



# Hillingdon Planning Committee

Date:

**TUESDAY, 11 JUNE 2024** 

Time:

7.00 PM

Venue:

COMMITTEE ROOM 5 -

**CIVIC CENTRE** 

Meeting Details:

Members of the Public and Media are welcome to attend.

This meeting may also be

broadcast live.

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### To Councillors on the Committee

Councillor Henry Higgins (Chair)
Councillor Adam Bennett (Vice-Chair)
Councillor Keith Burrows
Councillor Roy Chamdal
Councillor Elizabeth Garelick
Councillor Gursharan Mand
Councillor Jagjit Singh

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Putting our residents first

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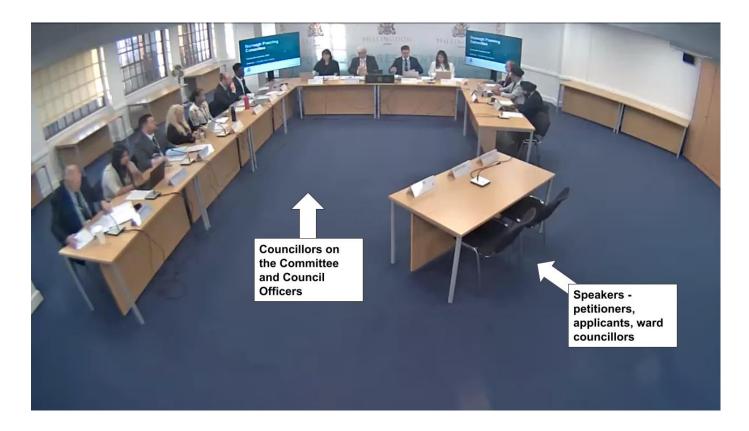
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### A brief guide to the Planning Committee meeting

### **About the Committee**



**Committee Members and Officers** – The Planning Committee is made up of experienced Councillors who meet in public every month to make decisions on key planning applications. Advising them are Council Officers, primarily from the Planning Department, Democratic Services and Legal Services.

Other speakers – If a valid petition is received which refers the planning application to the Committee, the lead petitioner will be invited to attend and speak for up to 5 minutes. If the petition opposes the application, the applicant/agent may also address the meeting for up to 5 minutes also. This ensures both sides have their say. The Chairman may vary speaking times if there are multiple petitions on the same matter. Local Ward Councillors for the area where the application is may also speak for up to 3 minutes.

**Broadcasting** – the Planning Committee meetings are broadcast live on the Council's YouTube channel: <u>Hillingdon London</u>. This means anyone speaking at the meeting will be filmed and have their statements made public and recorded.

**How the meeting works -** an agenda, like this one, is prepared for each meeting, which comprises the officer reports on each application with a recommendation, e.g. approval / refusal. The agenda is published on the Council's website a week before the meeting. Matters with valid petitions will normally be taken at the beginning of the meeting. The procedure will be as follows:-

- 1. The Chairman will introduce the Committee and deal with administrative business at the start of the meeting.
- 2. The Chairman will then announce the reports on the planning application, usually in the order they are listed on this agenda.
- 3. The Planning Officer will introduce each report; with a presentation of plans and photographs on the large LED TV screens.
- 4. If there is a petition(s),the lead petitioner will speak, followed by the agent/applicant followed by any Ward Councillors;
- 5. The Committee may ask questions of the petition organiser or of the agent/applicant and Ward Councillor;
- 6. The Committee then discuss the application and may seek clarification from officers:
- 7. After considering all the information and representations received, 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.

### How the Committee makes decisions

- 1. 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. 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.
- 2. 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.
- 3. When making their decision, the Committee <u>cannot</u> take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.
- 4. If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

### Agenda

### **Chairman's Announcements**

- 1 Apologies for absence
- 2 Declarations of Interest in matters coming before this meeting
- To receive the minutes of the previous meetings dated 8 May 2024 and 1 12 9 May 2024
- 4 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part I will be considered in Public and the items marked Part II will be considered in Private

### Planning Committee Report Part 1\_Standard Information 13 – 20

### **Applications with a Petition**

6	279 Swakeleys Road, Ickenham 30255/APP/2023/417	Ickenham & South Harefield	Demolition of the existing house and the erection of a two-storey block of flats, with habitable rooms in the roof space, consisting of 5 proposed flats (4 x two-bed and 1 x 3-bed units) and associated parking.  Recommendation: Approval	21 – 56 214 – 221
7	15 Kewferry Road, Northwood 26090/APP/2024/813	Northwood	Erection of first floor rear extension.  Recommendation: Approval	57 – 82 222 – 231

8	Tesco, Glencoe Road, Hayes 36999/APP/2023/3455	Yeading	Variation of condition 3 (re. deliveries) of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of condition 12 (re. opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes.  Recommendation: Approval	83 – 106 232 – 235
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### **Applications without a Petition**

9	Former Sipson Garden, West Drayton 67666/APP/2023/3721	Heathrow Villages	Excellence for servicing and repair	107 – 172 236 – 248
			Recommendation: Approve + Sec 106	

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# Agenda Item 3

### **Minutes**

### **HILLINGDON PLANNING COMMITTEE**

### 08 May 2024



### Meeting held at Committee Room 5 - Civic Centre

	Committee Members Present: Councillors Henry Higgins (Chair), Adam Bennett (Vice-Chair), Roy Chamdal, Darran Davies, Elizabeth Garelick, Gursharan Mand, and Jagjit Singh  Officers Present:
	Roz Johnson (Head of Development Management and Building Control), Katie Crosbie (Area Planning Service Manager – North), Chris Brady (Planning Team Leader), Eoin Concannon (Planning Team Leader), Alan Tilly (Transport, Planning and Development Team Manager), Jimmy Walsh (Legal Advisor), Natalie Fairclough (Legal Advisor), and Ryan Dell (Democratic Services Officer)
82.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	None.
83.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
84.	TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)
	Members highlighted that Councillor Higgins had been listed twice in the minutes under Members present.
	Members also noted that item 80 had been listed as Yiewsley ward but was in fact in Colham & Cowley ward.
	RESOLVED: That the minutes from the meeting on 11 April 2024 be approved, subject to the above amendments.
85.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
86.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE

## CONSIDERED IN PUBLIC AND THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)

It was confirmed that all items would be heard in Part I.

