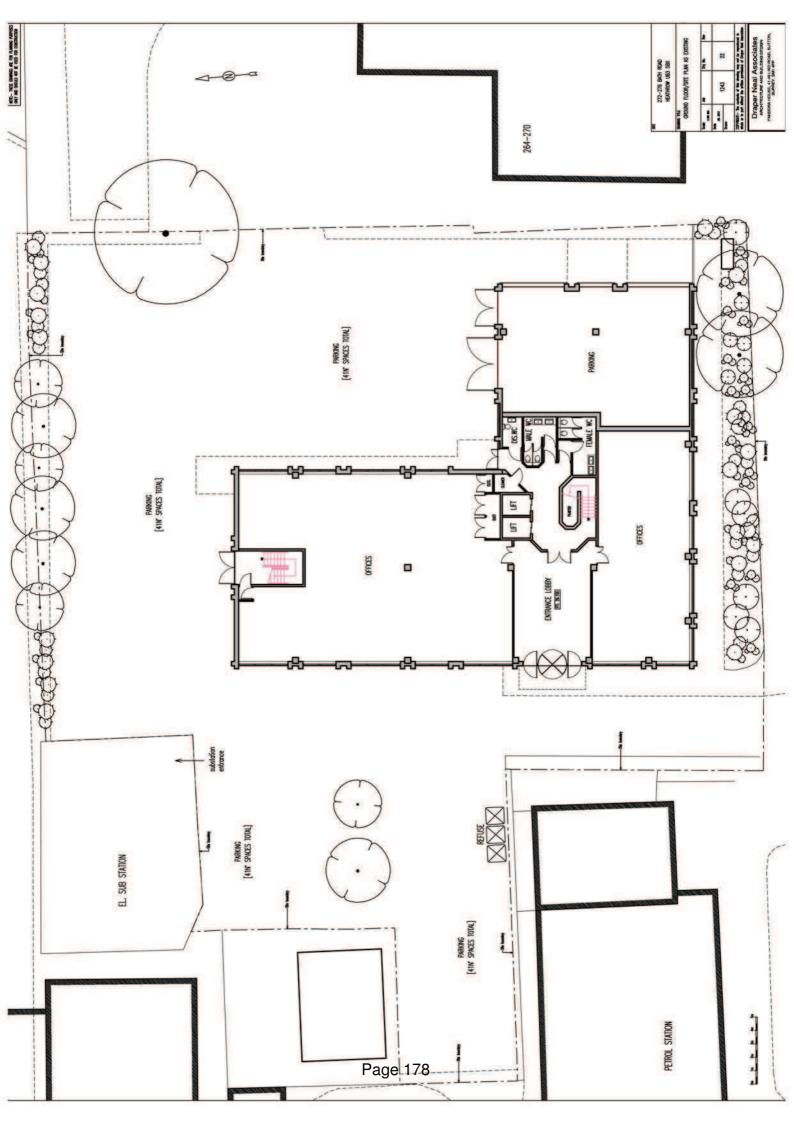


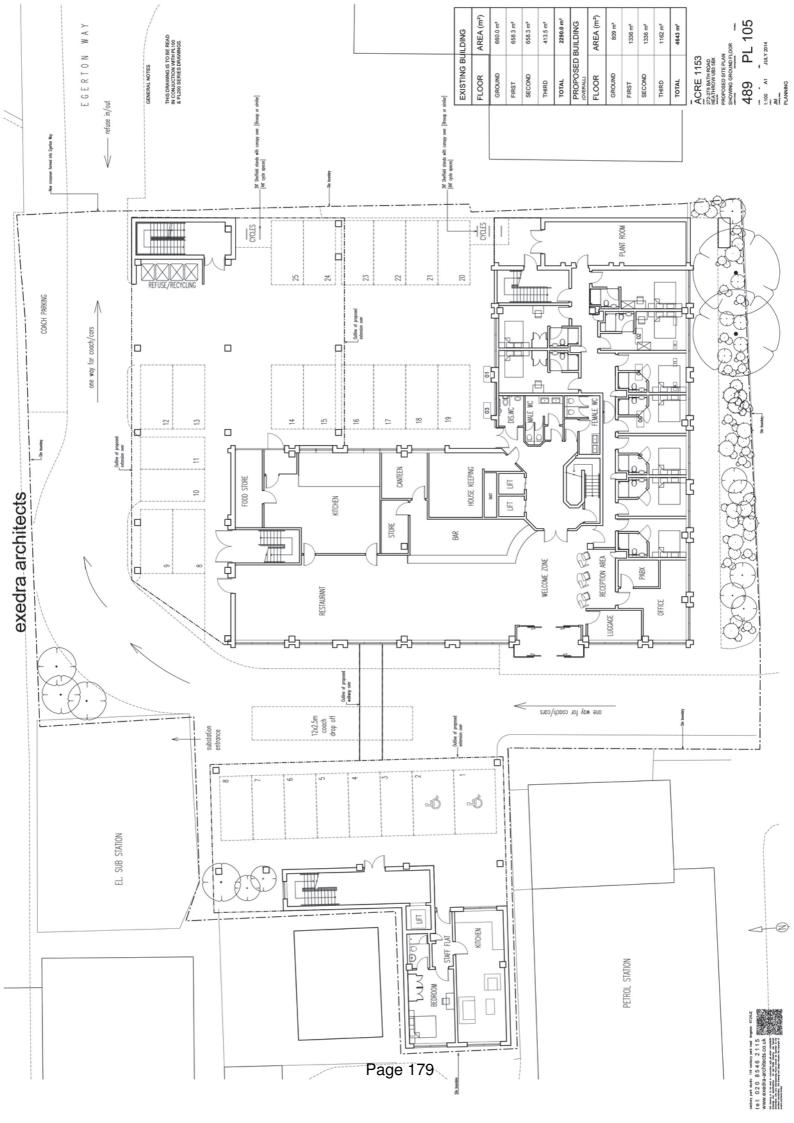
© Crown Copyright and database rights 2012 Ordnance Survey 100048957. The representation of road, track or path is no evidence of a boundary or right of way. The representation of features as lines is no evidence of a property boundary.

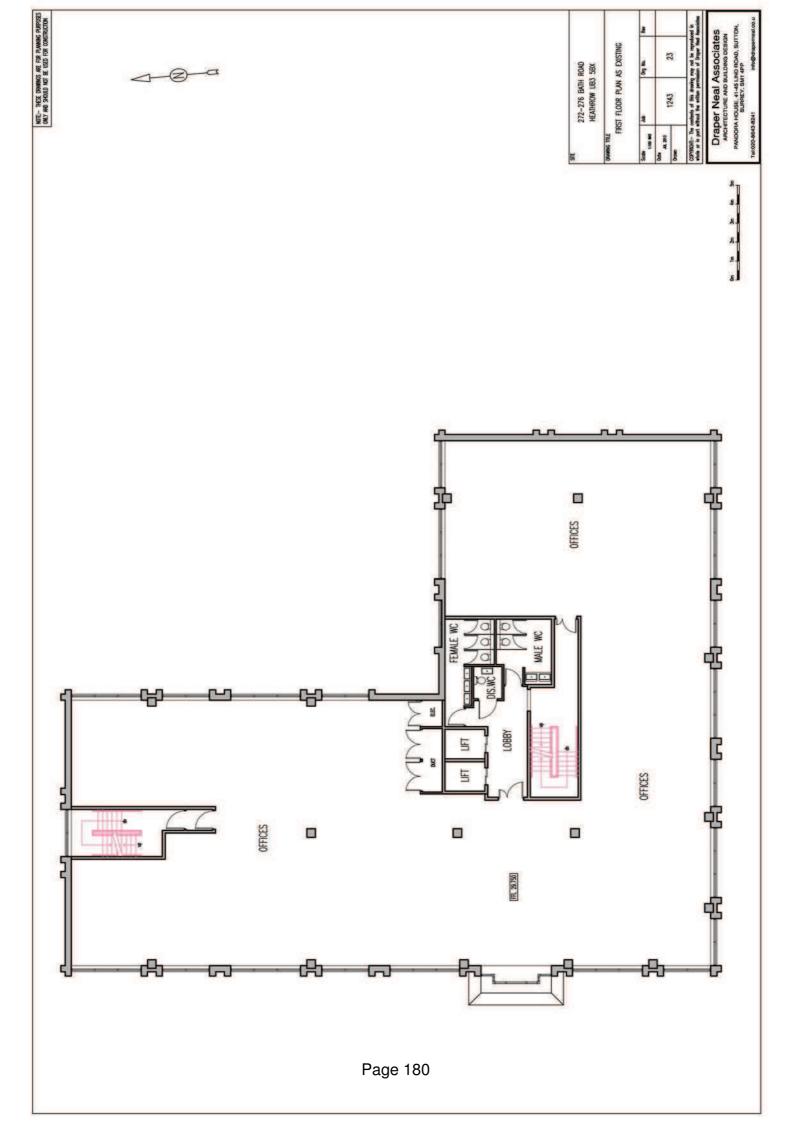
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> 276 BATH ROAD HEATHROW UB3 5AY LOCATION PLAN - DRAWING N° 1243/01 1:1250 SCALE @A4



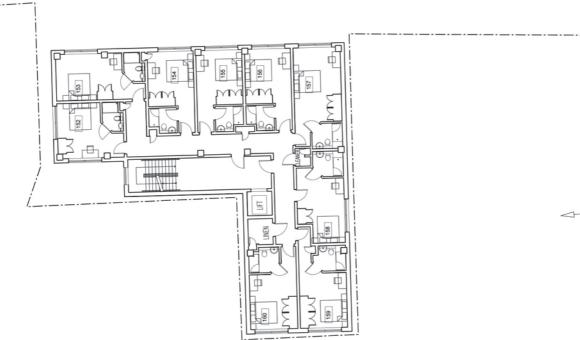






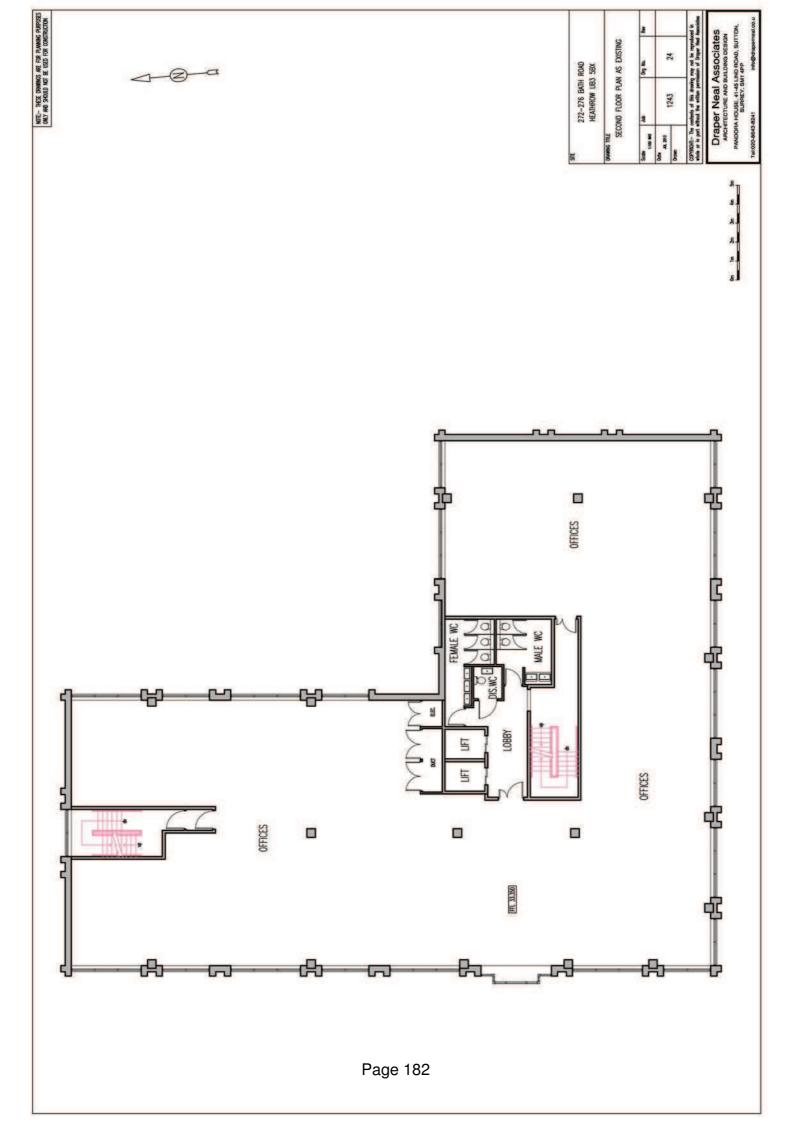
exedra architects





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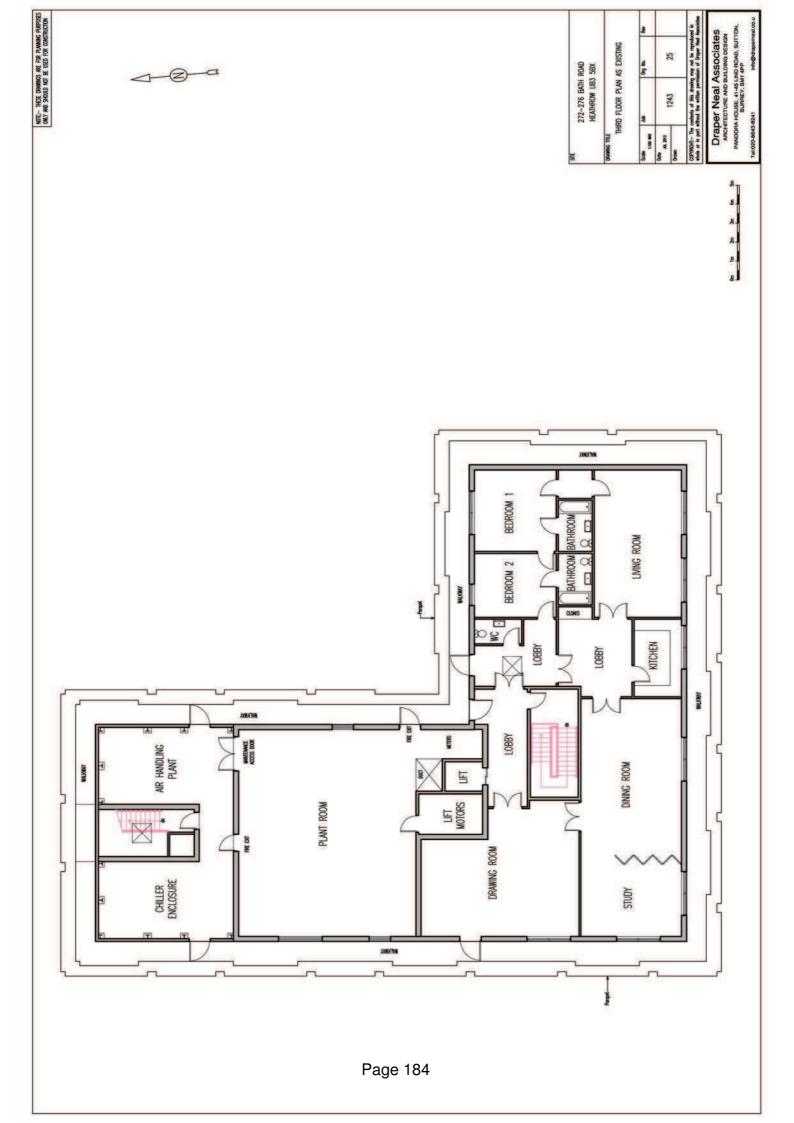




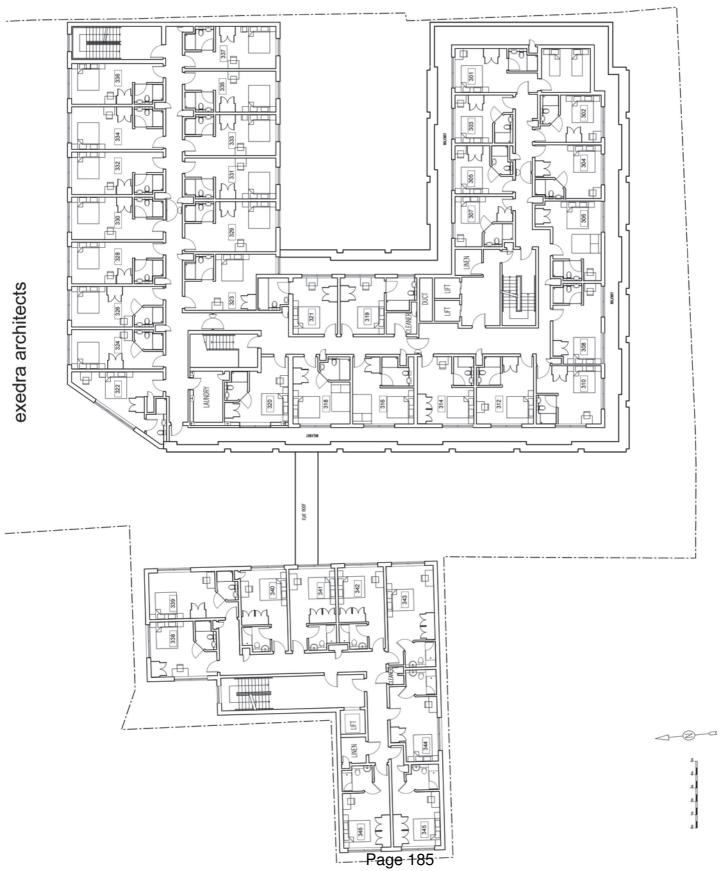


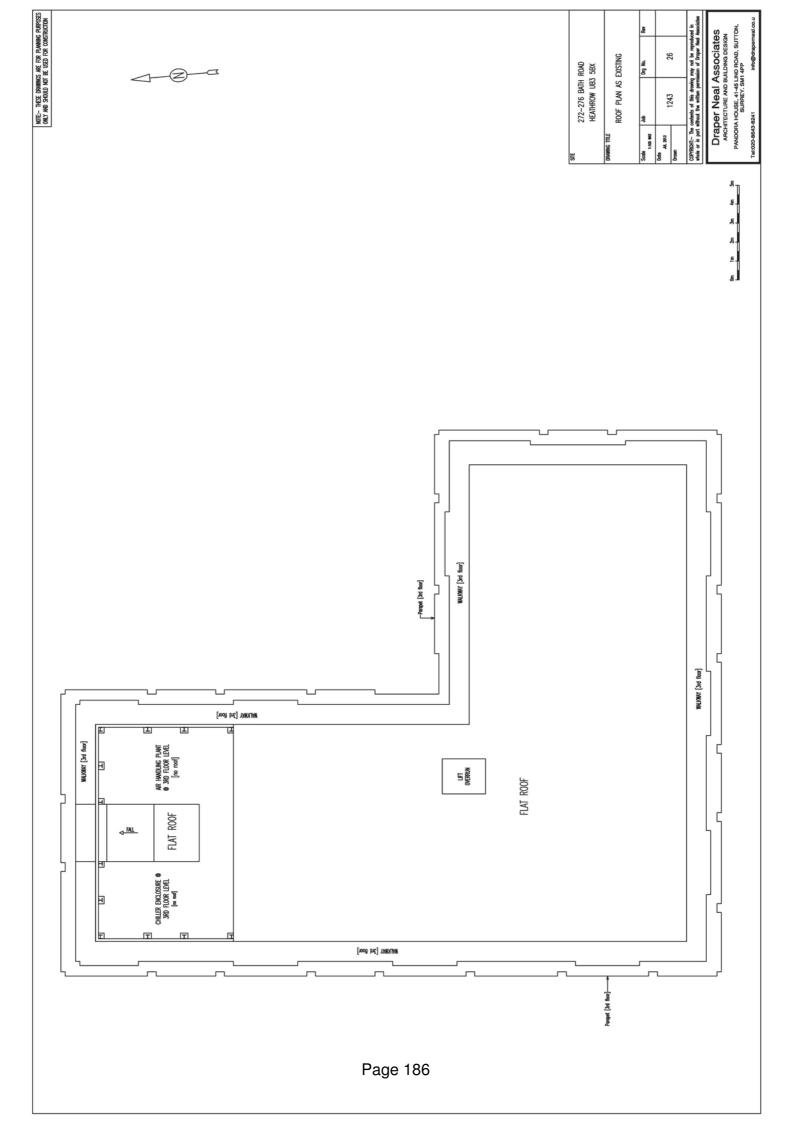
Page 183

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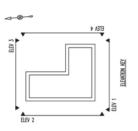