# 87. LAND TO THE SOUTH OF GREENEND, 17 DENE ROAD - 73243/APP/2022/2535 (Agenda Item 6)

Erection of 6 dwellings with new access to Foxdell and erection of 3 dwellings with new access to Dene Road with associated landscaping and parking.

Officers presented the application and drew Members' attention to the addendum, which noted that there were some revised drawings. There was also a minor alteration to include the proposed crossover, and a Heads of Term for managing the implementation of the legal agreement. There was also some amended wording to the construction management plan.

Officers highlighted some verbal updates. Since the publication of the addendum report, officers had received two additional representations. The first was from David Simmonds CBE MP, who noted that residents had raised issues with existing construction works taking place near the site which had rendered Dene Road inaccessible by residents and minivans collecting students from the nearby RNIB Sunshine House School. Concerns had also been raised with the proposed access from Foxdell given the sighting of the tree. The MP would like these matters taken into consideration.

A second representation had been received from a neighbouring resident which identified minor inconsistencies and labelling between the proposed site plan and the floor and elevation plans for the proposed terrace dwellings of No. 7-9. It also raised concerns with the loss of light to the downstairs hall at No. 1 Foxdell. Neighbouring amenity was addressed within the committee report. As this was not a habitable room, any impact would be acceptable. On the inconsistencies in the plans, it was confirmed that the first-floor windows on the side elevation that faced No. 1 Foxdell would be obscured glazed as per the condition.

Two petitions had been received in objection to the application.

The first lead petitioner addressed the Committee and made the following points:

- This petition reflected the concerns of many residents in the Dene Road area, over 30 of whom signed the petition in a matter of days, showing the strong objections to this application.
- This statement was fully supported by the Northwood and Dene Road Residents Associations, representing 120 households.
- This was an impact statement from long-term and permanent residents.
- Since 2022, the application had changed little in its character and impact on neighbouring homes.
- The two single dwellings were substantially larger than the plots for the multiple dwellings and existing houses, calling into question future intentions of remaining single dwellings.
- The affordable housing contribution of £136,750 was inadequate if meant to be equivalent to 35% of homes as per regulations.
- It was not clear why any form of access via Foxdell was required due to there being several hundred yards of frontage both along Dene Road and within the

single property plot.

- The property within 17 Dene Road was set well back from the fence with a long driveway to reach the front door. There were large double gates already in place in the plot that could be used for access for all nine developments and ample land to create a comfortable building site base and safe access route via Dene Road without adversely impacting the listed building or causing heritage issues.
- This application was also not viable given that a substantial street tree stood in the middle.
- The access was narrow and hazardous, posing a danger for large and emergency vehicles and pedestrians. The Council required this access to be provided to an adoptable standard under Section 278 of the Highways Act. With the presence of the tree, this was not possible.
- There was risk of damage to the tree and its surrounding roots from the proposed works which could have unforeseen adverse consequences for the surrounding land including subsidence.
- Any removal or cutting back of that tree would also have a material impact on privacy between No. 3-5 Foxdell.
- The proposal placed the new buildings as far as possible away from the applicant's property and as close as possible to the boundaries, this diverted traffic via Foxdell solely to protect the applicant's property to the detriment of so many neighbours. It was not equitable to do everything to protect the applicant's property by causing so much harm to neighbours.
- When access to Foxdell on the opposite side was granted for the Firs Walk development, a key argument supported by the Council was that access via Firs Walk would be hazardous for large vehicles. A consistent approach must therefore be applied.
- Foxdell was previously a small cul-de-sac. Recent and ongoing development had already expanded the road from the other side with several houses and more to come.
- This proposal would result in a material, not marginal, uplift in traffic through Foxdell.
- The development would result in significant destruction of greenery, resulting in loss of amenity as well as an adverse environmental impact. The proposal sought to destroy over 20 trees on top of the substantial clearance of bushes and trees just prior to the original application being published.
- What appeared to be root cutting machinery had been seen in active use near the fence to Foxdell. There was a clear need for tree protection orders to be sought and granted to prevent even more environmental destruction and there was no reference to this.
- Overall, the objections highlighted clear and valid concerns about the development's impact on residents' quality of life, environmental destruction and potential safety hazards which appear to have been dismissed, while overstating the impact of the largely unaffected listed building.
- Petitioners urged the Council not to grant planning consent for this application.

Members asked if the petitioners wanted the existing tree to stay or be removed. The petitioner noted that they wanted the tree to remain where it was.

Members asked and the petitioner clarified that, in terms of access points, there was a lot of frontage along Dene Road and an existing double gate to the existing property.

A written representation from the second lead petitioner was read out:

• This was a written representation on behalf of the 110 residents who had

petitioned and were asking the Planning Committee to refuse the application for the backland development at the garden of listed building Greenend in Dene Road.