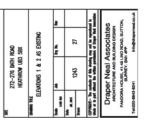
GENERAL NOTES

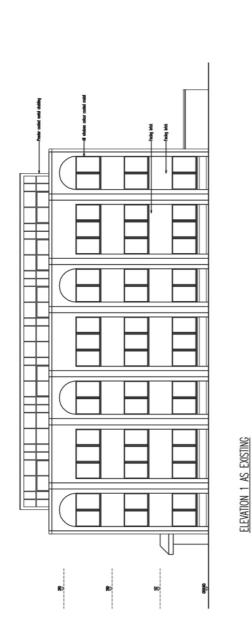


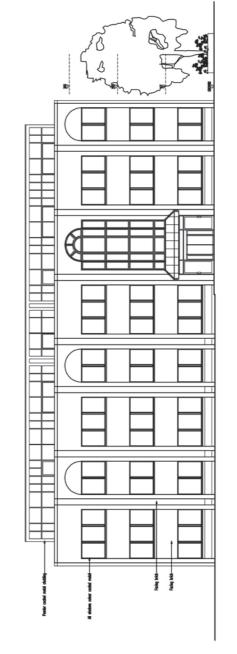


Page 187



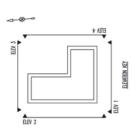




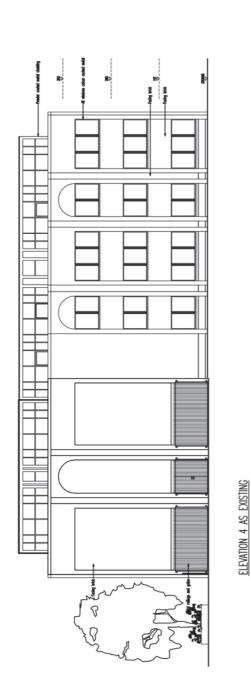


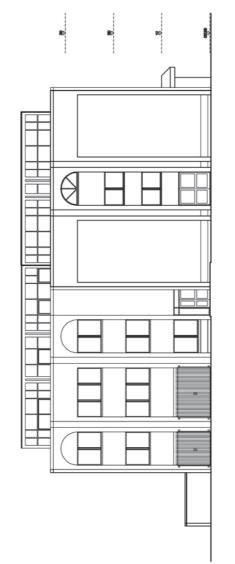
ELEVATION 2 AS EXISTING



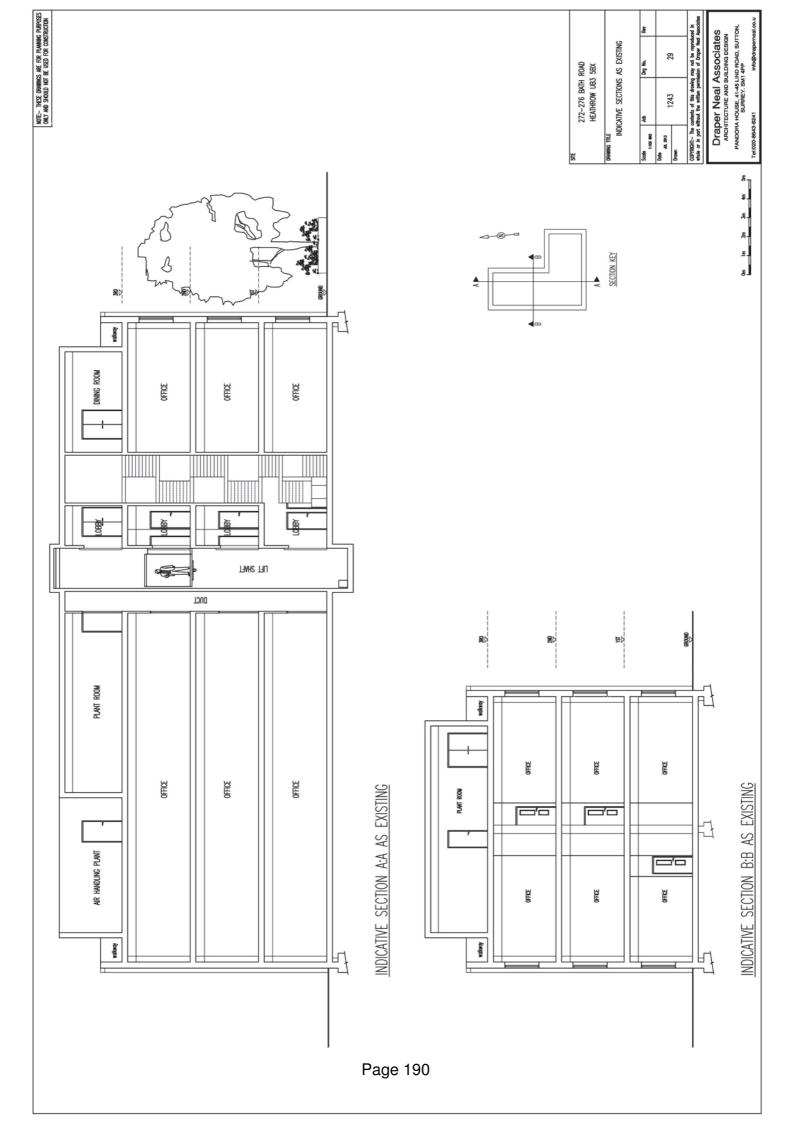


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ELEVATION 3 AS EXISTING



exedra architects

ELEV 3

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ELEV 2

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ELEV 6

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canbury park studio canbury park road kingston upon thames KT2 6JZ tel 020 8546 2115 fax 020 8546 4218 WWW.exedra-architects.co.uk

489 PL205 1/200 A3 JULY 2014 JM

ACRE 1153

272-276 BATH ROAD
272-276 BATH ROAD
FEATHROW UB3 5BX
FROPOSED ELEVATIONS
3 AND 4

PLANNING

ELEVATION 4 AS PROPOSED

THIS DRAWING IS TO BE READ IN CONJUCTION WITH MATERIALS SCHEDULE 489-PL900 AND PL100 AND PL200 SERIES DRAWINGS ALL LEVELS TO MATCH EXISTING

ELEV 3 BEMINN KEY L ATTE NOS A DESNG S ELEV 6 BLEV 1 ELEV 2 NOOF AS ENGTHS ELEVATION 7 AS PROPOSED

# exedra architects

489 PL207

ACRE 1153

ELEVATION 8 AS PROPOSED

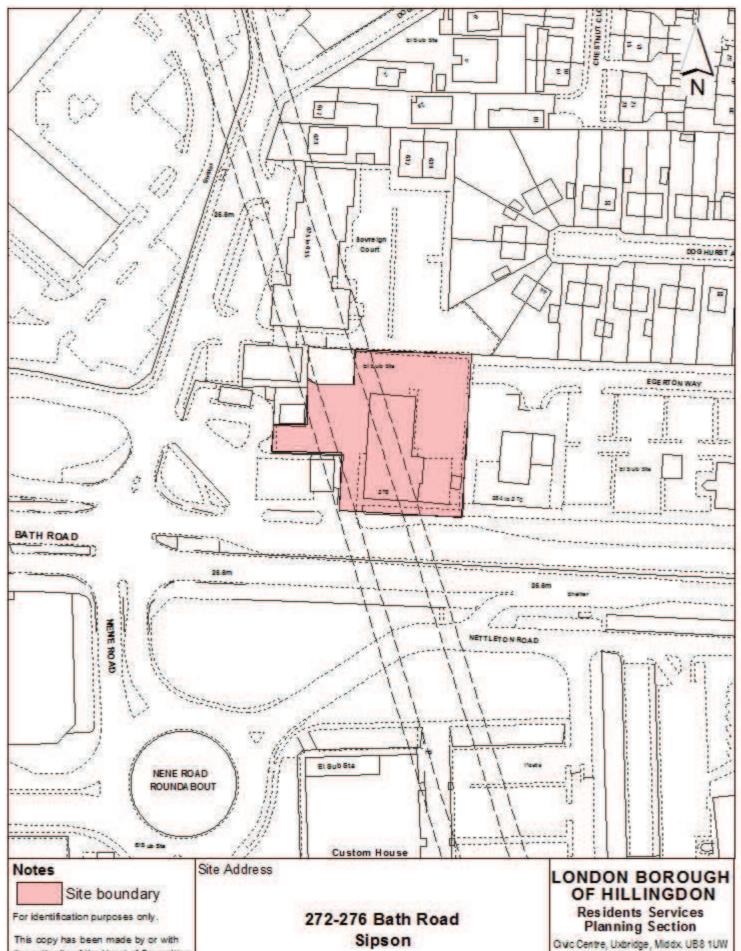
1/200 A3 JULY 2014 JM

272-276 BATH ROAD
272-276 BATH ROAD
FEATHROW UB3 5BX
FROPOSED ELEVATIONS
7 AND 8

PLANNING

canbury park studio canbury park road kingston upon thames KT2 6JZ tel 020 8546 2115 fax 020 8546 4218 WWW.exedra-architects.co.uk

Page 194



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# Sipson

Planning Application Ref. Scale 1:1,250 464/APP/2014/2886 Planning Committee Date

Major Page 195 November 2014

Telephone No.: Uxpridge 250111



## Report of the Head of Planning, Sport and Green Spaces

Address TEMPORARY FLIGHT CONNECTIONS CENTRE - STAND 323 T3

**HEATHROW AIRPORT HOUNSLOW** 

**Development:** Temporary Flight Connections centre at Terminal 3, consultation under

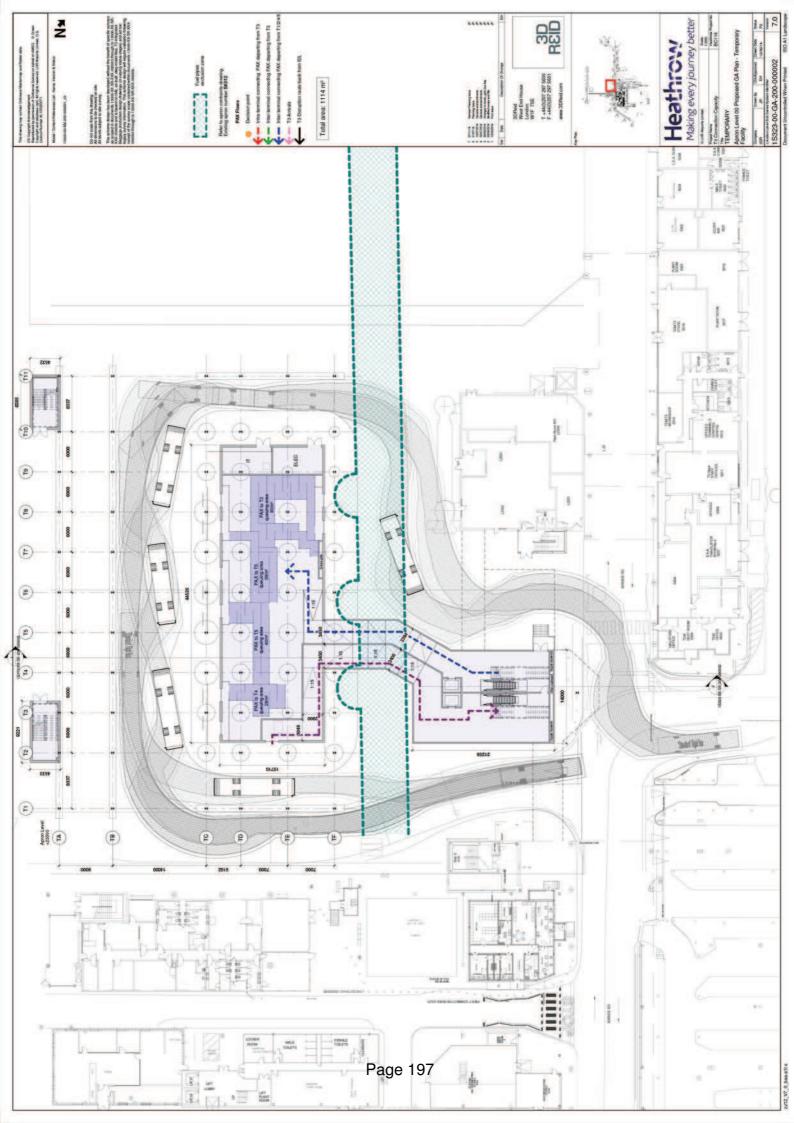
Schedule 2 Part 18 of the Town and Country Planning (General Permitted

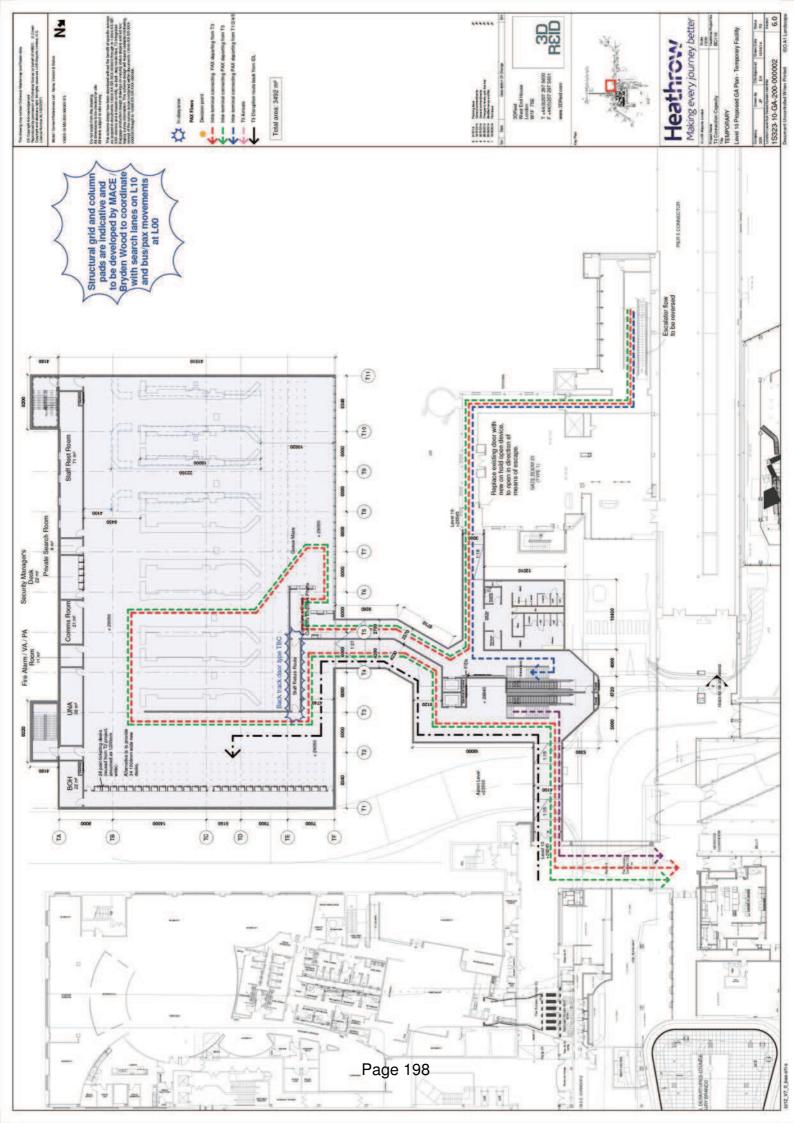
Development) Order 1995.

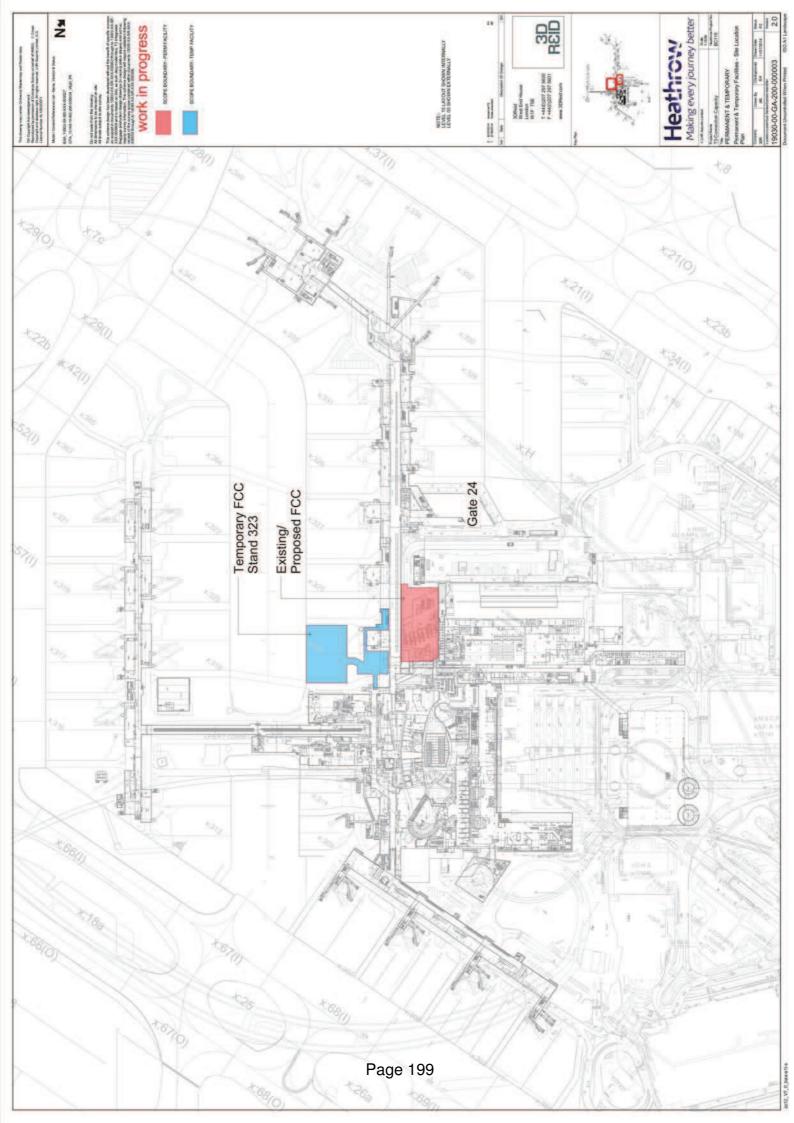
**LBH Ref Nos:** 27277/APP/2014/3202

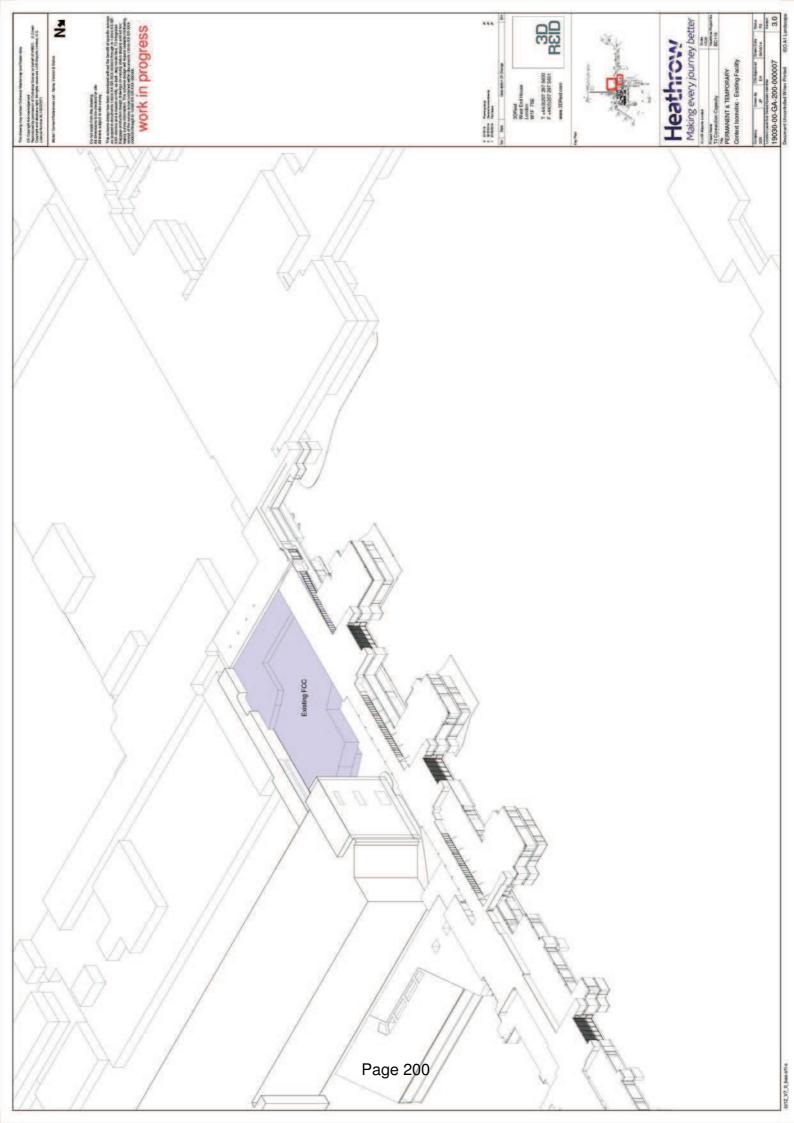
Date Plans Received: 09/09/2014 Date(s) of Amendment(s):

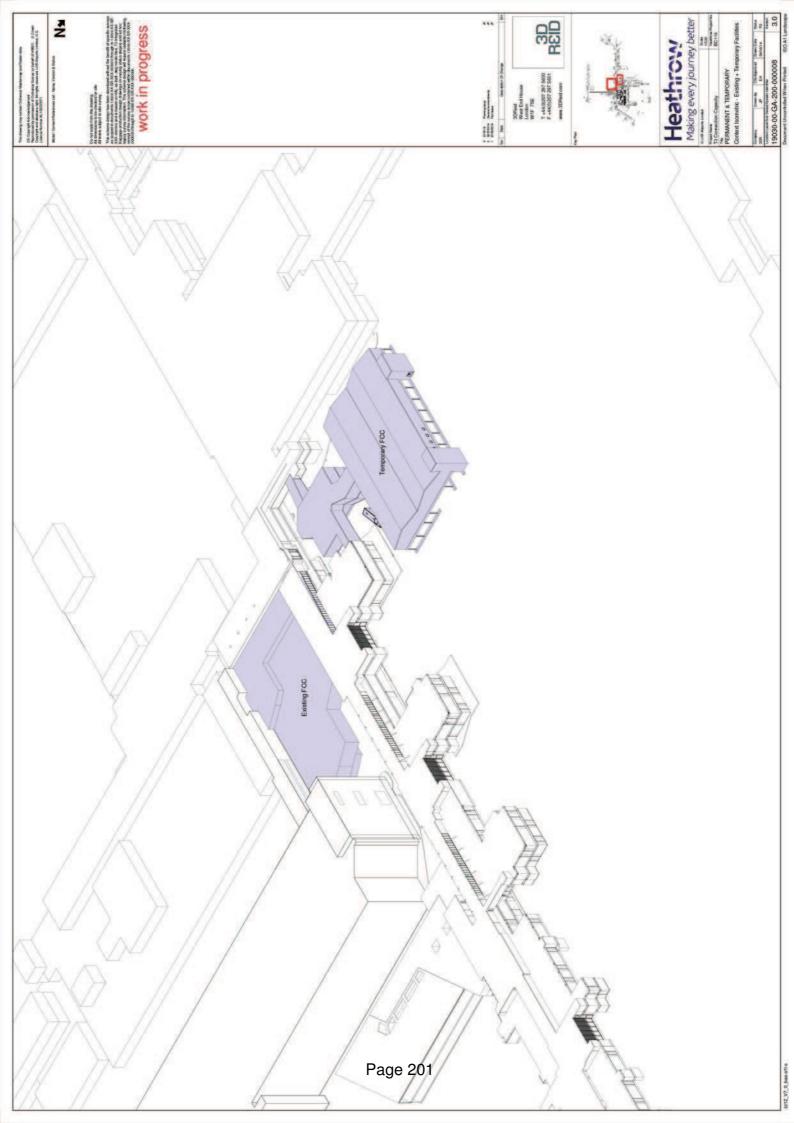
Date Application Valid: 11/09/2014

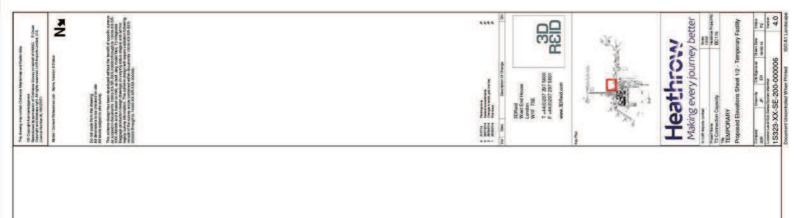


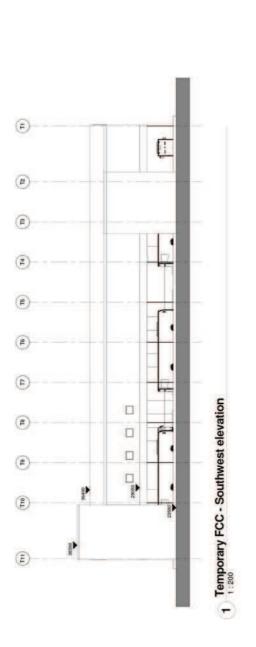


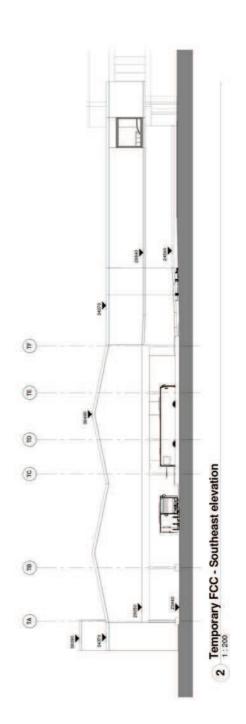


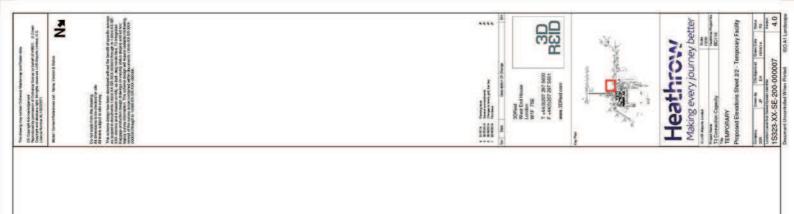


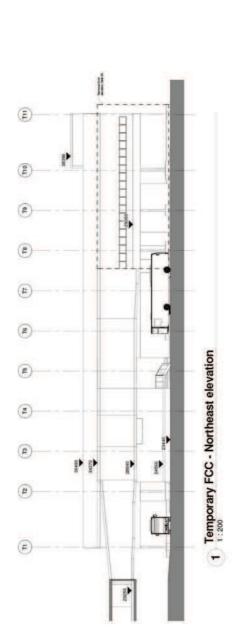


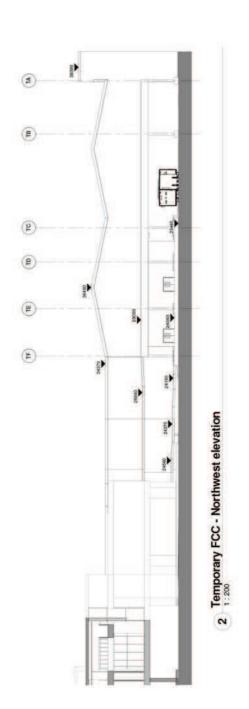




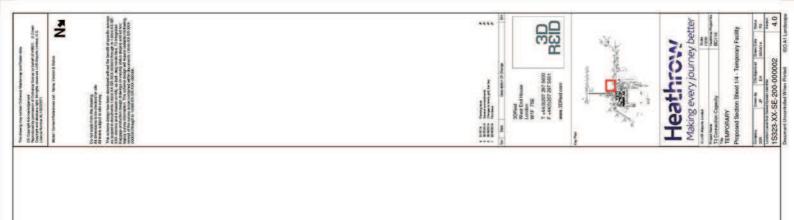


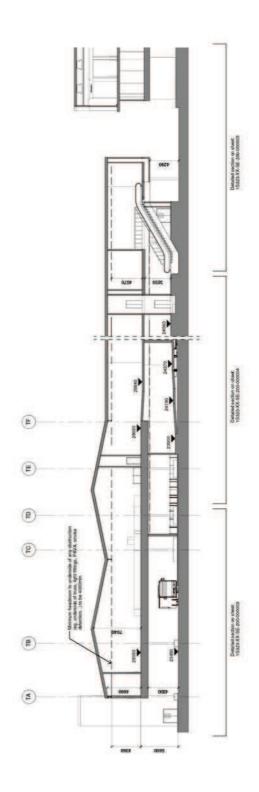


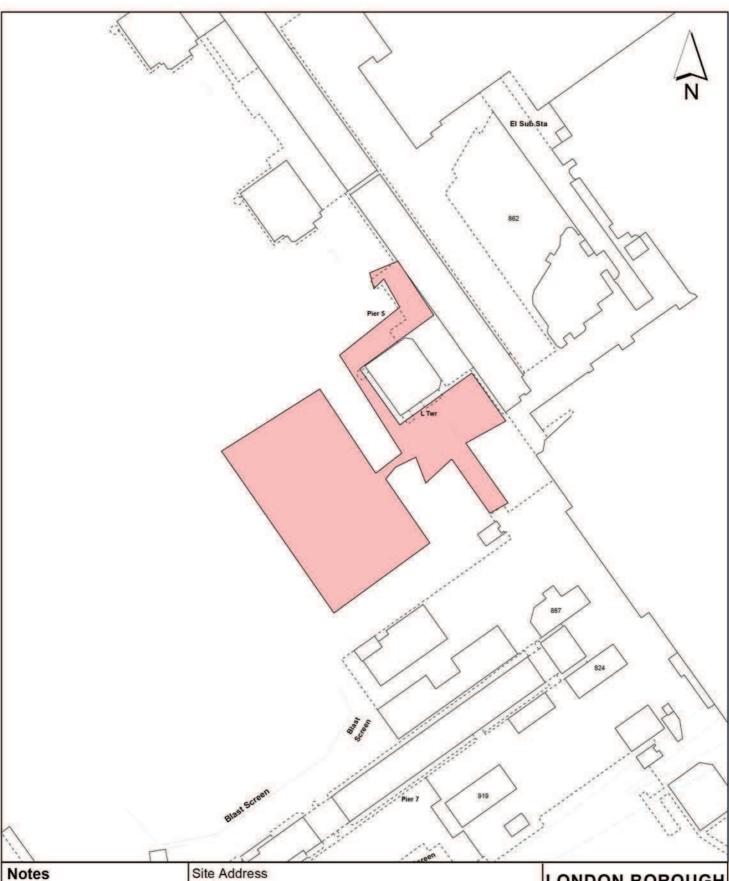


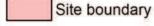


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TemporaryFlight Connections Centre **Stand 323 T3 Heathrow Airport** 

Planning Application Ref:	Scale	
27277/APP/2014/3202	1:	
Planning Committee	Date	

**Planning Committee** 

:1,250

Major Page 205 November 2014

# LONDON BOROUGH OF HILLINGDON

**Residents Services Planning Section** 

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





Item No. Report of the Head of Planning, Building Control, Sport & Green Spaces

Address FLIGHT CONNECTION CENTRE, TERMINAL 3, CENTRAL TERMINAL

AREA HEATHROW AIRPORT HOUNSLOW

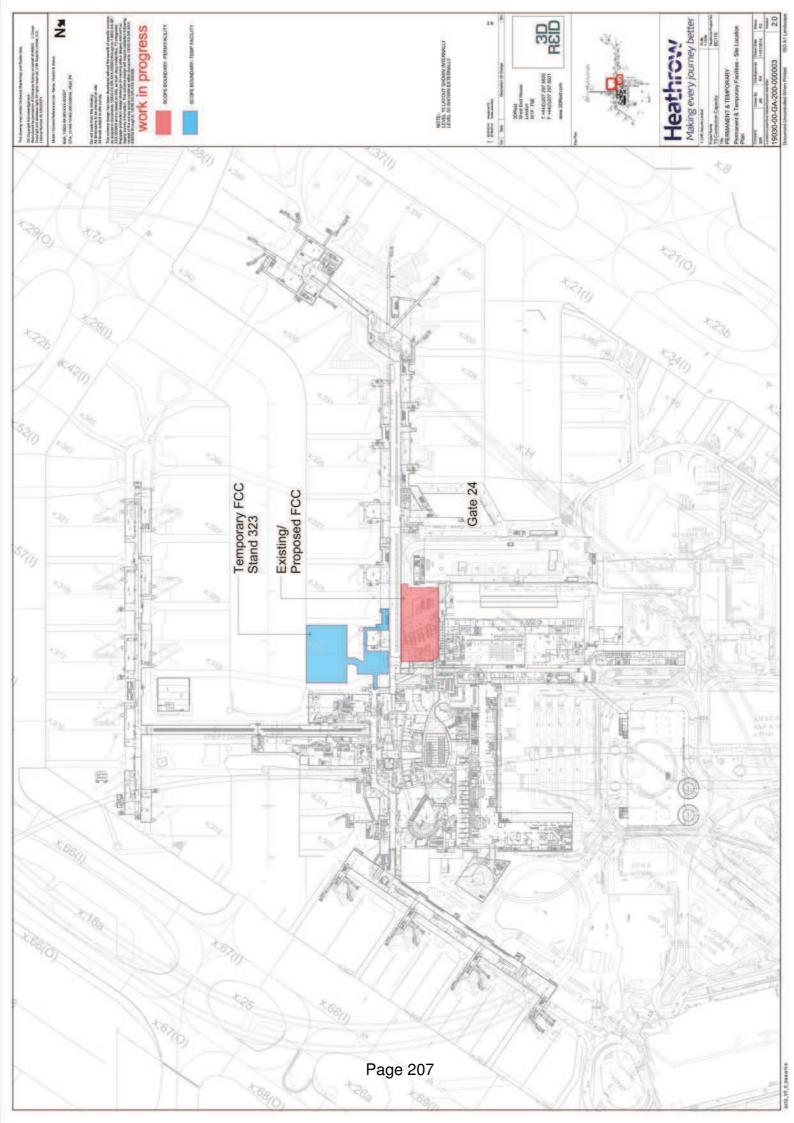
**Development:** Demolition of existing Flight Connection Centre and erection of new larger

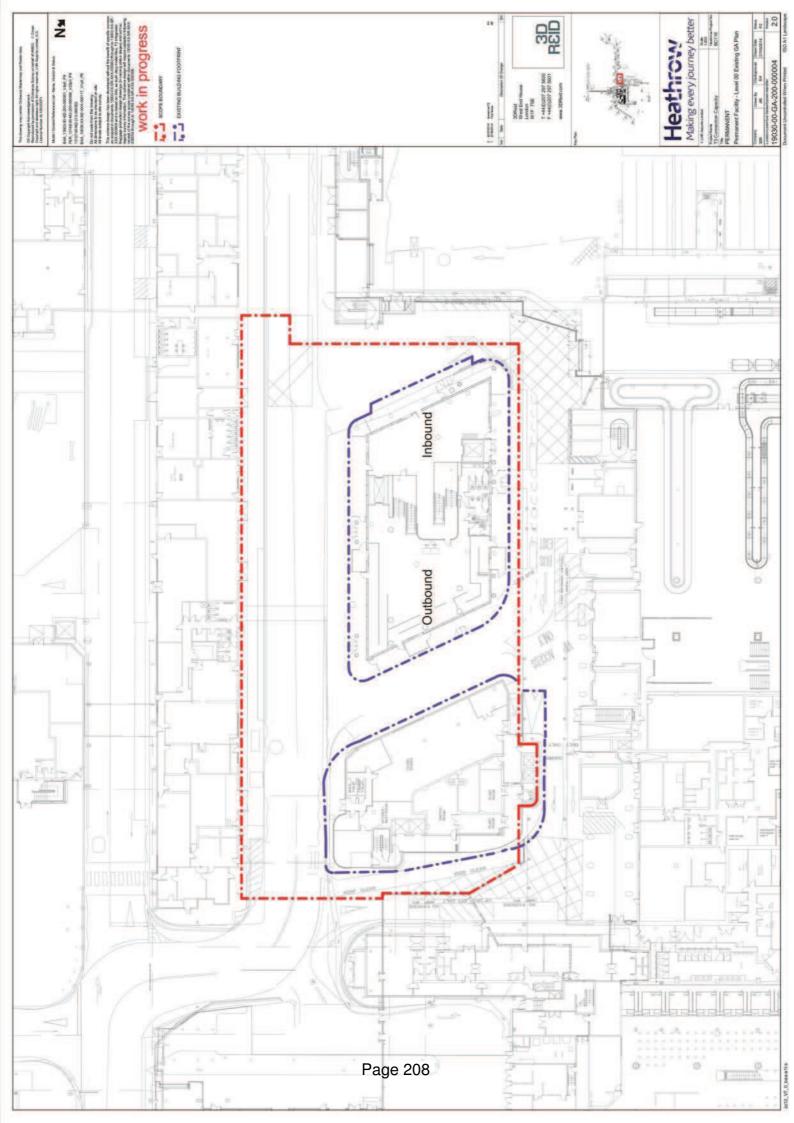
centre serving Terminal 3.

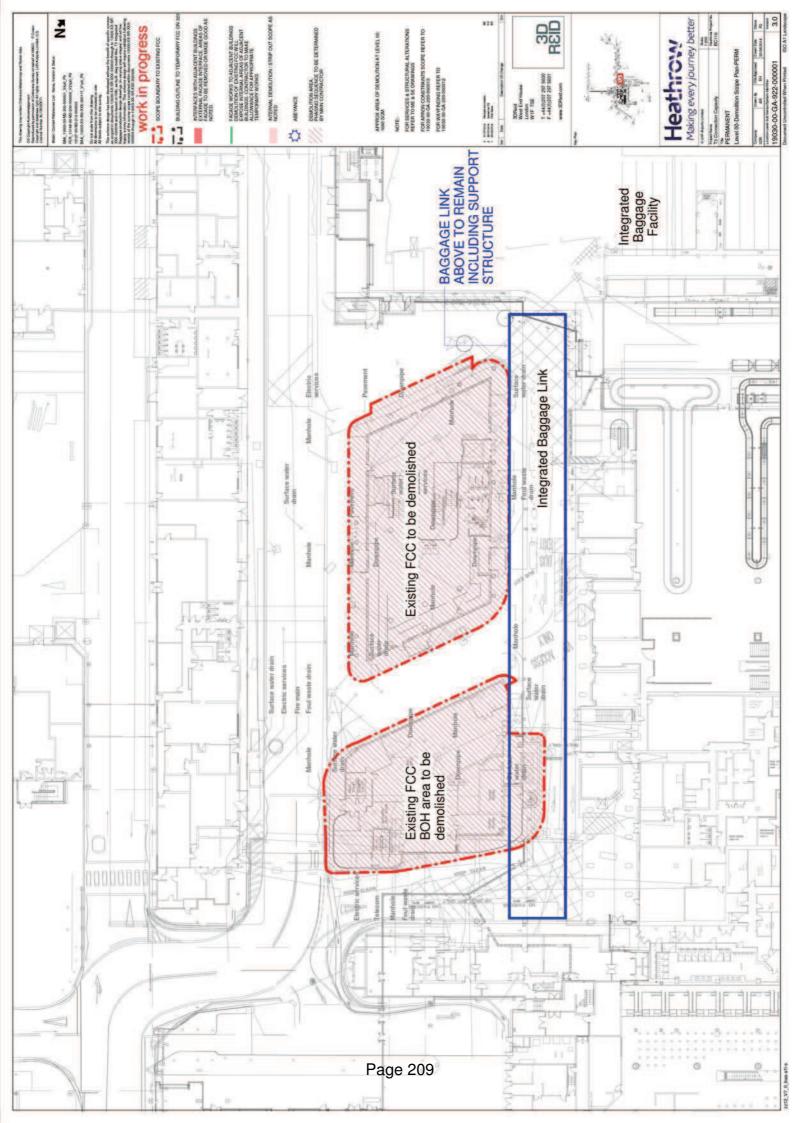
**LBH Ref Nos:** 27277/APP/2014/3204

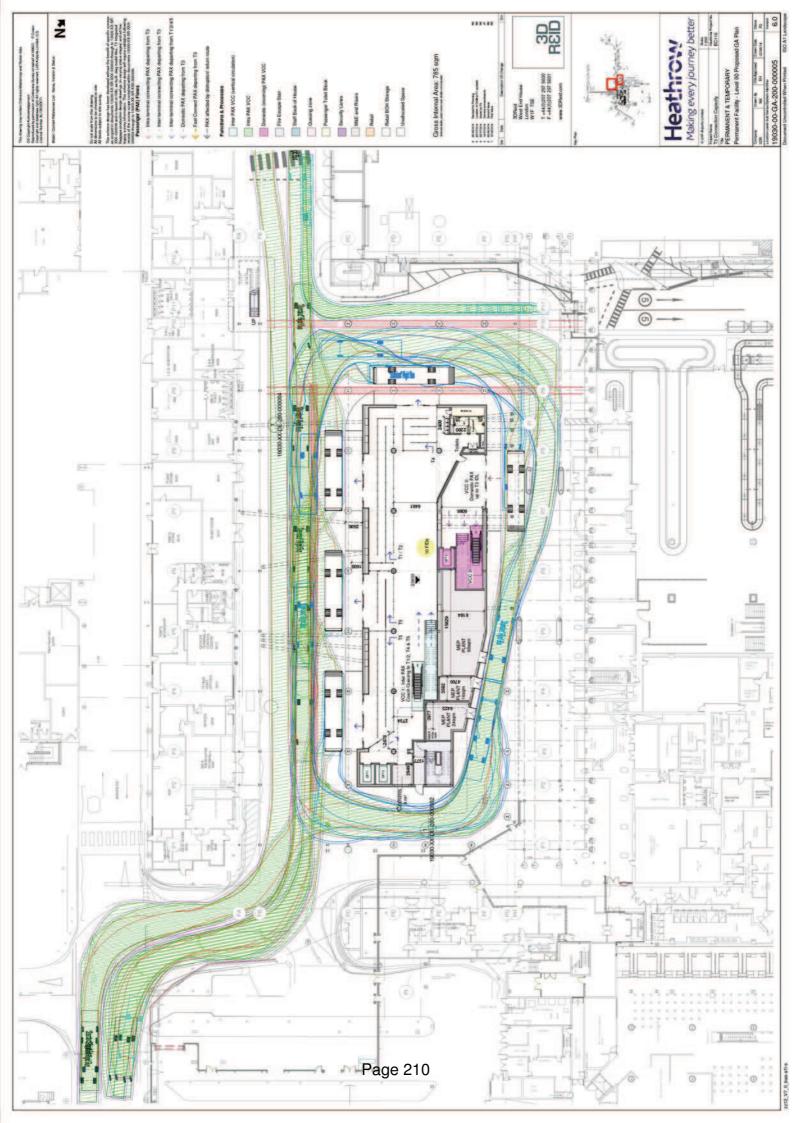
Date Plans Recieved: 09/09/2014 Date(s) of Amendment(s):