- The reasons why the vast majority of the residents in the Dene Road Area of Special Local Character had petitioned against this backland development were that it was a further loss of the amenity which was the main feature of the Dene Road Area of Special Local Character (ASLC).
- The special characteristics of the ASLC were detached houses set back from the street with large gardens, trees and planting with verdant appearance throughout and mature trees in profusion. The existing garden of listed Greenend was typical of this description.
- In the Hillingdon Local Plan Part 2, under Heritage HE1;5,17 it stated that the Council wished to conserve Areas of Special Local Character, of which Dene Road is one, and it did need protection.
- The Heritage & Cultural Report stated it was backland development of the garden of a Grade 2 Listed building. This would seem to be contrary to Hillingdon Policy DMH6.
- Furthermore, in Hillingdon's HE1, Strategic Objective SO8 it stated "protect and enhance biodiversity, to support the necessary changes to adapt to climate change. Where possible to encourage the development of wildlife corridors".
- Dene Road was already such a wildlife corridor. Foxes, badgers and muntjac deer visit: on a summers evening bats fly at dusk. Birds were in abundance, but this particular development reduces their habitat. The Arboriculture report stated that 26 trees needed to be eliminated and replaced by roads and car parking spaces. Even the overworked Planning Department would have noticed the accelerating effects of climate change with the urgent need to stop chipping away at the declining environment. This development certainly did not comply with HE1: 5,17 and would lead to a significant loss of habitat and of gardens which were the feature of the Dene Road Area of Special Local Character.
- The plan was to build two large, detached houses, which at least conform with the characteristics of the Area of Special Local Character but also a block of 3 two-bedroom flats plus a one-bedroom unit which certainly does not fit into the ASLC and a terrace with 3 two-bedroom town houses which will be significantly out of place in a street scene of large, detached house with large gardens. The siting of these 3 terraced houses was within 5 metres of the existing detached house at No. 1 Foxdell. It's 5 windows, incorrectly identified as on RH Elevation North (it is actually West), will look directly into and take the natural light away from No. 1's Hall window. This must surely be contrary to all of Hillingdon's planning guidelines.
- At the very least the Planning Committee should ask the developers to move this 3 two-bedroom terraced town house block to the other side of the site and a detached house would better respect the Dene Road Street scene.
- The 4 flat block of 3 two-bedroom and a one-bedroom flat (units 3-6) was also out of place in Dene Road and would be more in character with the ASCL if it too was replaced by a detached house.
- Climate change and the need to protect the environment emphasised the need to retain the trees and gardens which were the signature feature of the Dene Road Area of Special Local Character. If this backland development was allowed to go ahead, it does indicate that Hillingdon does not wish to protect this Areas of Special Local Character.
- 110 local residents, almost everyone in the Dene Road Area of Special Local Character had signed this petition against the Greenend backland development and they hope the Planning Committee will listen and be "Putting Local

Residents First".

The agent attended and addressed the Committee:

- The agent thanked officers and Historic England for their constructive approach in developing the application which commenced in 2017, providing preapplication advice meetings on site and allowing amendments to the site plan to reflect neighbours' concerns.
- The applicant's family had owned Greenend since 1948 and had carefully preserved it since.
- Land to the west of Greenend, which was the subject to this application, was in a separate title and separated from Greenend by a pre-existing mature tree belt following the Old Farm track to Green Lane which ran to the immediate west of Greenend, giving the application site a very different character than the grounds of the listed building.
- The officer's report and Heritage report note that when Greenend was remodelled by the Arts and Crafts architect CE Townsend in 1893, the western facade was left blank without windows as future development was expected on the land to the west of Greenend, and it was this land where the applicant had applied for residential dwellings.
- Historic England commented that the proposed houses were designed in a well detailed arts and crafts inspired style and that the concentration and spacing of the development handled nine residential units without excessive loss of open space or vegetation.
- The Council's conservation and urban design officers commented that there was no principle to an objection to the development of the western side of the plot, given the evidence that it was planned for development in the late 19<sup>th</sup> century.
- The host house would retain a very large and spacious plot of half a hectare. The row of three coach houses, units 7-9, were rotated during the application by 90 degrees to reflect the petitioners' comments. These modest dwellings were accessed by Dene Road and as No. 1 Foxdell was positioned at a higher ground level, the finished floor level of the muse houses would be about 1 meter below that of No. 1 Foxdell, ensuring no impact on their private amenity.
- A block of flats, No. 3-6, were designed to appear as a single dwelling.
- A tree belt of 14m tall pine and beach trees provided a dense screen to No. 3 Foxdell which was set at an elevated level.
- The proposed building had a separation of 7.5m to the western boundary and presented a cat slide roof to No. 3 Foxdell, ensuring the development would have no impact on the neighbouring dwelling.
- The two arts and crafts style dwellings that were proposed at the southern end of the site, were designed and articulated with subservient roofs.
- No. 5 Foxdell was constructed at much higher ground level and was supported by retaining walls with a flank-to-flank separation of nearly 12m, and the floor level 1m below No. 5. The proposed development would have no impact.
- Units 1-6 would be served by a new access to Foxdell.
- The officer's report noted that the extension to the western end of Foxdale had previously been allowed at appeal.
- This application was supported by a highways statement and sweat path analysis demonstrating that a fire appliance can access the site and there was also a tree report and tree survey showing how an access can be built without impacting on the roots of the tree. The tree was already surrounded by hard standing.
- When Foxdell was built by the parents of the current owner of the property and

the application site, the turning head was deliberately positioned to allow Foxdell to be extended at a later to date.

- A number of trees had been removed recently due to an insurance claim from No. 1 Foxdell due to subsidence.
- In summary, this was a highly sustainable application, and walking distance to Northwood Station. It was proposed to build the houses in a highly efficient way with high insulation valves, air source, heat pumps, and all units would be enabled with EV charging points.
- The agent thanked the planning team for their well written and detailed report.

It was clarified that the family of the applicant had constructed Foxdell as part of the land being reduced in size. The land that the application was proposing to build on was to the west of this.

Members asked about access points from Dene Road. It was noted that the original proposal was for access to the flats from Dene Road. The planning team and conservation officer considered that there would be less impact on trees and the character of the area if the amount of hard surfacing was reduced. There were some mature trees between the property and the application site.

The Chair noted that Councillor Richard Lewis (Ward Councillor) had sent in an objection to the application.

Officers clarified that any future sub-division of the site would require a future planning application.

It was clarified that 26 Category C trees would be removed and 85 new trees planted. Conditions 11 and 12 sought to protect the trees on site.

Condition 3 related to access and included the requirement to submit details of the phasing of the development in addition to details of traffic management and access arrangements.

It was clarified that the Committee needed to consider the application before them. The planning process took some time and considerable thought was given to the original proposal of two accesses. Throughout negotiations the scheme had been amended so that more of the properties would be accessed from the Foxdell entrance. This allowed a change to the layout so additional landscaping and trees could be retained, and the amount of hard surfacing could be reduced.

It was reiterated that there was some additional wording in the addendum relating to details to be submitted, which are required to demonstrate that the access arrangements and parking provision should seek to minimise the impacts on the adjoining highway and neighbouring amenities.

Officers' recommendations were moved, seconded and, when put to a vote, agreed.

RESOLVED: That the application be approved, subject to conditions, as per officer's recommendations.

88. TUDOR LODGE HOTEL (APPLICATION FOR FULL PLANNING PERMISSION) - 4726/APP/2023/2216 (Agenda Item 7)

Alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. (Application for Planning Permission)

Officers presented items 7 and 8 together.

Since the submission both applications had been appealed to the planning inspectorate on non-determination grounds. Therefore, a planning decision will be made through the planning appeal process rather than via the Committee. Officers were, however, presenting their recommendation that will be brought forward within the forthcoming appeal.

Officers highlighted the addendum, noting that since the publication of the report, a pre-Committee site inspection had been undertaken by officers who noted that there appeared to be further landscaping work within the site cartilage which did not form part of the information submitted. It was also noted that the first reason for refusal included cumulative impact of the proposed landscaping, as such no amendments were necessary to the recommendation.

Officers recommended three reasons for refusal for the full application, on design, highways and landscaping grounds.

For the listed building consent, it would be a reason for refusal on design grounds.

Members noted their disappointment that this application was going to appeal before even coming to the Planning Committee. Members agreed with officers' concerns. This was a vey old building that needed to be protected. There were also issues around the design and information missing from the application.

Members further noted that the application was out of character with the area.

Officers' recommendations were moved, seconded and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused, as per officer's recommendations.

89. TUDOR LODGE HOTEL (APPLICATION FOR LISTED BUILDING CONSENT) - 4726/APP/2023/2218 (Agenda Item 8)

Alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. (Application for Listed Building Consent)

Officers presented items 7 and 8 together.

Officers' recommendations were moved, seconded and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused, as per officer's recommendations.

### 90. MATERIAL STORE HOUSE, PRESSING LANE, BLYTH ROAD 59872/APP/2023/3016 (Agenda Item 9)

Erection of a single storey building at second floor terrace level within existing pergola to provide ancillary gym studio for residents, along with supporting condenser unit (amended drawings)

Officers highlighted the addendum, which included amendments to two conditions and two new conditions which sought to minimise potential impacts arising from the development in terms of noise, traffic and parking disturbance.

It was noted that the application had been brought to Committee as a result of a Councillor request.

Members highlighted a minor error in the report where it stated that the premises shall not be used except between Monday to Sunday. The addendum clarified that the premises shall not be used except between 0600 and 2300, Mondays - Sundays, Public or Bank Holidays.

Officers' recommendations were moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, as per officer's recommendations.

### 91. **1 & 2 VERNON DRIVE, HAREFIELD - 4007/APP/2024/498** (Agenda Item 10)

Demolition of existing dwelling and erection of 2no. semi-detached properties with associated works

Officers presented the application, highlighted the addendum which contained a further recommended condition on the use of the dwellings for social rented housing.

The application was brought to Committee as the building was Council-owned.

Members noted the need for more housing in the borough.

Officers' recommendations were moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, as per officer's recommendations.

### 92. **46 Great Central Avenue, Ruislip - 78266/APP/2024/160** (Agenda Item 11)

#### Retention of single storey side extension and external rear alterations

Officers presented the application and noted that this was another Council-owned application.

Officers' recommendations were moved, seconded and, when put to a vote, unanimously agreed.

RESOLVED: That the application be approved, as per officer's recommendations.

The meeting, which commenced at 7.00 pm, closed at 8:30 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Ryan Dell on 01895 25 0636 or democratic@hillingdon.gov.uk. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.



### **Minutes**

### HILLINGDON PLANNING COMMITTEE





Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge UB8 1UW

	Committee Members Present: Councillors Adam Bennett (Vice-Chair) Roy Chamdal Elizabeth Garelick Henry Higgins (Chair) Gursharan Mand Jagjit Singh	
	Apologies: Councillor Keith Burrows	
1.	ELECTION OF CHAIR (Agenda Item 1)  RESOLVED: That Councillor Higgins be elected as Chair of the Hillingdon Planning Committee for the 2024/2025 municipal year.	Action by
2.	ELECTION OF VICE-CHAIR (Agenda Item 2)  RESOLVED: That Councillor Bennett be elected as Vice-Chair of the Hillingdon Planning Committee for the 2024/2025 municipal year.	Action by
	The meeting, which commenced at 9.05 pm, closed at 9.10 pm.	