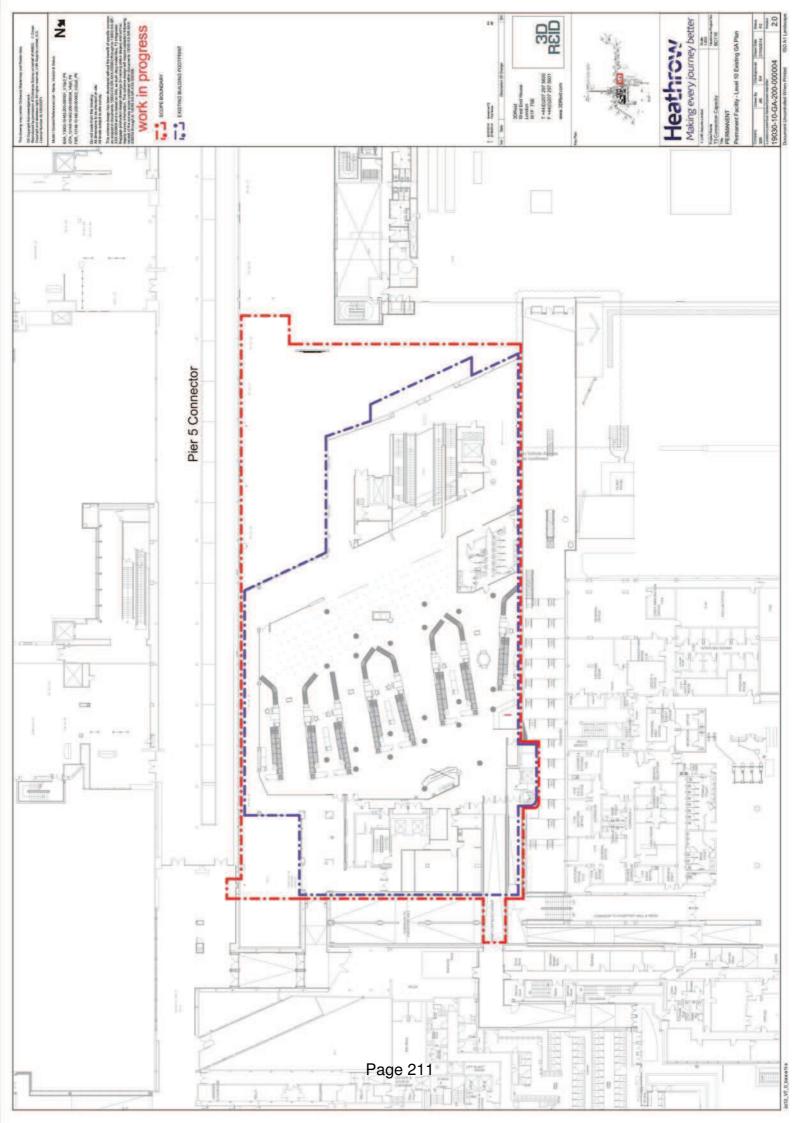
Date Application Valid: 11/09/2014

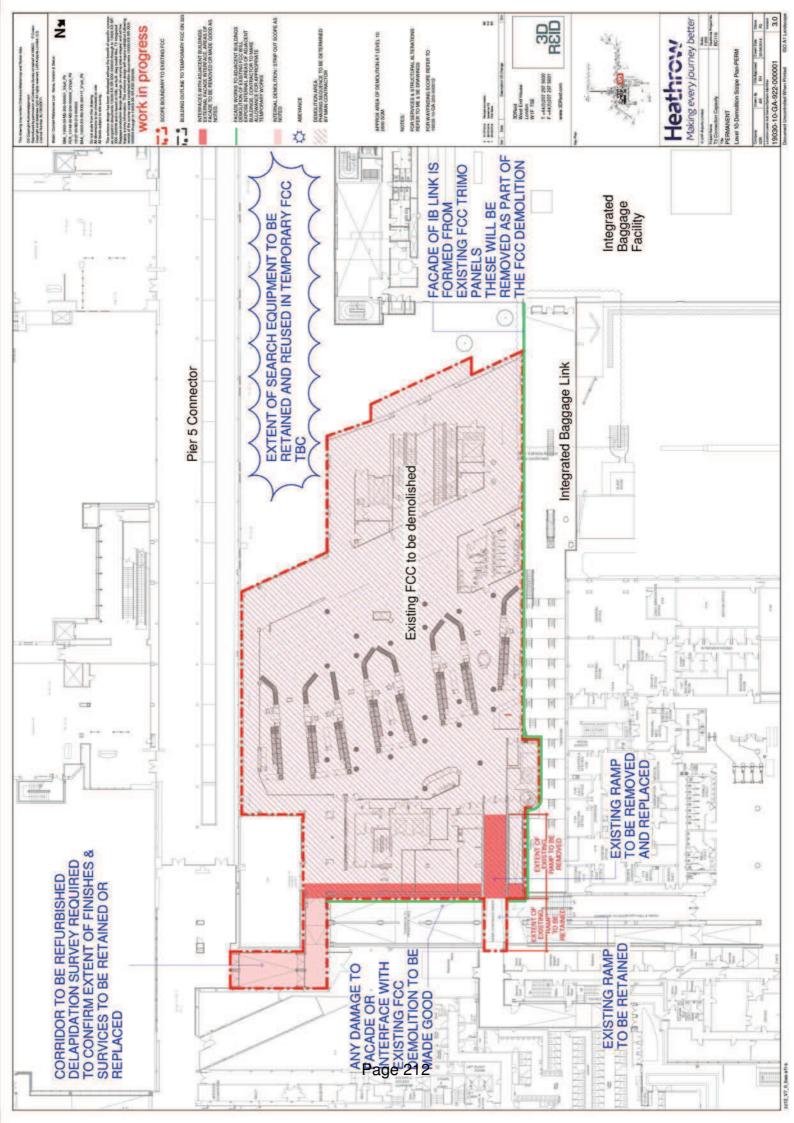


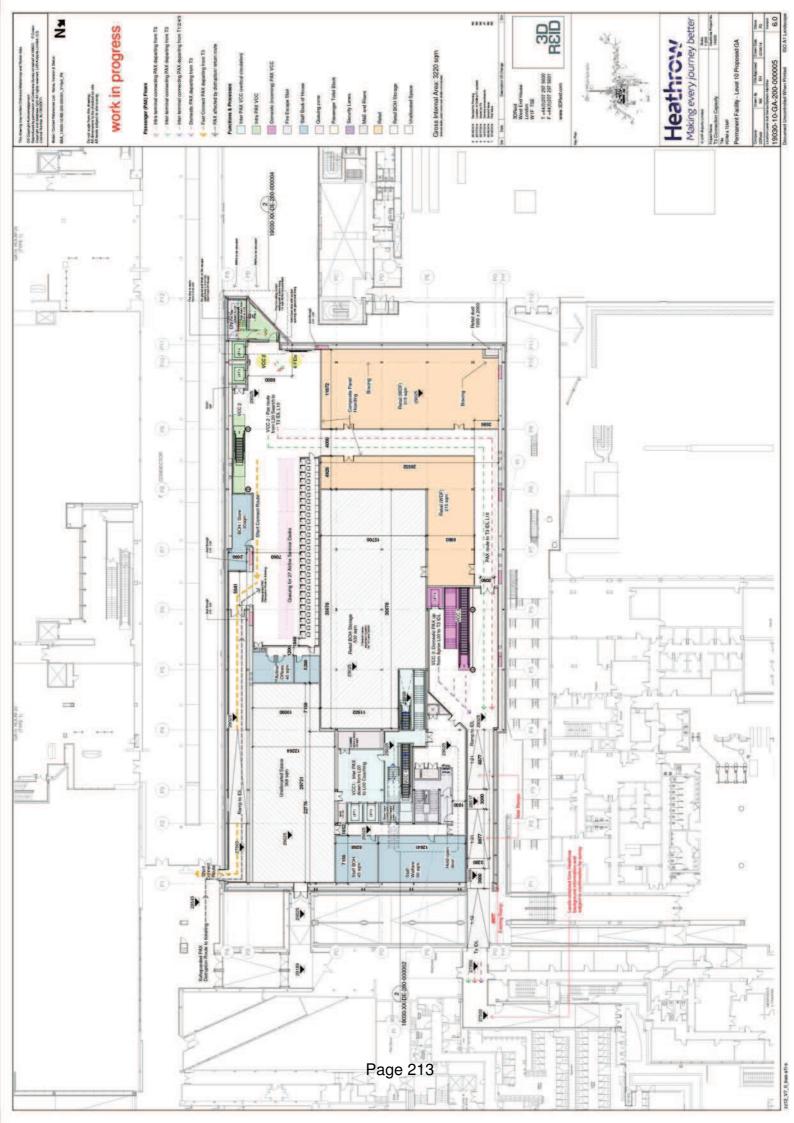


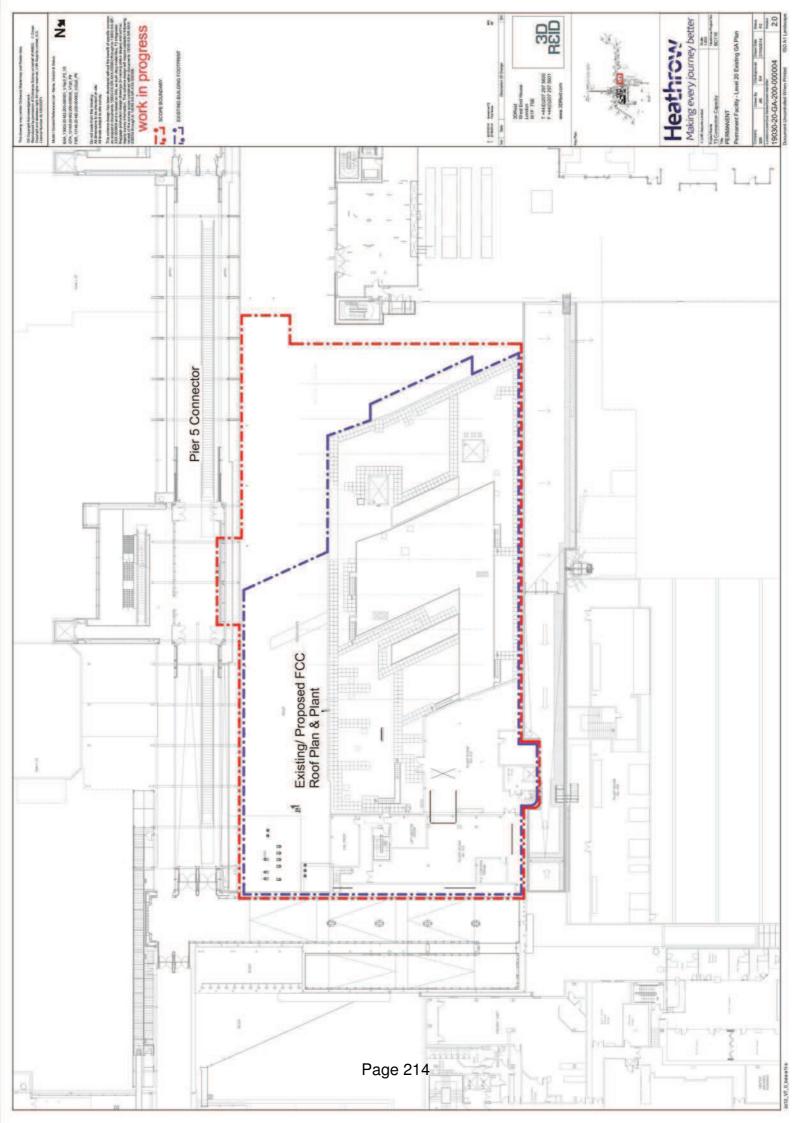


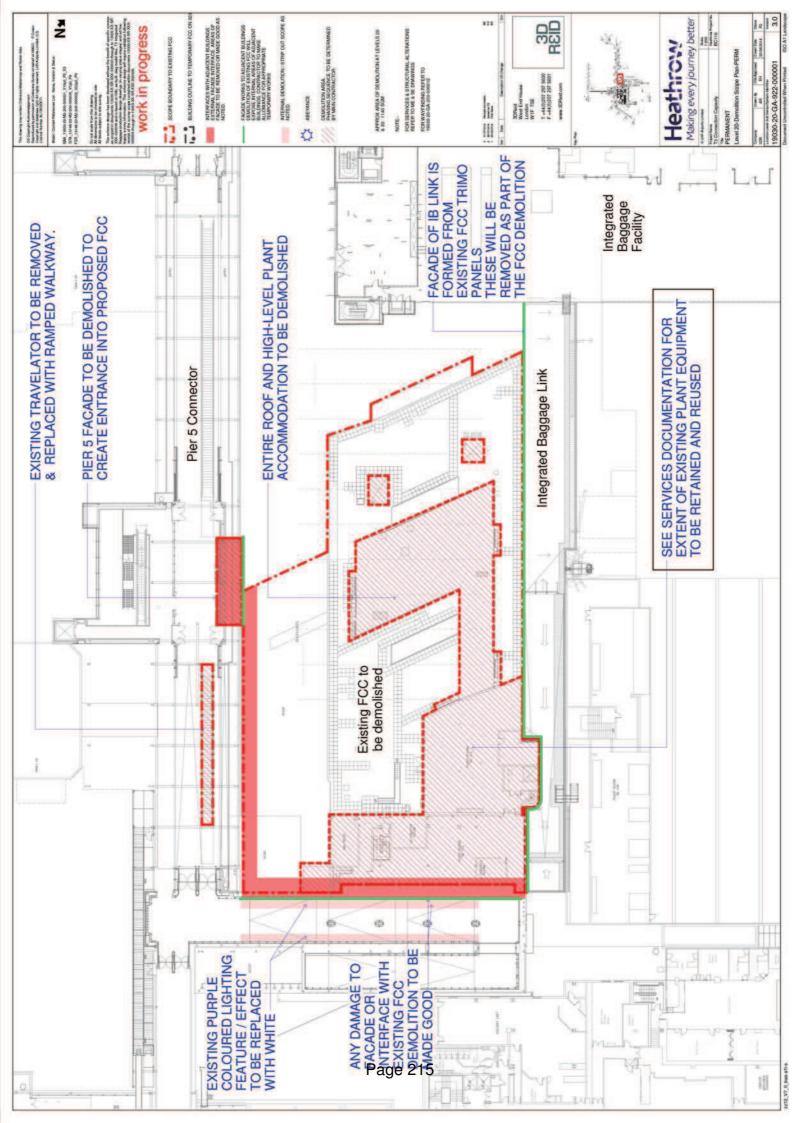


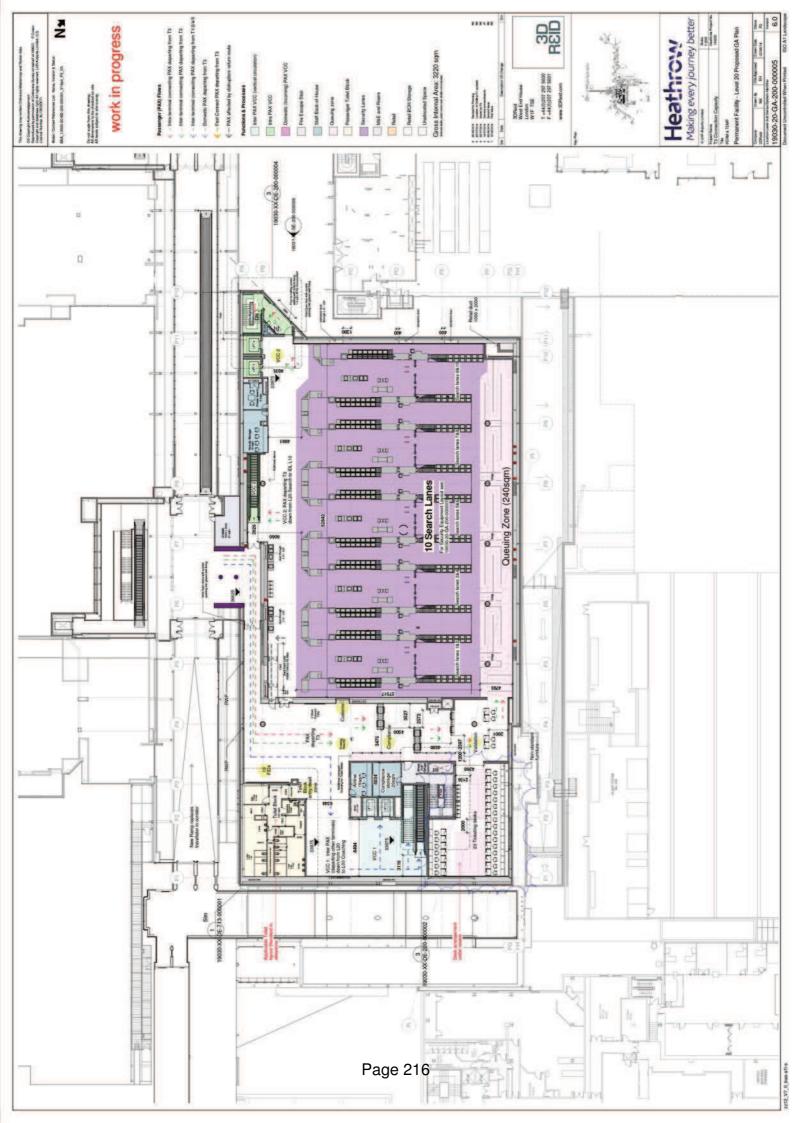


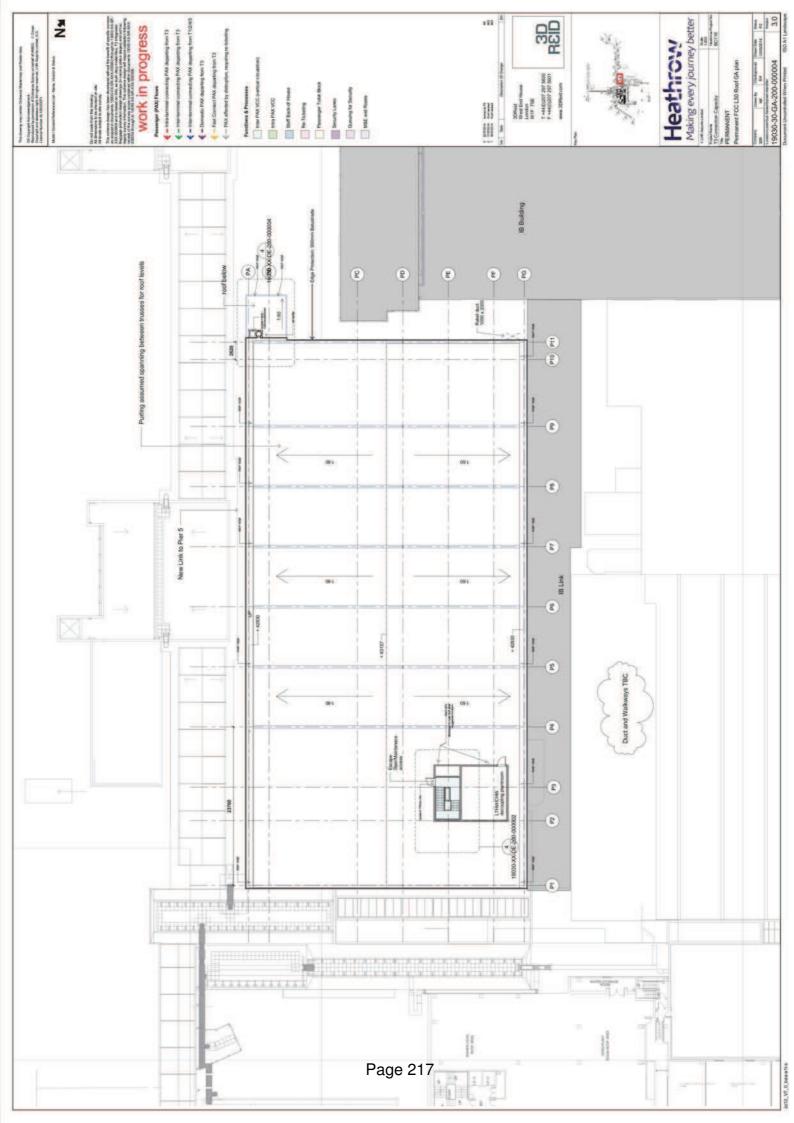