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



# Planning Committee Report Part 1:

Standard Information for Members - Applicable to All Applications on the Agenda



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# Part 1: Statutory Planning and Human Rights Considerations

### 1.1 Development Plan

- 1.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 1.1.2 The development plan for the London Borough of Hillingdon consists of the following documents:
  - Hillingdon Local Plan Part 1: Strategic Policies (2012)
  - Hillingdon Local Plan Part 2: Development Management Policies (2020)
  - Hillingdon Local Plan Part 2: Site Allocations and Designations (2020)
  - The West London Waste Plan (2015)
  - The London Plan (2021)

### 1.2 Equality Act

- 1.2.1 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.
- 1.2.2 The requirement to have due regard to the above goals means that Members should consider whether persons with 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 considered 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 the circumstances.

### 1.3 Human Rights

- 1.3.1 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
  - Article 8: Right to respect for private and family life.

Everyone has the right to respect for his private and family life, his home and his correspondence. This right embodies the right to a name, the right to change one's civil status and to acquire a new identity, and protection against telephone tapping, collection of private information by a State's security services and publications infringing privacy. This right also enables Members of a national minority to have a traditional lifestyle.

Article 1 of the First Protocol: Protection of property.

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

Article 14: Prohibition of discrimination.

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

1.3.2 Members must be aware of the rights contained in the Convention (particularly those set out above) when making any planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

### 1.4 Development in Conservation Areas

1.4.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, in determining applications affecting conservation areas, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This statutory duty needs to be considered alongside relevant heritage policies contained in the National Planning Policy Framework and local plan.

### 1.5 Development Affecting Listed Buildings

1.5.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, in determining applications affecting a listed building or its setting, to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". This statutory duty needs to be considered alongside relevant heritage policies contained in the National Planning Policy Framework and local plan.

### Part 1: Other Relevant Information for Members

### 2.1 Five Year Housing Land Supply

- 2.1.1 Land supply is a key part of planning and links plan policies and sites with actual delivery. The need to demonstrate a 5yr rolling supply of sites, known as 5yr housing land supply (5YHLS), is an embedded part of the planning system.
- 2.1.2 When councils are unable to demonstrate a 5YHLS the National Planning Policy Framework 2023 (NPPF) presumption in favour of sustainable development the so-called 'tilted balance' is engaged. NPPF paragraph 11 (d) ii states that in these circumstances the development plan policies most important for determining the application are to be treated as out-of-date. Therefore, where the presumption applies, planning permission should be granted unless:
  - 1. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.1.3 Hillingdon Council is currently able to demonstrate a 5yr supply of deliverable housing sites. Therefore, the 'tilted balance' is not engaged.

# 2.2 Planning Appeals / Risk of Costs Award Against the Council

2.2.1 Members should be aware that in the event of an appeal, local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal. For example, by

- unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals.
- 2.2.2 A further example includes imposing a condition that is not necessary, relevant to planning and to the development, enforceable, nor precise or reasonable in all other respects (and thus does not comply with NPPF guidance on planning conditions and obligations). It should be noted that planning conditions can be appealed.
- 2.23 Another example includes failing to substantiate each reason for refusal on appeal. Therefore, should members determine to refuse an application (contrary to officer recommendation for approval) planning reasons for refusal should be provided.

### 2.3 Use of Planning Conditions

- 2.3.1 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.
- 2.3.2 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.

### 2.4 Planning Obligations

- 2.4.1 Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states that whilst infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL), planning obligations will be sought on a scheme-by-scheme basis. Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.
- 2.4.2 The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful to request planning obligations that do not meet the following tests:
  - i. necessary to make the development acceptable in planning terms,
  - ii. directly related to the development, and
  - iii. fairly and reasonable related in scale and kind to the development.
- 2.4.3 The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely

- necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests, the Council would have acted unlawfully and could be subject to a High Court challenge.
- 2.4.4 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).

### 2.5 Community Infrastructure Levy (CIL)

- 2.5.1 The Community Infrastructure Levy (CIL) allows local authorities to raise funds from developers undertaking new building projects in their area. The Community Infrastructure Levy (CIL) is a charge collected from new developments.
- 2.5.2 The CIL applies to all proposals that add 100 square metres of new floorspace or an extra dwelling. This includes bringing a vacant building back into use. The amount to pay is the increase in floorspace (m2) multiplied by the rate in the CIL charging schedule plus indexation.
- 2.5.3 The money raised from the Community Infrastructure Levy pays for the infrastructure required to support development. This includes transport schemes, flood defences, schools, health and social care facilities, parks, open spaces and leisure centres.
- 2.5.4 The London Borough of Hillingdon adopted its <u>CIL Charging Schedule</u> on 10 July 2014 and it is applied to new developments in the borough since 1 August 2014. The use types that are charged borough CIL is large format retail development (greater than 1,000sqm) outside of designated town centres; offices; hotels; residential dwellinghouses; and industrial storage and distribution.

### 2.5.5 The Mayor's CIL (MCIL)

The Mayor's CIL applies to all qualifying developments approved on or after 1 April 2012. Hillingdon Council is a CIL collecting authority for the Mayor of London.

- 2.5.6 The Mayoral CIL 1 (MCIL 1) rate was £35 per sqm plus indexation and is used by the Mayor of London to fund the delivery of Crossrail.
- 2.5.7 For planning permissions granted from 1 April 2019, the Mayoral CIL 2 (MCIL 2) rate of £60 per square metre plus indexation applies. This rate may also apply to some phased planning permissions granted before then.