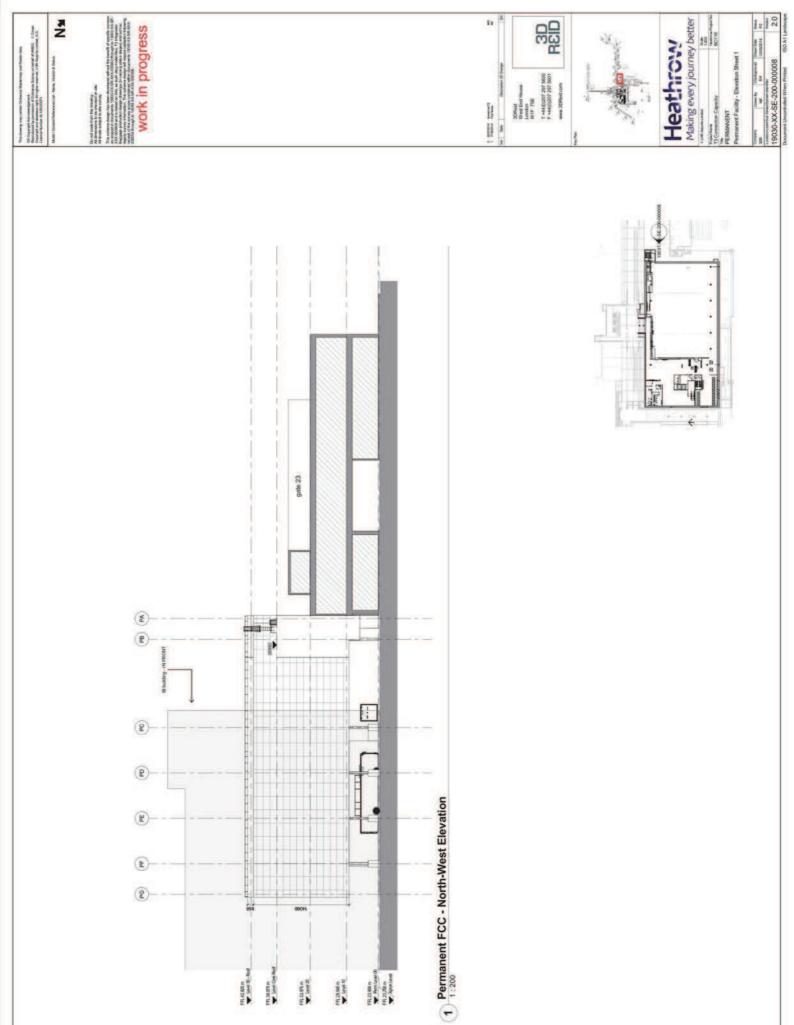




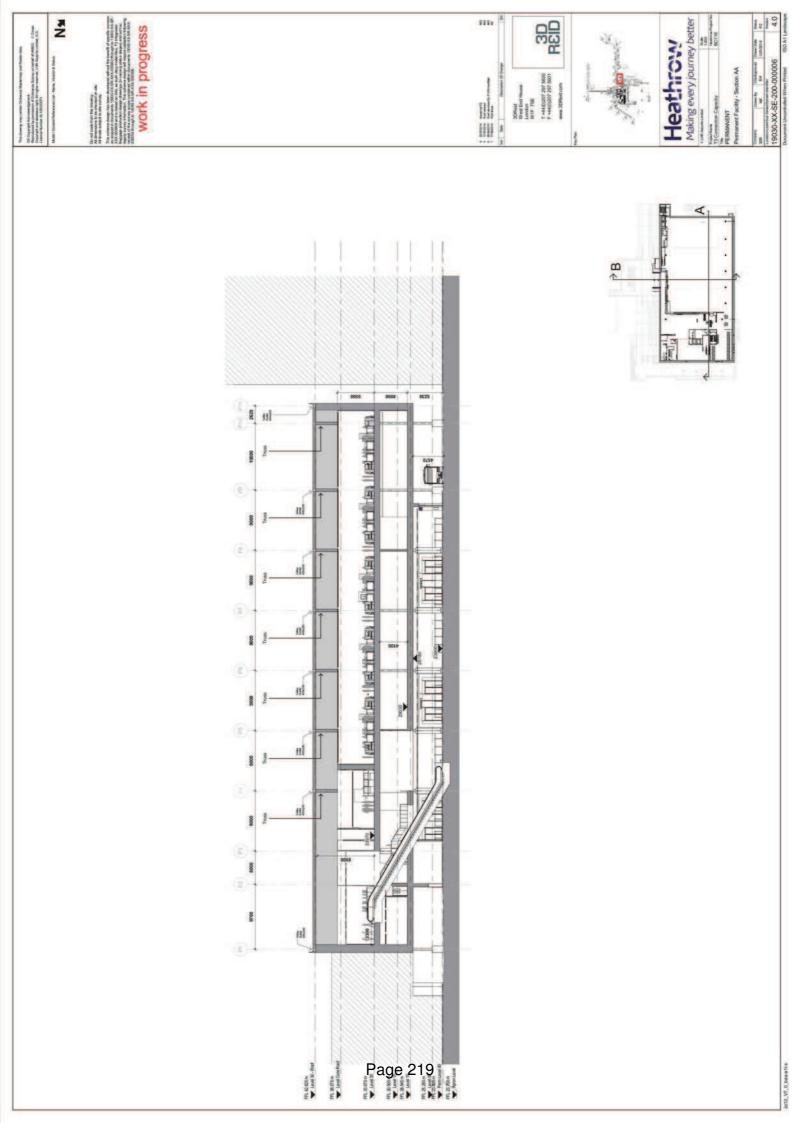


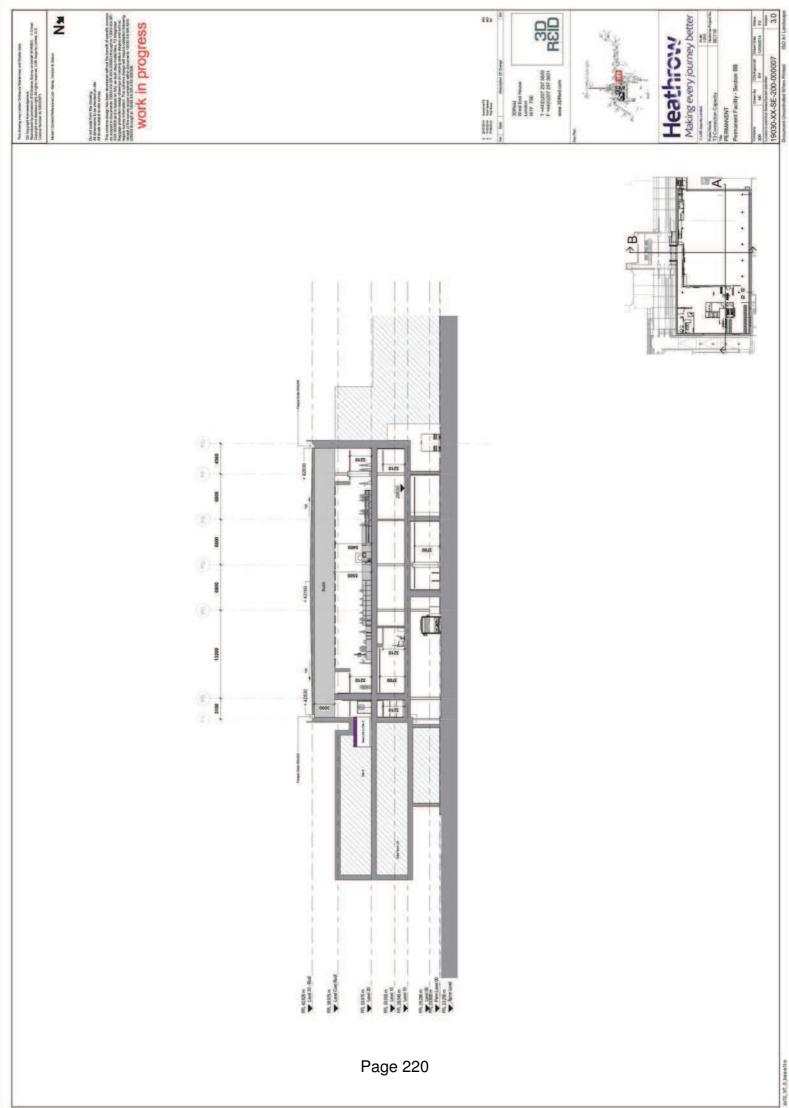


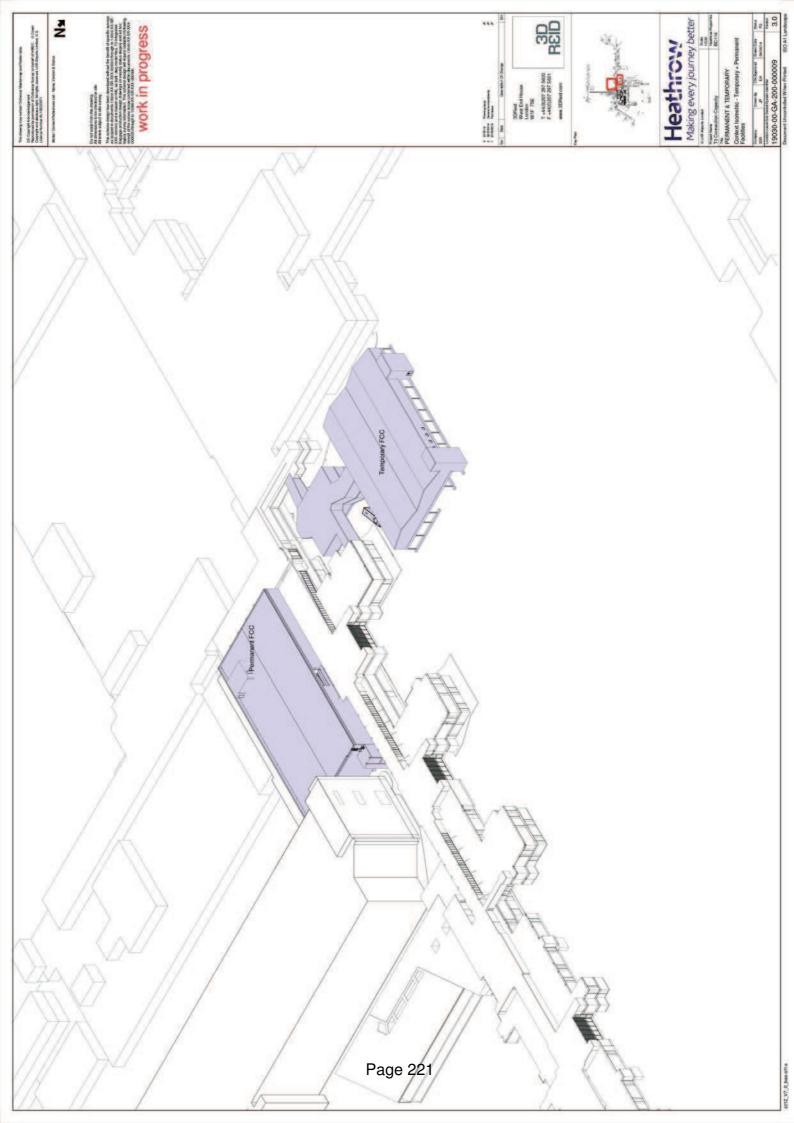


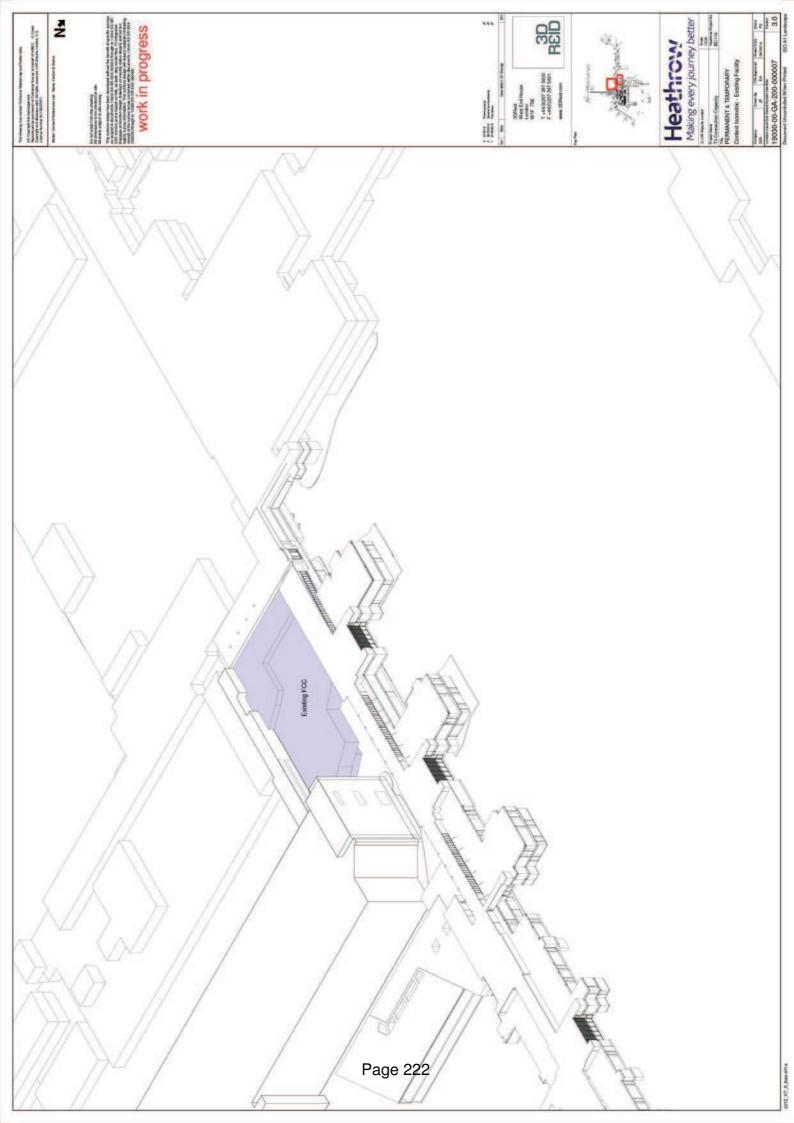


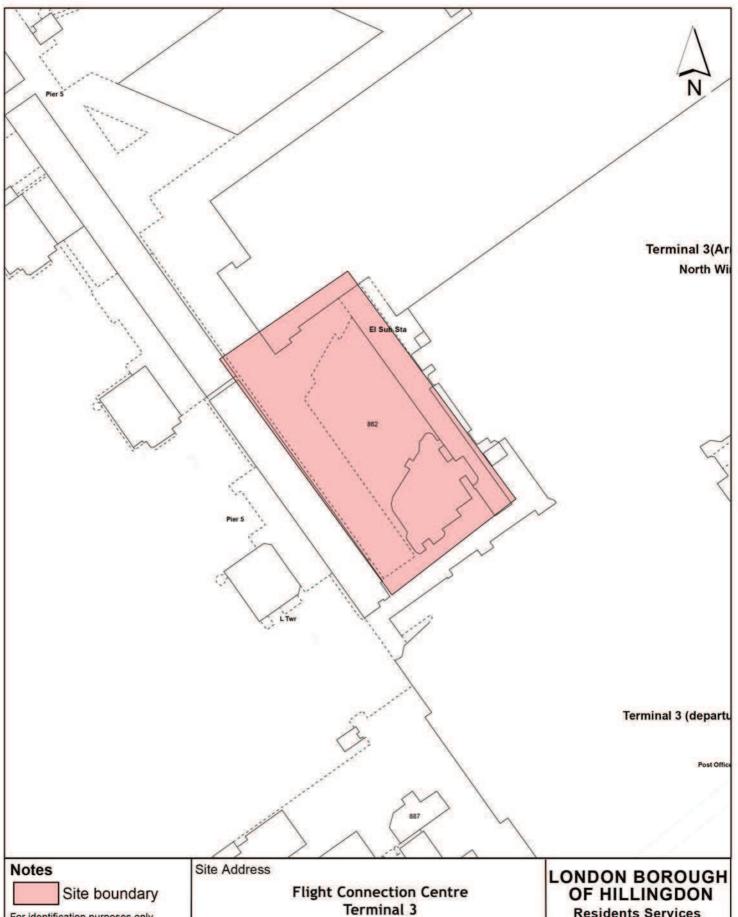
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**Central Terminal Area Heathrow Airport** 