### **2.6 Environmental Impact Assessment**

- 2.6.1 The Town and Country Planning (Environmental Impact Assessment)
  Regulations 2017 (as amended) requires that an Environmental Impact
  Assessment (EIA) is undertaken, and an Environmental Statement (ES)
  produced for certain developments.
- 2.6.2 EIA is a procedure which serves to provide information about the likely significant effects of a proposed project to inform the decision-making process and whether the project should be allowed to proceed, and if so on what terms.
- 2.6.3 An overview of the EIA process is provided as part of government's <u>Planning</u> <u>Practice Guidance</u>. An EIA is normally only necessary for a small proportion of projects.
- 2.6.4 An EIA Screening Opinion can be obtained from the council to determine whether a proposed development needs an EIA. Once it has been determined that an EIA is required, an EIA Scoping Opinion can be obtained from the Local Planning Authority to provide advice on the scope and content of the Environmental Statement (ES).

# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: Christopher Brady	30255/APP/2023/417
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Date Application Valid:	14.02.23	Statutory / Agreed Determination Deadline:	18.12.23
Application Type:	Full	Ward:	Ickenham & South Harefield

Applicant: Harinder Singh

Site Address: 279 Swakeleys Road, Ickenham

Proposal: Demolition of the existing house and the erection

of a two storey block of flats, with habitable rooms in the roof space, consisting of 5 proposed flats (4 x two-bed and 1 x 3-bed units) and

associated parking.

Summary of **GRANT planning permission subject to** 

Recommendation: conditions

Reason Reported Required under Part 3 of the Planning Scheme of

to Committee: Delegation (Petition received)



### **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

### 1 **Executive Summary**

- 1.1 The application proposes the demolition of the existing house and the erection of a two-storey block of flats, with habitable rooms in the roof space, consisting of 5 proposed flats (4 x 2-bed and 1 x 3-bed units) and associated parking.
- 1.2 The application is subject to a petition containing 32 signatures in objection to the proposal. The concerns raised within the petition are set out in more detail in Section 6 of his report, but in summary include impacts upon the local highway network, insufficient parking, overdevelopment of the site, design, noise and pollution concerns.
- 1.3 In terms of parking the proposal would provide 6 communal parking spaces which is just below the maximum level that can provided in accordance with the London Plan (2021). The level of parking, access, cycle parking and potential trip generation have all been reviewed by the Local Highway Authority who have raised no objection to the proposal.
- 1.4 With regards to design, no objection has been raised relating to the intensification of the use of the site. The scale, bulk and massing is considered to respect the residential character of the area, which features large dwellings set within spacious plots, set back from the public highway that vary in architectural design.
- 1.5 In response to concerns regarding noise, whilst the proposal would result in the intensification of the use of the site, the proposal would retain the existing residential use, in an area which is residential in character. Taking this into consideration the proposal would not give rise to a significant increase in noise levels.

Due regard has been given to local residents' objections, including the petition against the application. However, it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken. The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

### 2 The Site and Locality

2.1 The site lies to the north of the A40 Western Avenue. It is located at the junction of Warren Road and Swakeleys Road. It also backs onto Silver Birch Close. The existing property is a two-storey detached dwelling with later extensions, including

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- a rear dormer window and a detached outbuilding. Vehicular and pedestrian access is from Warren Road, although there appears to be a potentially unused secondary access at the junction of Warren Road and Silver Birch Close. It has a site area of approximately 991 square metres.
- 2.2 The local area is residential in character comprising mainly two storey detached dwellings of individual design. A notable exception is the neighbouring property at No.277 Swakeleys Road which adjoins the side to the north and is a small single storey detached dwelling.

Figure 1: Location Plan (application site edged red)



Figure 2: Street View Image of the Application Property

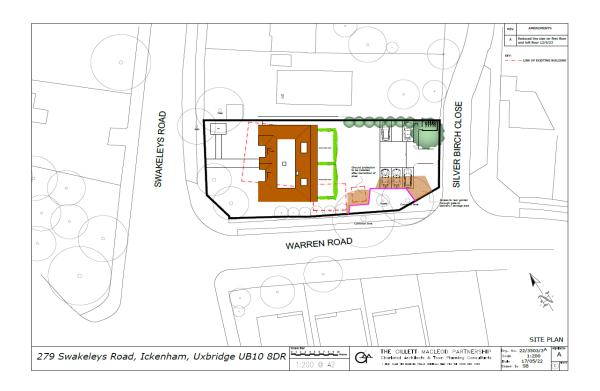


### 3 Proposal

- 3.1 The current application seeks planning permission for the demolition of the existing house and the erection of a two-storey block of flats, with habitable rooms in the roof space, consisting of 5 proposed flats (4 x two-bed and 1 x 3-bed units) and associated parking.
- 3.2 The submission of this application is in response to the previous refusal of a similar application to redevelop and intensify the use of the site. Upon submission, concerns were raised regarding the design and scale of the development which have been addressed following the submission of revised plans.