Planning Application Ref:
27277/APP/2014/3204

Scale

1:1,250

**Planning Committee** 

Major Page 223 November 2014

**Residents Services Planning Section** 

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



### Report of the Head of Planning, Sport and Green Spaces

Address UNIT 5, LOMBARDY RETAIL PARK COLDHARBOUR LANE HAYES

**Development:** Installation of mezzanine within existing retail unit with ancillary customer

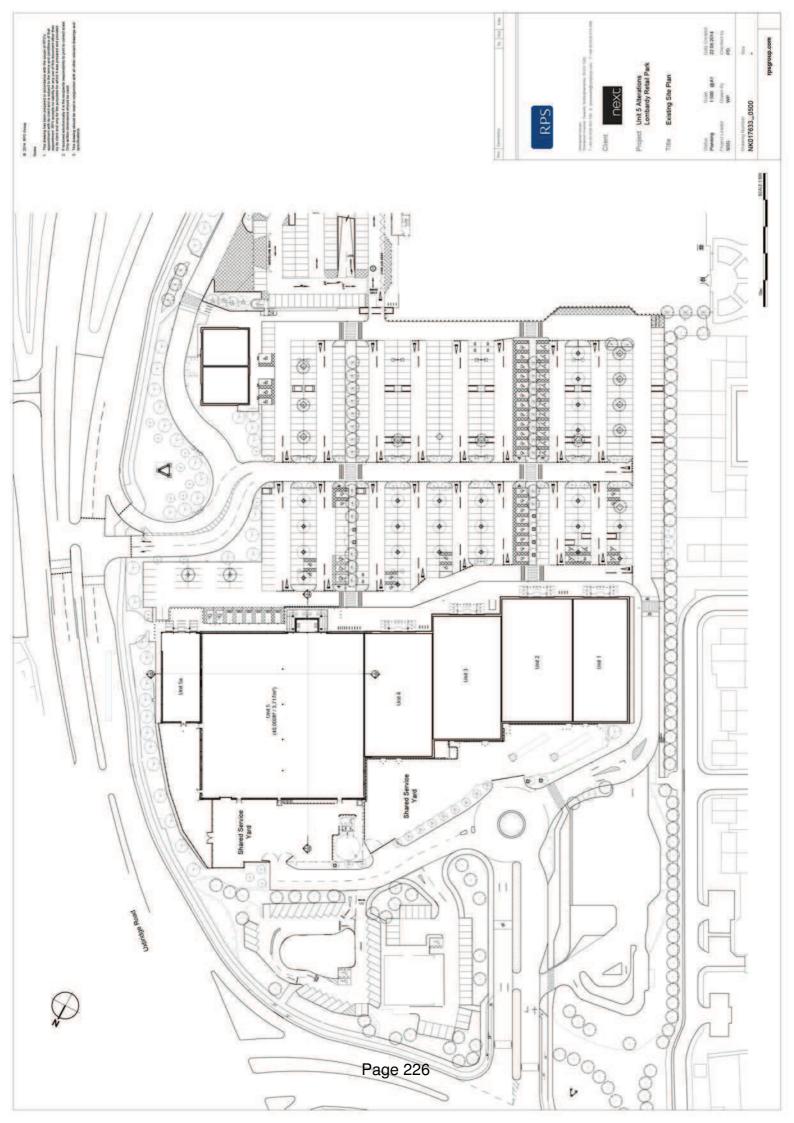
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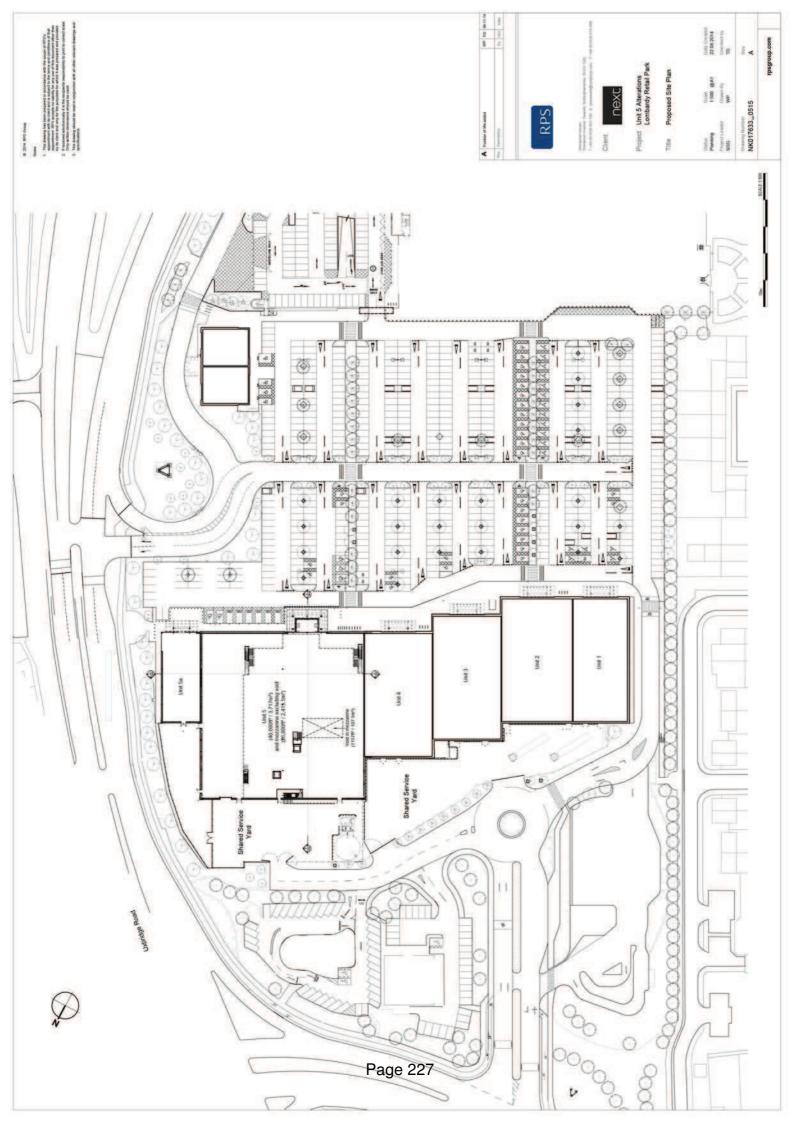
**LBH Ref Nos:** 63098/APP/2014/3081

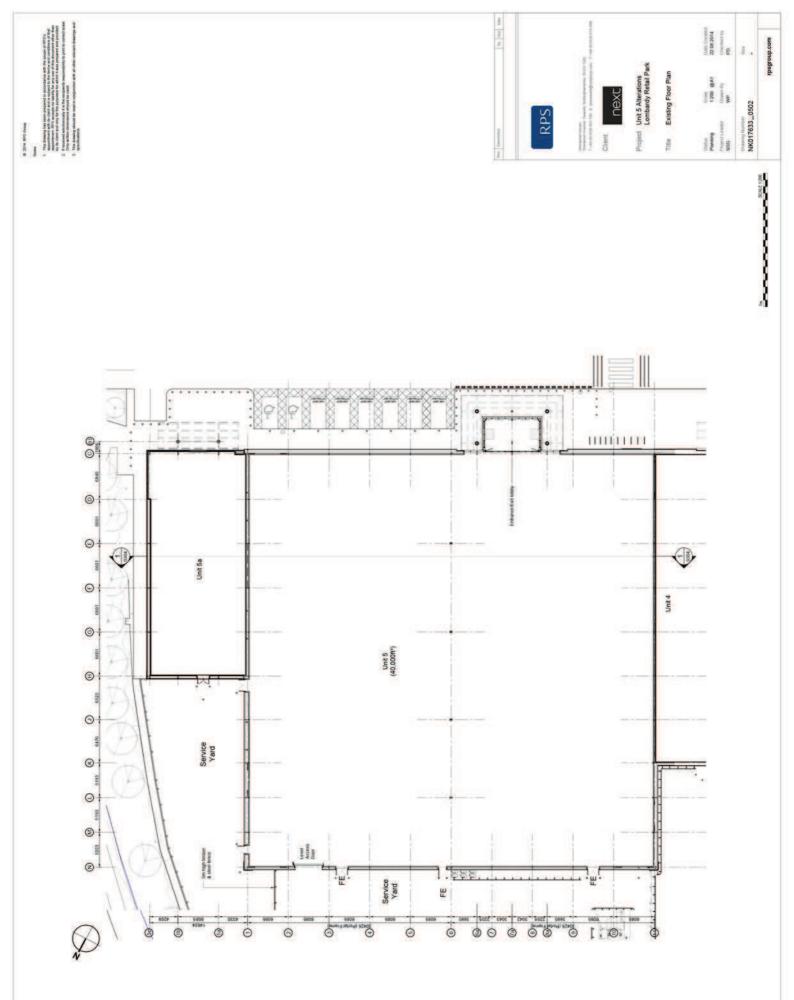
Date Plans Received: 27/08/2014 Date(s) of Amendment(s): 04/11/2014

**Date Application Valid:** 18/09/2014 27/08/2014

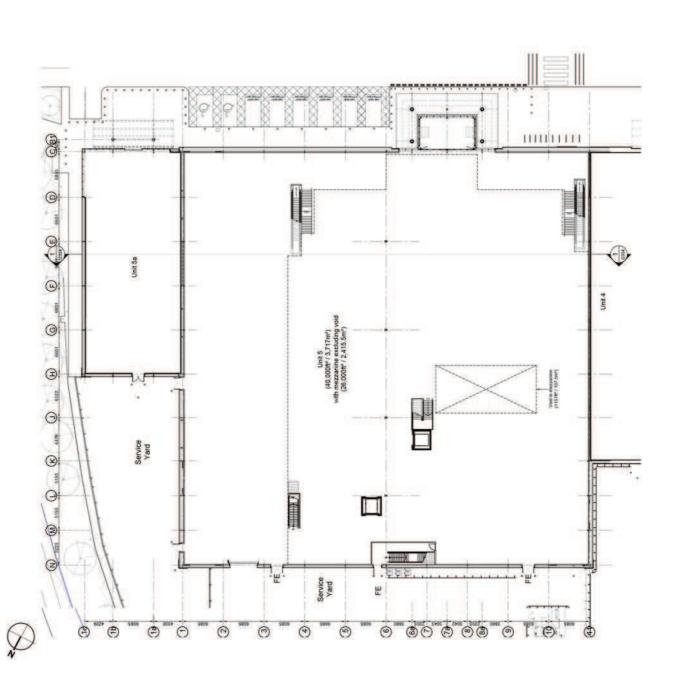


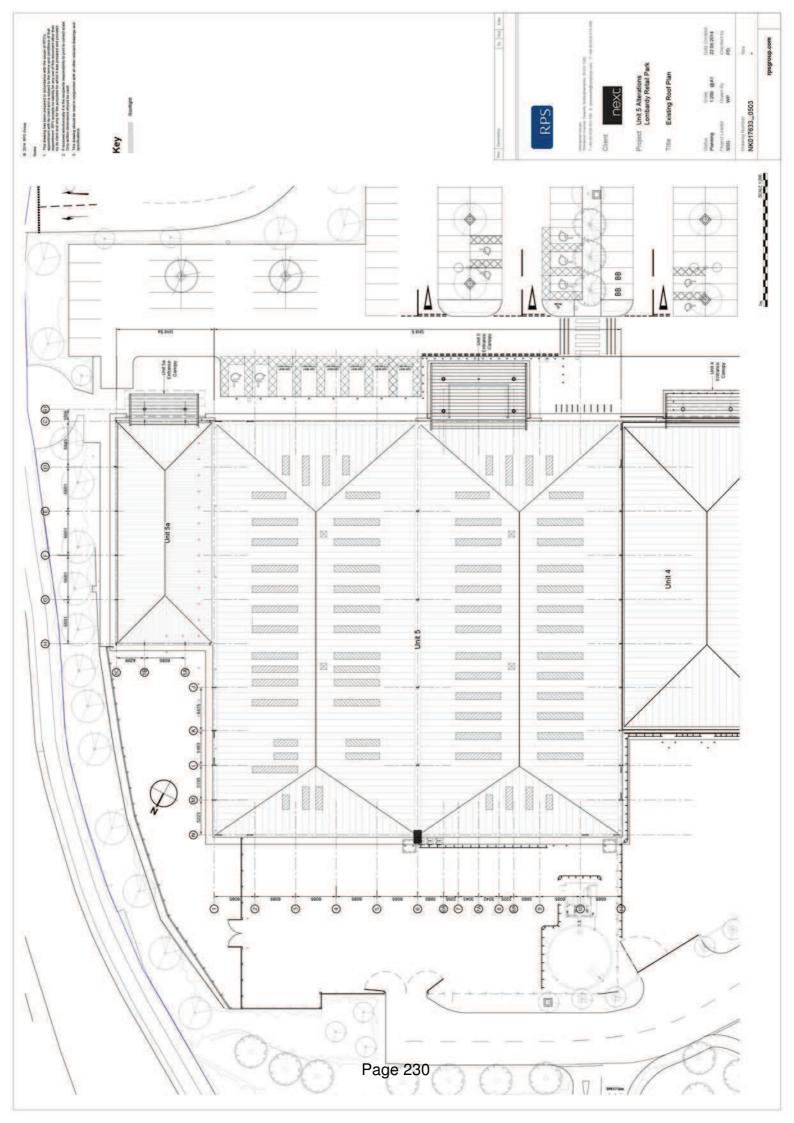


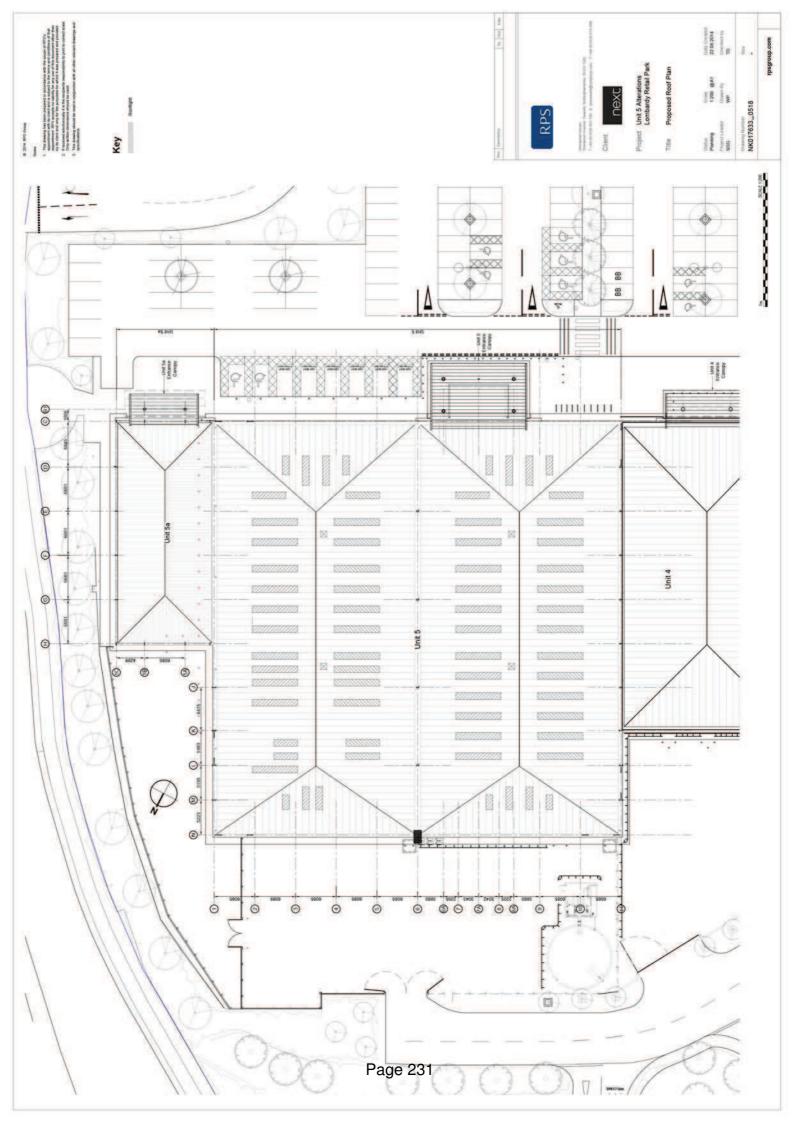


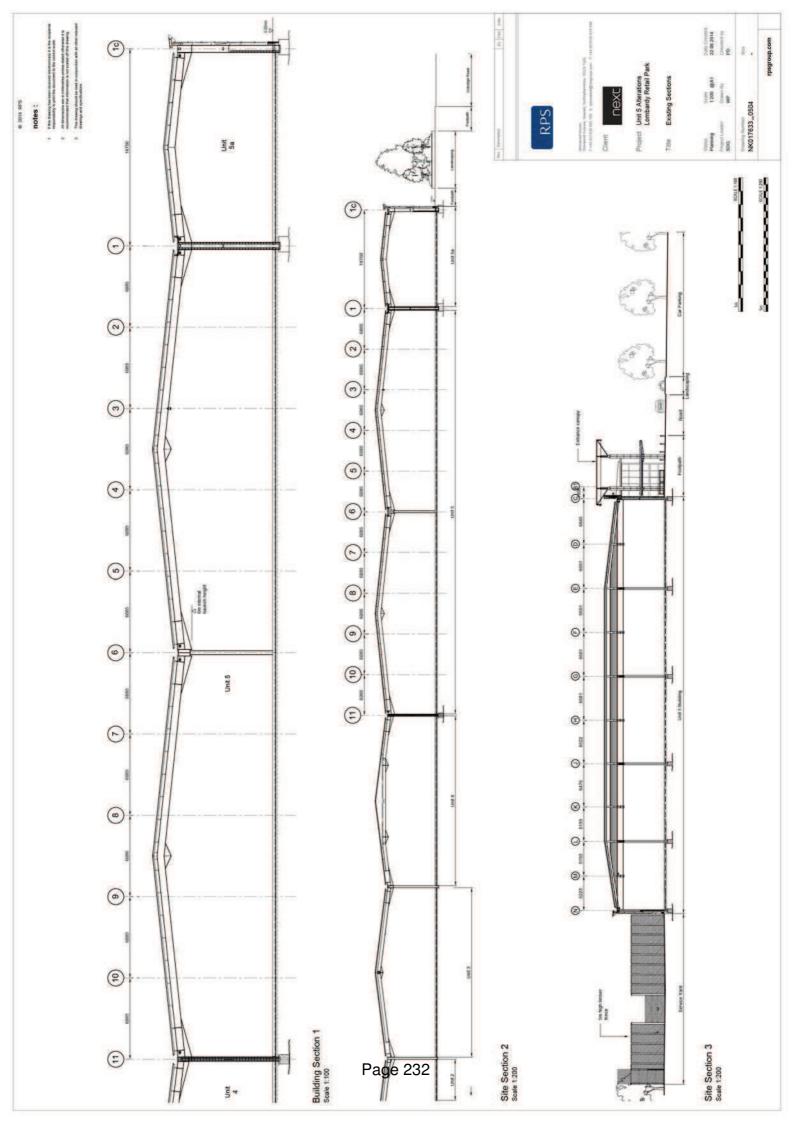


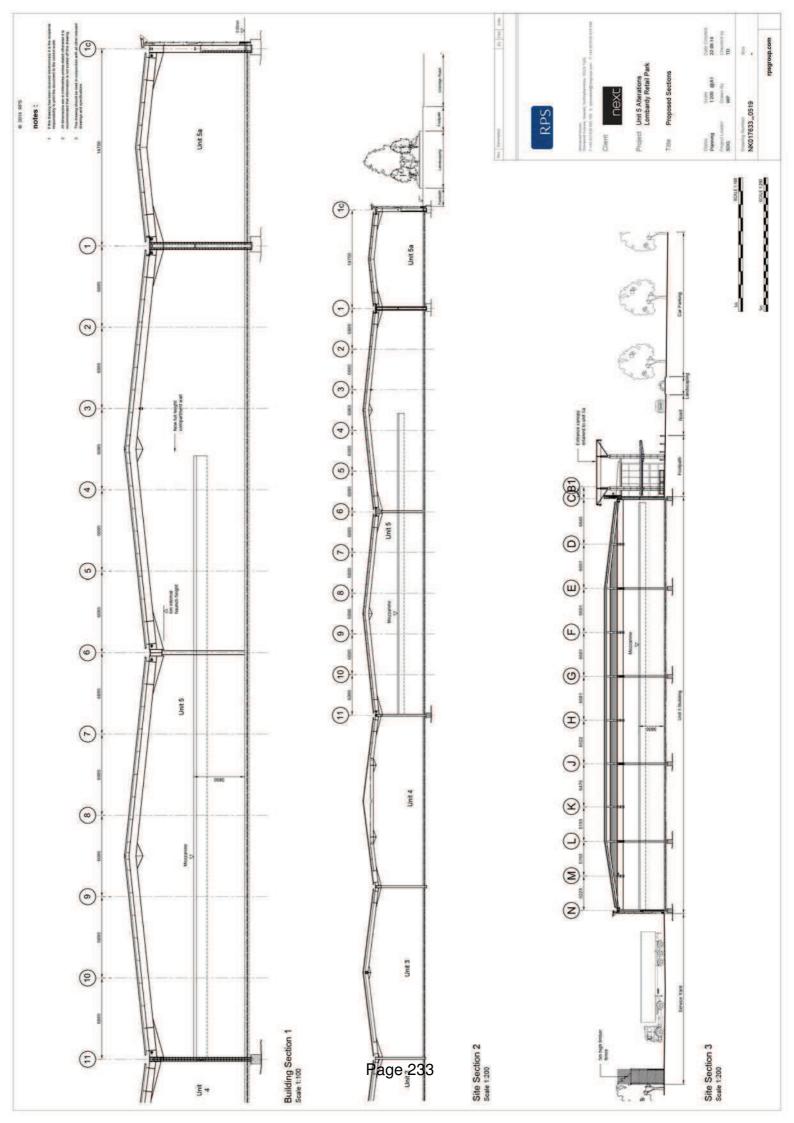


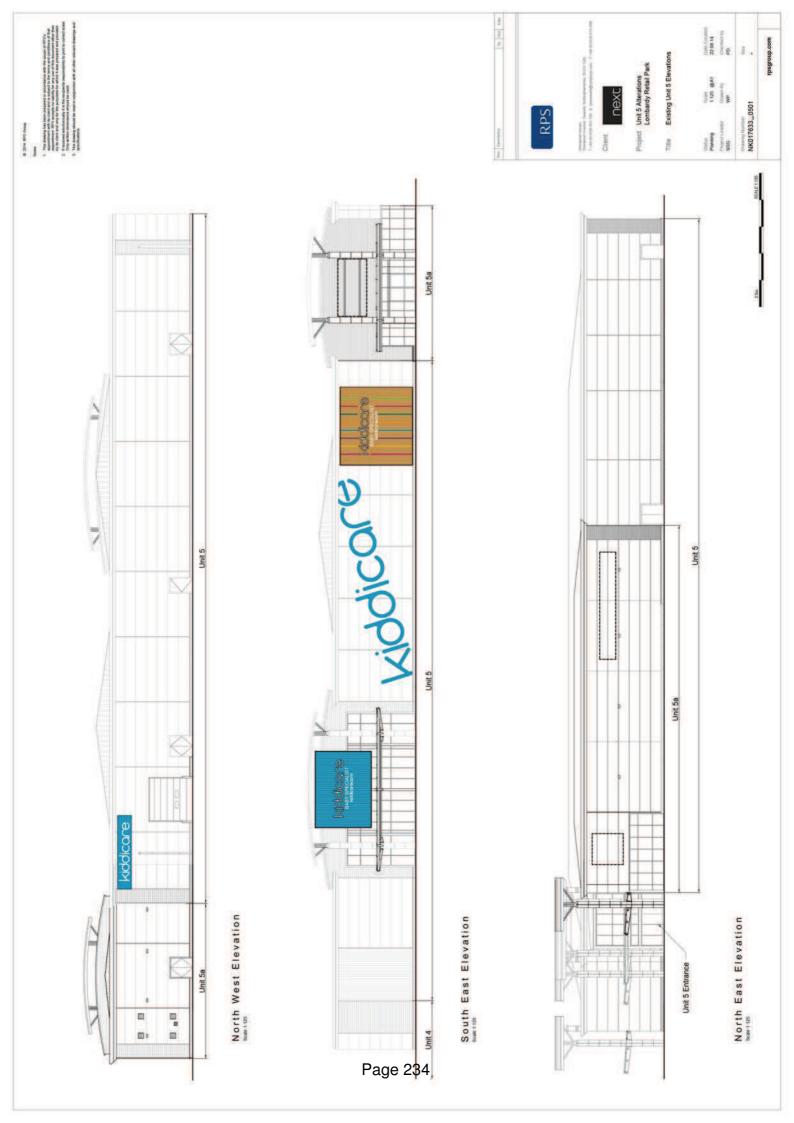


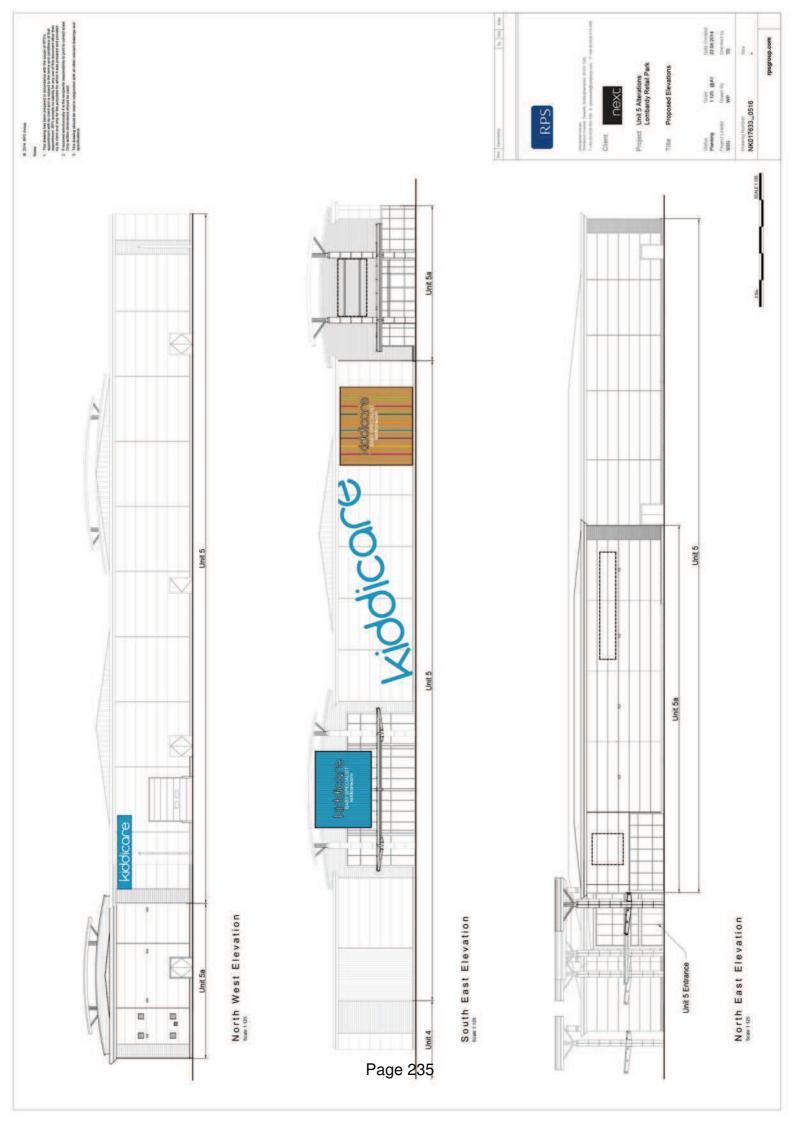


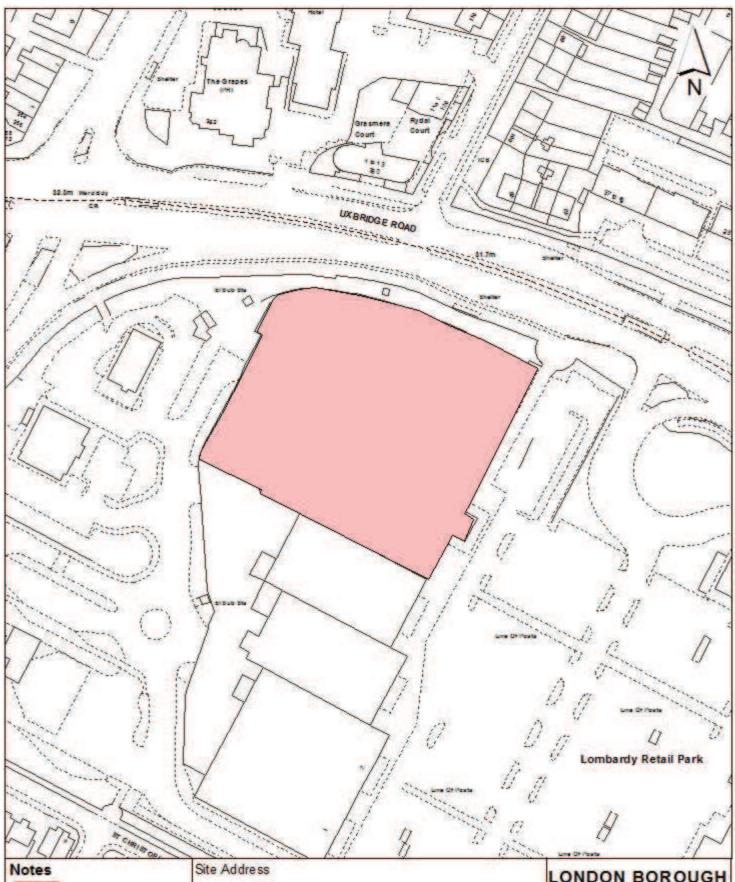


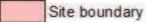












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# Unit 5, Lombardy Retail Park Coldharbour Lane Hayes

Planning Application Ref:

Planning Committee

63098/APP/2014/3081

Major Page 236

Scale

1:1,250

Date

November 2014

# LONDON BOROUGH OF HILLINGDON

Residents Services **Planning Section** 

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



### Report of the Head of Planning, Sport and Green Spaces

Address FORMER NATIONAL AIR TRAFFIC SERVICES HEADQUARTERS SITE

PORTERS WAY WEST DRAYTON

**Development:** Reserved matters (appearance and landscaping) in compliance with

conditions 2 and 3 for Phase 4, second application (23 residential units) of planning permission ref: 5107/APP/2009/2348 dated 01/10/2010, for the

proposed mixed used redevelopment of the Former NATS Site.

**LBH Ref Nos:** 5107/APP/2014/2454

Date Plans Received: 11/07/2014 Date(s) of Amendment(s):

**Date Application Valid:** 12/08/2014

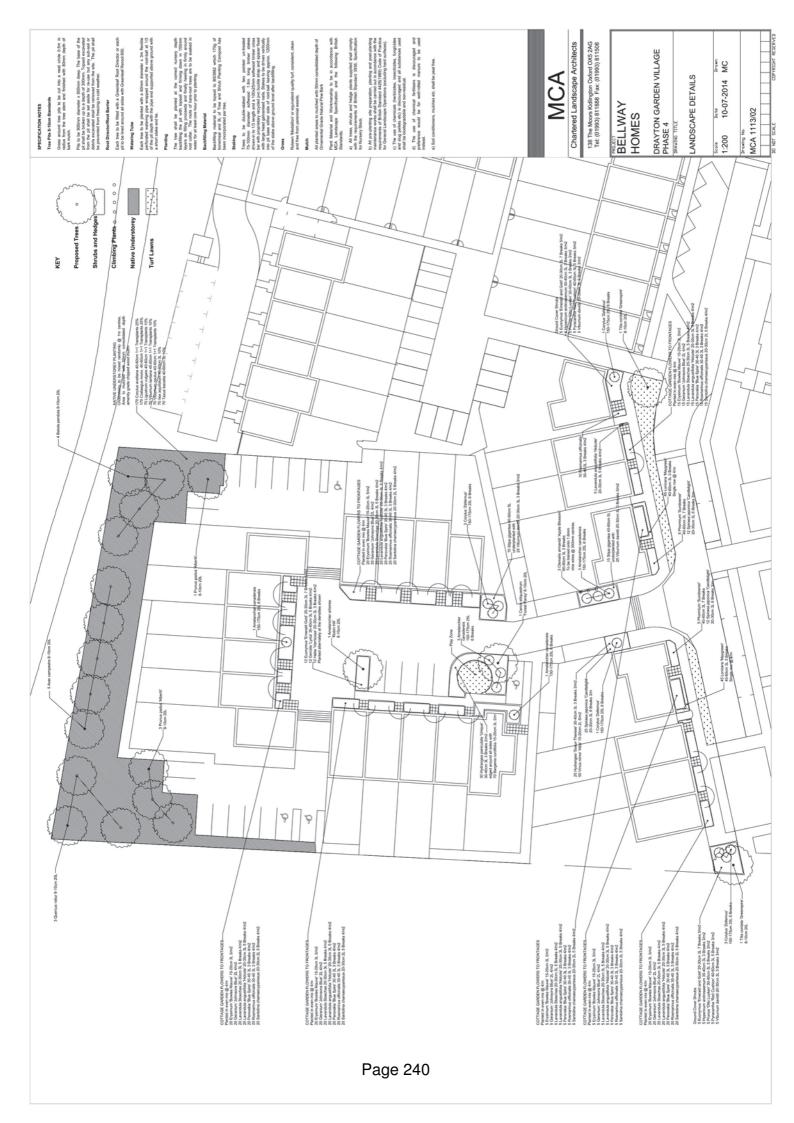








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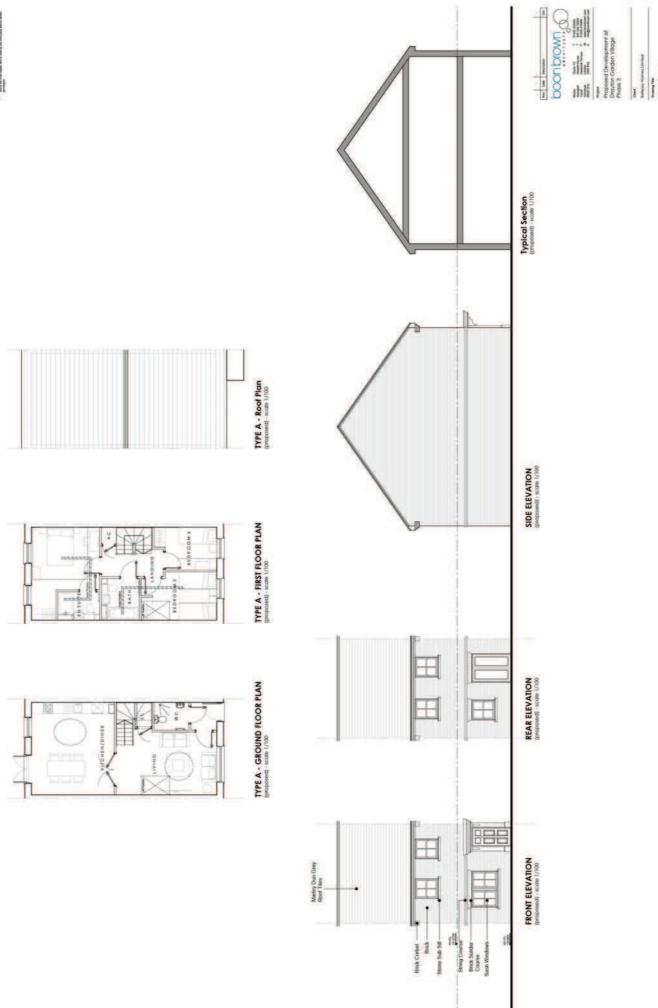


# Typical elevation of fencing to individual plots

--- referring of the alias set prior boundaries.
 --- where the result of the alias set prior boundaries.
 --- week the result of the prior prior prior set of the prior boundaries.
 --- week the hight to be maximum of 1800m.
 --- Fencini is provided to all resir and side piot boundaries to provide privativ and security to private develining and

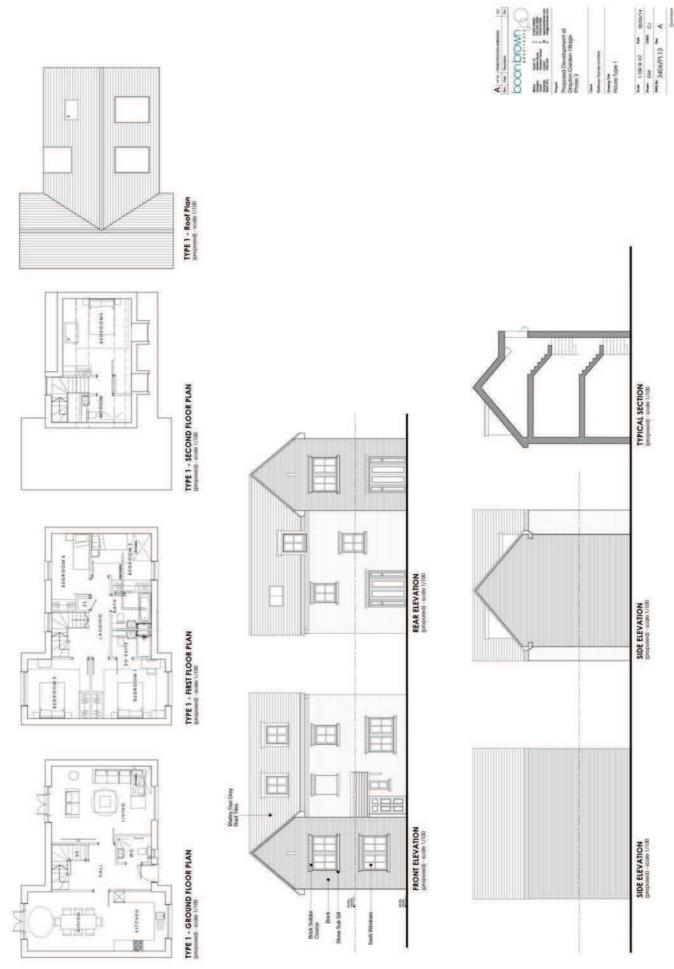
Limited use of fencing on front boundaries means that visibility splays are manifained to all public area.
 This drawning to be read in conjunction with Design and Access Statement - Section 4.





Page 242

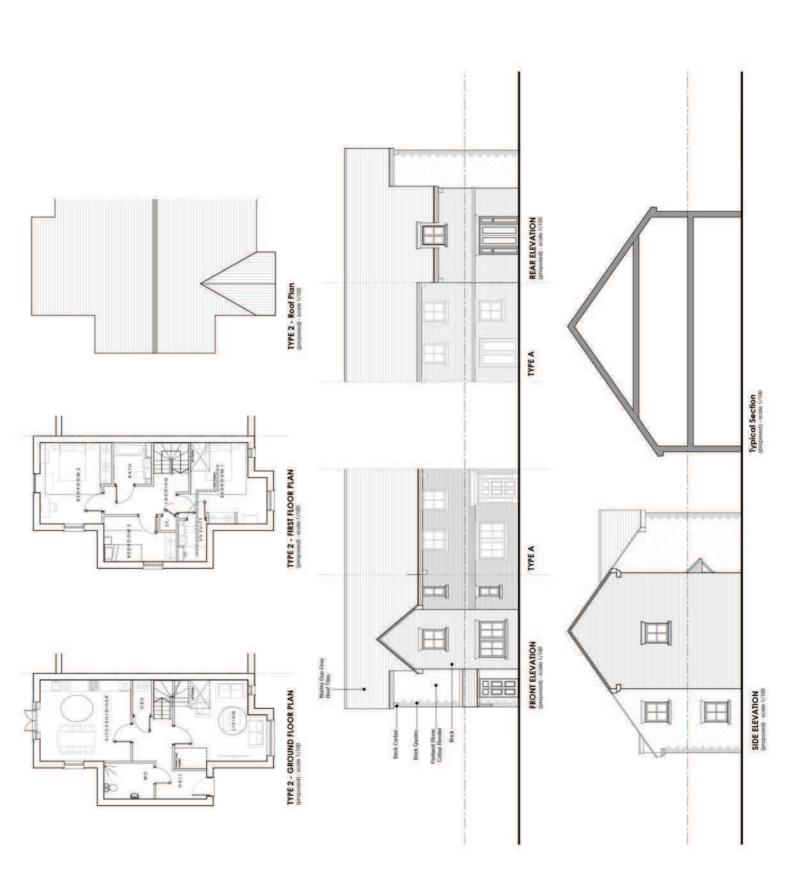


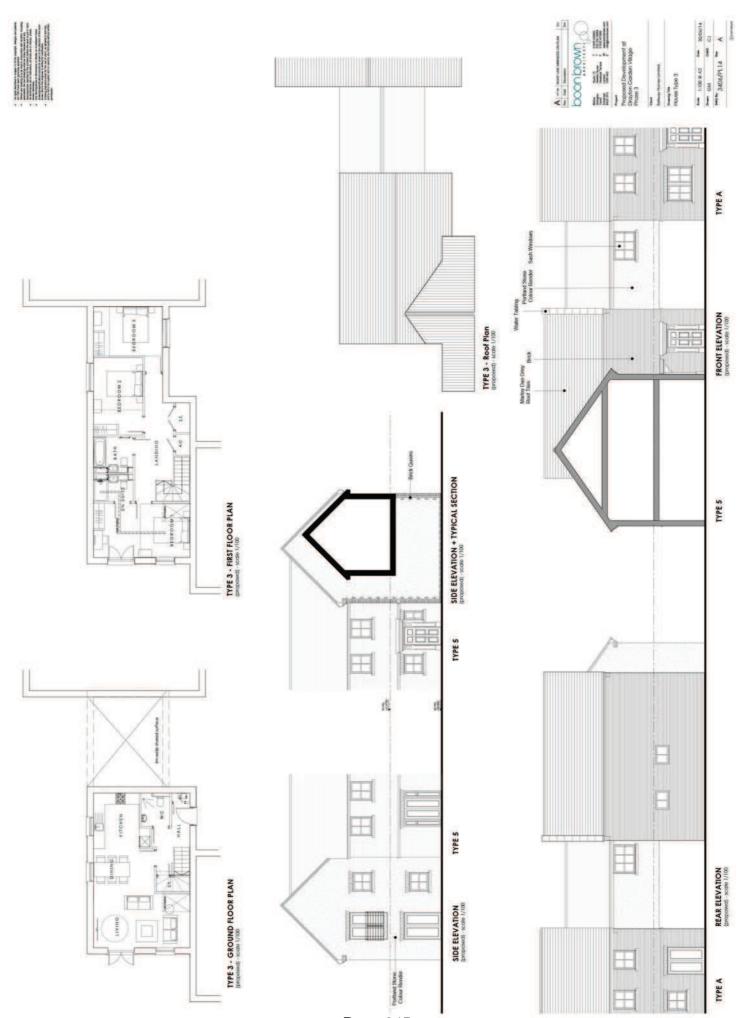


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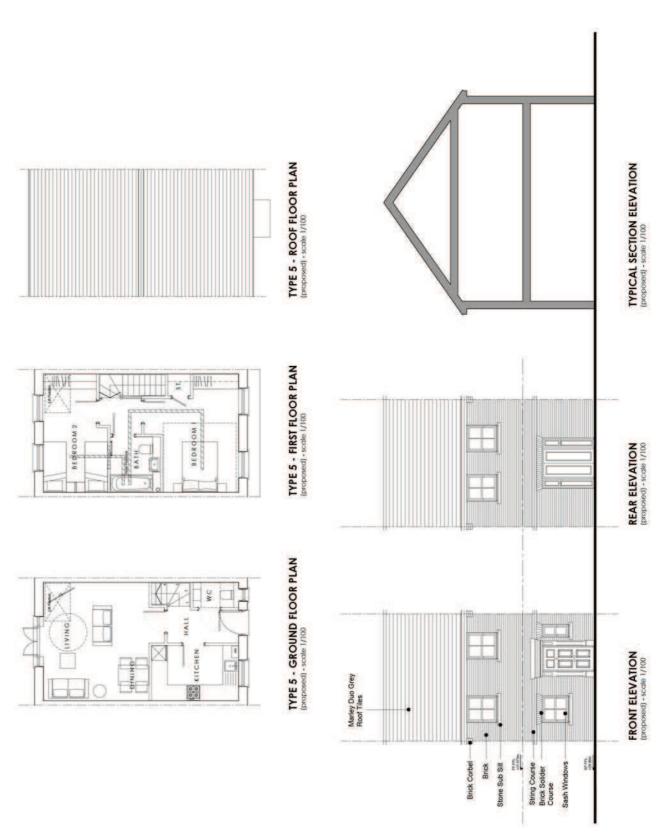