**Figure 3: Proposed Plans** (please note – larger version of plan can be found in the Committee Plan Pack)

Proposed Site Plan

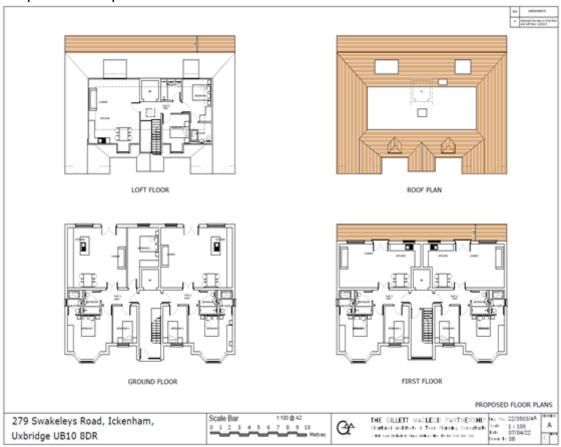


### **Proposed Elevations**



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### Proposed Floorplans



### 4 Relevant Planning History

4.1 A list of the relevant planning history related to the property can be found in Appendix 2.

Of specific relevance is planning ref: 30255/APP/2020/4275 for the erection of a two storey building with habitable roofspace to consist of 6 x 2- bed and 1 x 3-bed self-contained flats with parking and amenity space, involving demolition of the existing dwelling. The application was refused on the following grounds and this current application is submitted in response to the refusal:

- 1. The proposed development, by reason of its scale and prominence would result in an uncharacteristic form of development that would fail to harmonise with the local character of the surrounding area. The proposed development would therefore have a detrimental impact on the character, appearance and visual amenities of the area contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two Development Management Policies (2020), Policies D4 and D5 of the London Plan (2021) and the NPPF (2019).
- 2. The proposed car parking and functional requirement for hard surfacing, together with the footprint of the building, is disproportionate to the residual areas

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of usable soft landscaped space, with limited space for boundary planting and replacement trees. Such limited landscaped areas when combined with the need to provide external cycle and bin stores would be considered prejudicial to the character and appearance of the streetscene and wider area. As such the proposal fails to comply with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

- 3. The proposed development, due to its layout, fails to provide on site private or communal amenity space of a quantity and quality commensurate to the size of the proposals. Cumulatively, the shortfalls identified result in a poor quality of accommodation and residential amenity for the future occupiers contrary to Policies BE1 of the Local Plan: Part One (2012), Policies DMHB 11 and DMHB 18 of the Local Plan Part Two Development Management Policies (2020), Policy D6 of the London Plan (2021) and the NPPF (2019).
- 4. No information has been provided for a clear, well evidenced and compelling case as to why lift access cannot be provided. Therefore, the application cannot be supported because the proposal fails to comply with Policy D7 of The London Plan 2021.
- 5. The proposal is likely to result in a material loss of privacy for occupiers of No. 277 Swakeleys Road by reason of overlooking. Therefore, the proposal fails to comply with the aims of Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policy DMHB 11 of the Local Plan: Part Two Development Management Policies (2020) and the NPPF (2019).

The application was dismissed at appeal under appeal ref: APP/R5510/W/21/3282070. The conclusion from the appeal decision are as follows:

"The proposal would result in harm arising to the character an appearance of the local area, the living conditions of future residents of the development and adjacent occupants, with no inclusive accessibility to the upper floors. It would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed."

Since the previous refusal under planning reference: 30255/APP/2020/4275, the design of the proposed dwelling has been revised. The key changes includes:

- The proposed flats has been reduced from 7 to 5 flats.
- The bulk and scale has been reduced.
- The distance between the elevation facing Warren Road and the boundary has been increased from 2.5 metes to 3.5 metres.
- A more substantial landscape scheme is being proposed to front and rear boundary.

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- The proposed dwelling has been re-orientated to have the principal elevation facing Swakeleys Road in comparison to the previous design which had the principal elevation facing Warren Road.

### 5 **Planning Policy**

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

### 6 Consultations and Representations

- 6.1 Neighbouring properties were consulted by letter dated 20/02/2023. The consultation period expired on 13/03/2023.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
A petition of 32 signatures has been received	Increased traffic,     highway safety	Discussed in Section 7 paragraph 7.49
against the application	Insufficient parking provision	Discussed in Section 7 paragraph 7.43
	Out of character with the street scene and surrounding area	Discussed in Section 7 paragraphs 7.7 – 7.18
	Overdevelopment of the site	Discussed in Section 7 paragraph 7.7 – 7.18
	Overconcentration of flatted developments	Discussed in Section 7 paragraphs 7.7 – 7.18
A further petition of 25 signatures has been	6. Overdevelopment of the site	Discussed in Section 7 paragraph 7.7 – 7.18
received against the application	7. Out of character with the street scene and surrounding area	Discussed in Section 7 paragraphs 7.7 – 7.18

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	8. Overconcentration of flatted developments	Discussed in Section 7 paragraphs 7.7 – 7.18
	Increased traffic,     highway safety	Discussed in Section 7 paragraph 7.49
10 Individual letters of objection	I. Highway Safety	Discussed in Section 7 paragraph 7.39 – 7.49
have been received from a total of 22	II. Increase in congestion and traffic	Discussed in Section 7 paragraph 7.39 – 7.49
individual households including the local resident's association	III. Increase in anti-social behaviour	Whilst this is a material consideration, the proposal of flats cannot be directly linked to an increase in anti-social behaviour
	IV. Air quality	Discussed in Section 7 paragraphs 7.60 – 7.63
	V. Pressure on local infrastructure and services	The application proposes an increase in 4 residential units which would have a de minimums impact on local infrastructure.
	VI. Over concentration of flats	Discussed in Section 7 paragraphs 7.7 – 7.18
	II. Development not in keeping with the surrounding area	Discussed in Section 7 paragraphs 7.7 – 7.18
	III. Sets a precedent for future applications	Each planning application is required to be assessed on its own merits
	IX. Negative impact upon the value of homes	This is not a material planning consideration

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Ickenham Residents Association: We are dismayed that this application has been resubmitted even though the number of flats has been reduced and the entrance is now on Swakeleys Rd. The plot sits on the corner of Swakeleys Road / Warren Road, most probably affecting Silverbirch Close as well. This is close to a pedestrian crossing, a bus stop and is on one of the busiest roads in Ickenham which is heavily used by HS2 traffic as well.	These points are addressed in Section 7 of this report.