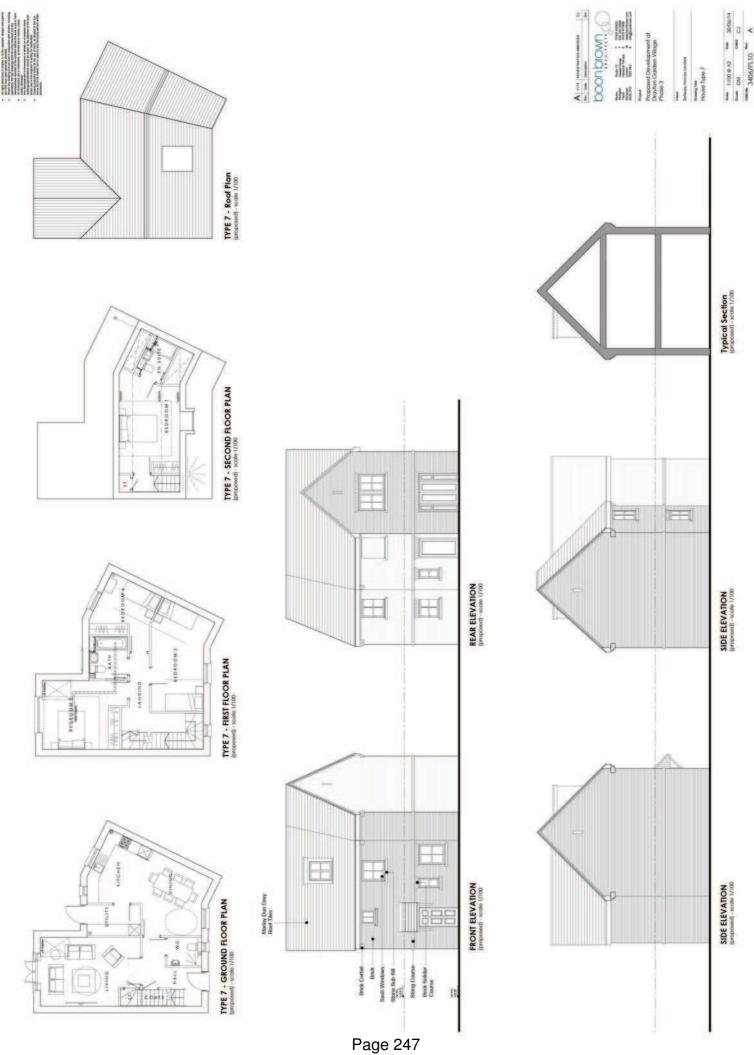


Page 245



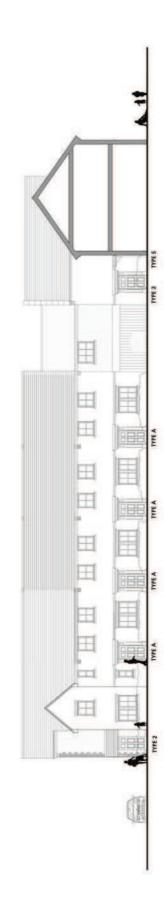


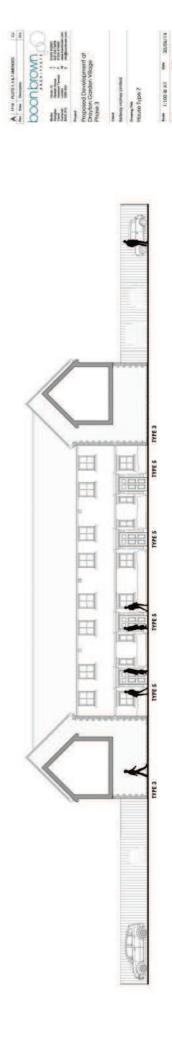




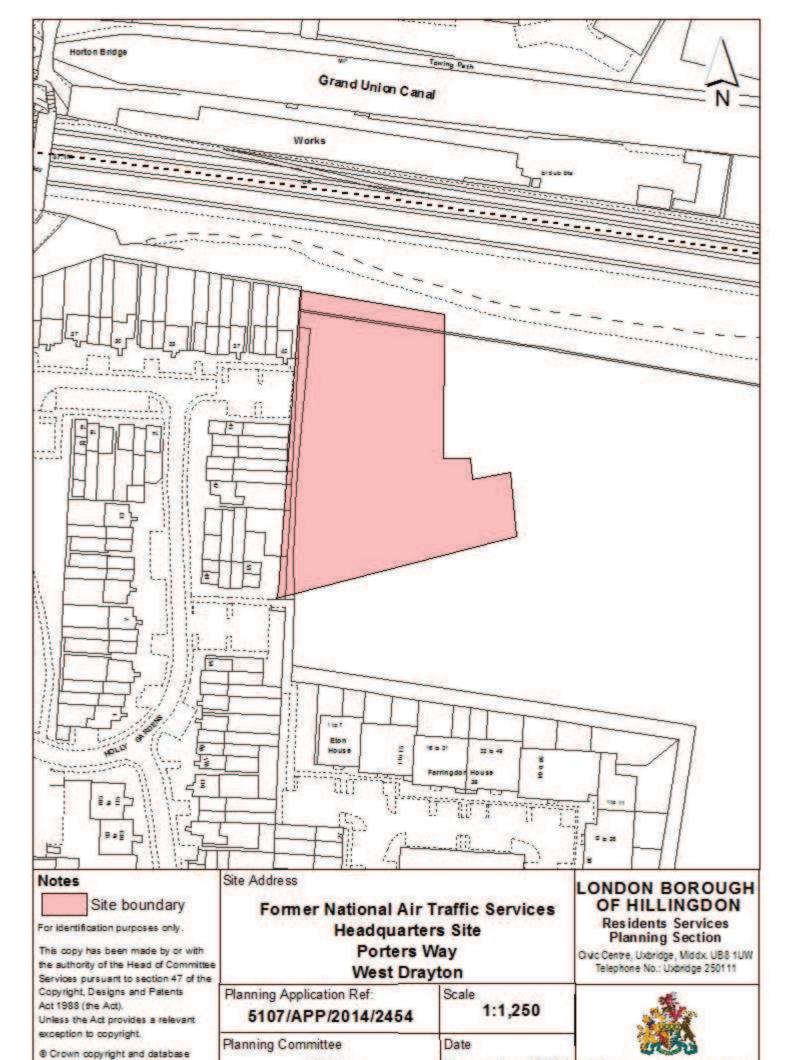








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### Report of the Head of Planning, Sport and Green Spaces

Address 2 MIDCROFT RUISLIP

**Development:** Demolition of existing petrol station with tanks and erection of a four storey

building comprising 14 residential, an office unit at ground floor level plus

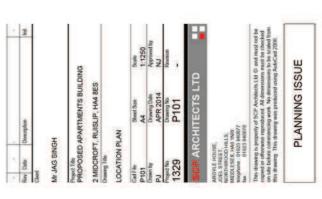
associated access, underground car parking and cycle storage.

**LBH Ref Nos**: 4918/APP/2014/1274

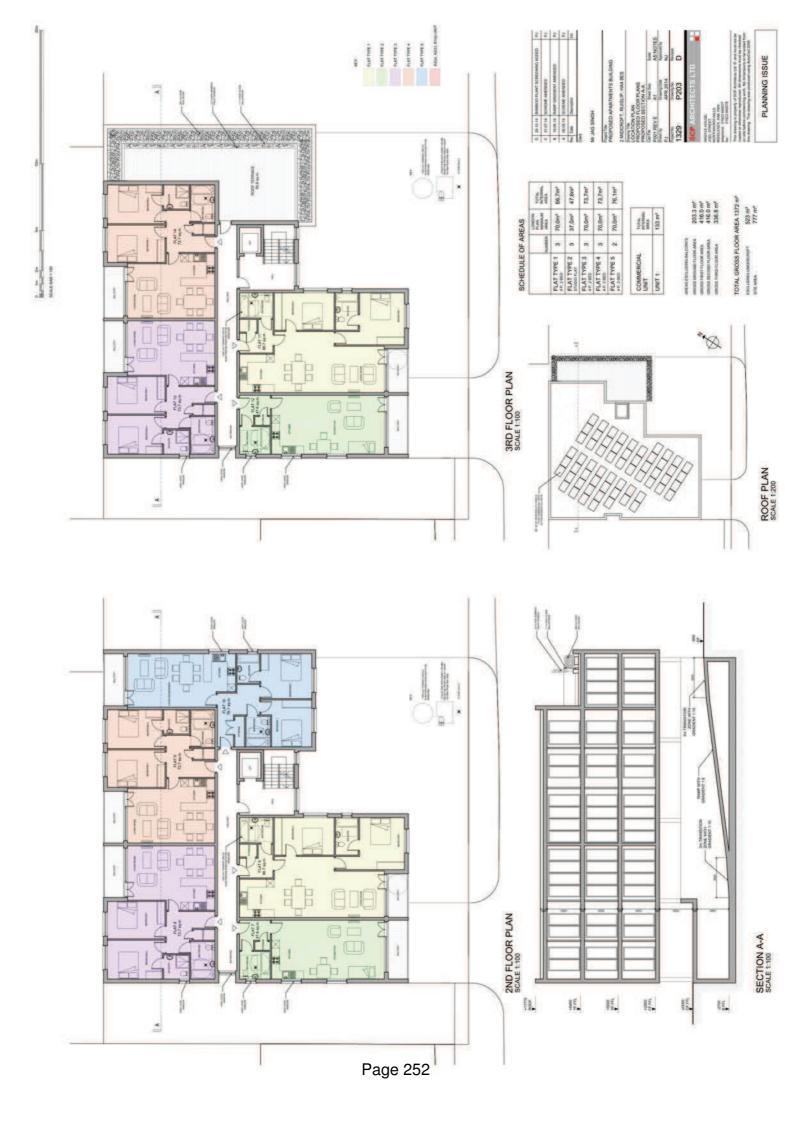
Date Plans Received: 11/04/2014 Date(s) of Amendment(s): 11/04/2014

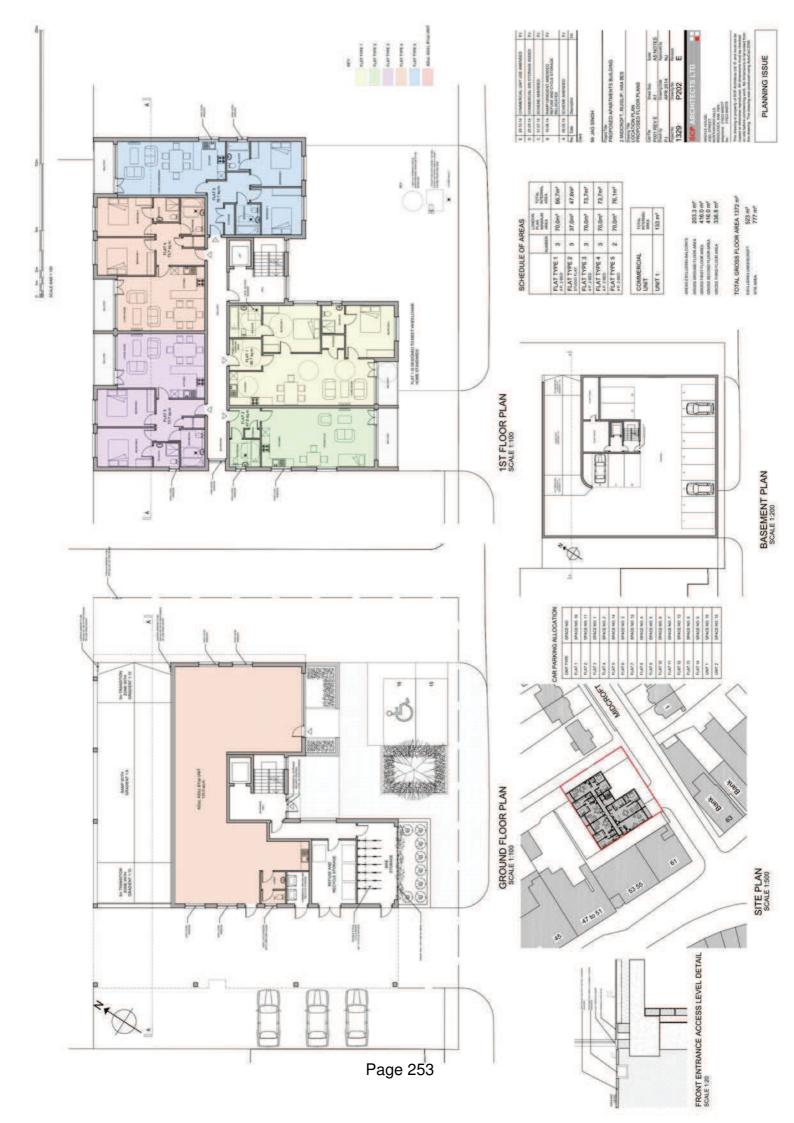
**Date Application Valid:** 04/09/2014 20/08/2014

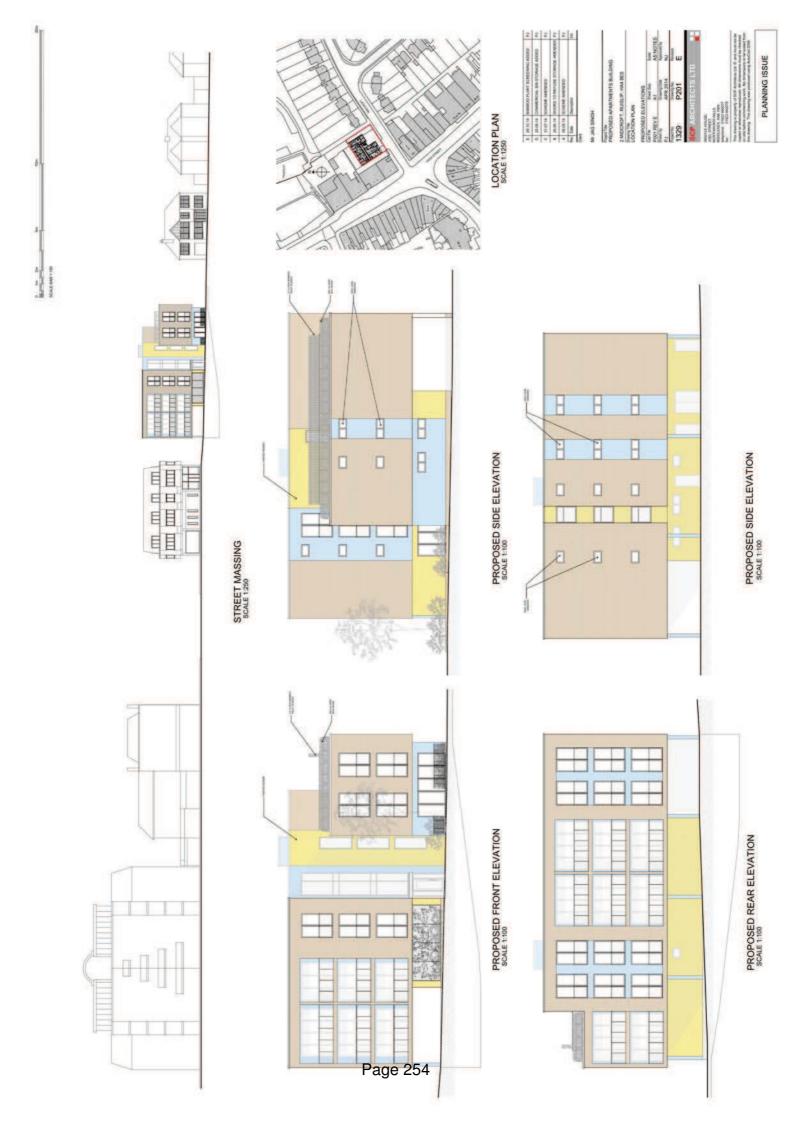
31/10/2014

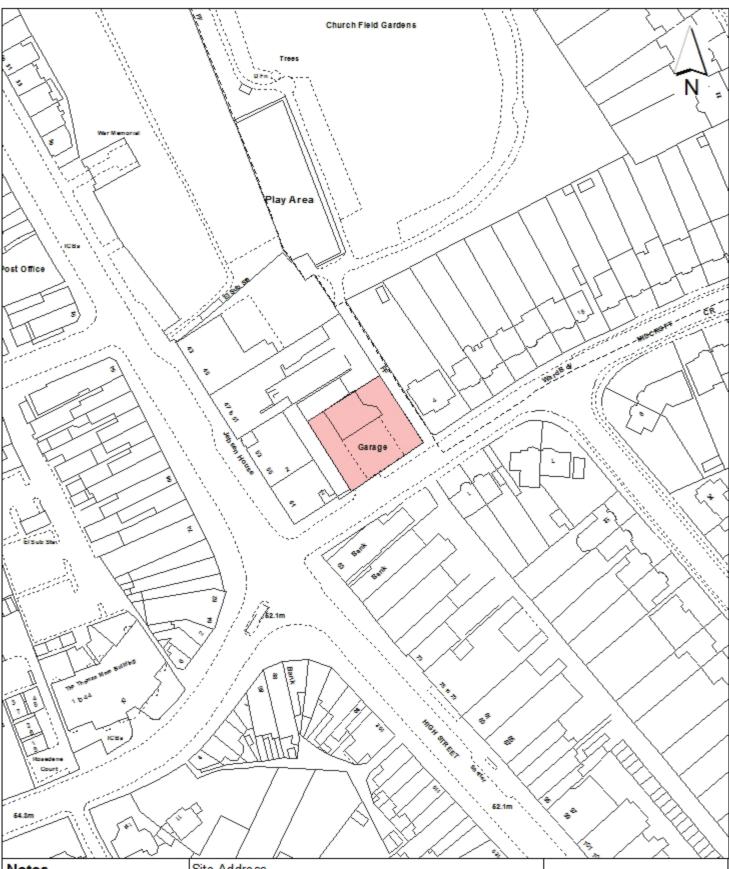












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### Site Address

# 2 Midcroft Ruislip

Planning Application Ref: 4918/APP/2014/1274 Date

Planning Committee

Scale

1:1,250

Major Page 255 November 2014

## LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section

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