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We are aware that the Inspectorate had removed the 10% rule allowed for flats in residential roads, but it is worrying to think of the extra traffic and parking involved, should this development go ahead. There would be a minimum of 6 cars adding to the traffic congestion, which is already at a high point at this part of Swakeleys Road. The Association strongly objects to this application.

Internal Consultation

Trees and Woodlands:

The property is situated within TPO588A which protected one Walnut onsite, which was removed sometime between 2018 and 2020 according to Google street view. The main trees of interest are situated just outside the site boundary (T7, T8 both Ash and T5 Lime) and T3 Lime just inside the site boundary.

A condition pertaining to tree retention and protection is proposed to be added to the decision notice should the application be approved.

No tree concerns subject to them following the tree protection plan in their design and access statement.

Highway Officer:

Naturally there would be a increase in trips generated by the development resulting in 2-3 trips being generated within the most sensitive times of the day. This is not considered to be a significant enough uplift to warrant refusal.

6 car parking spaces are proposed which does not breach the maximum car parking standards within the London Plan and is acceptable given the sites poor PTAL rating. The layout of the parking spaces accords with the Manual for Streets.

5 cycle spaces are indicated on the proposed plans and this needs to be uplifted to 6 in order to meet the minimum requirement.

The relocation of the existing access (vehicle crossing) is accepted in principle subject to a detailed design and approval of a s184 agreement.

Waste storage details are shown on the site plan but it is unclear how this will be collected given the extinguishment of the existing crossover which fronts Swakeleys Road. A refuse management shall be submitted which provides specific details of waste

A full and detailed assessment of the highway material considerations is set out in section 7 of this report.

A condition pertaining to the submission of revised cycle space provision is proposed to be attached to the decision notice should the application be approved.

A condition pertaining to the submission of a waste management plan is proposed to

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storage and collection in accordance with the maximum carrying and drag distances (30 m and 10m respectively).	be attached to the decision notice should the application be approved.
The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).	
Access Officer:	The relevant conditions are
This proposal has been reviewed against 2021	proposed to be
London Plan and does not raise any accessibility concerns subject to conditions relating to step free access and M4(2) dwellings being attached to any	added to the decision notice should the application be

approved.

## 7 Planning Assessment

approval.

#### 7.1 Principle of Development

- 7.2 Although there have been several redevelopments for flats along Swakeleys Road in recent years there is not a 10% concentration within a 1 km distance. The nearest property, No. 277 adjacent to the application site, was subject of a successful appeal for the creation of flats. This was not implemented before the permission lapsed and it is not a material consideration in this regard.
- 7.3 Furthermore, paragraph 4.11 of the Local Plan advises that the conversion of single dwellings into more dwellings or the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However, this type of development must seek to enhance the local character of the area.

## 7.4 Housing Mix

- 7.5 Policy DMH 2 of the Local Plan: Part Two (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3-bedroom properties. The application provides 4 x 2-bed and 1 x 3-bed units and therefore provides a mix of units on site in accordance with Policy DMH 2 of the Local Plan: Part Two (2020).
- 7.6 Policy DMH 4 of the Local Plan sets out a specific criteria for the conversion is existing residential properties into flatted developments. It seeks to prevent an overconcentration of flatted developments in order to protect local housing mix.

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- 7.7 Design / Impact on the Character and Appearance of the Area
- 7.8 Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.
- 7.9 Policies BE1 of the Hillingdon Local Plan Part 1 Strategic Policies (2012), DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) in summary seek to secure a high quality of design that enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character. These aims are also supported by Chapter 12 of the NPPF (2023).
- 7.10 The surrounding area is predominantly characterised by large two storey detached dwellings situated on large plots, many of which have been altered or have extensions. The surrounding properties are also characterised by a variety of external finishes and roof form. Adjacent to the application site is a single storey detached dwelling.
- 7.11 Since the previous refusal under planning reference: 30255/APP/2020/4275, the design of the proposed dwelling has been revised. The key changes includes:
  - The proposed flats has been reduced from 7 to 5 flats.
  - The bulk and scale has been reduced.
  - The distance between the elevation facing Warren Road and the boundary has been increased from 2.5 metes to 3.5 metres.
  - A more substantial landscape scheme is being proposed to front and rear boundary.
  - The proposed dwelling has been re-orientated to have the principal elevation facing Swakeleys Road in comparison to the previous design which had the principal elevation facing Warren Road.
- 7.12 The proposed building would sit slightly further forward from the neighbouring property at No.277 Swakeleys Road. However, it would not project rearward from this property. The revised scheme shows that the proposed dwelling would measure approximately 17 metres wide, 12.6 metres deep (at ground floor), 11.2m deep (at first floor) and 8.9 metres high.
- 7.13 The block would be set further back in the plot than the existing house and would generally respect the building line in Swakeleys Road.
- 7.14 The application site is situated on a prominent corner plot at the junction of Swakeleys Road and Warren Road. The proposal has been set in from the shared side boundary with No.277 by approximately 1 metre and 3.5 metres from the side boundary closest to properties along Warren Road in order to achieve a satisfactory setting. Given the variety of large properties in this part of Ickenham, the form of flats proposed, in particular the symmetry of the front elevation, the hipped roof, which reflects those of its neighbours and the proportions and scale,

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- the development as amended would harmonise successfully with the street scene and complement the amenity and character of the residential area. The general building line to the front would be retained.
- 7.15 The proposed dwelling would retain the visual spacing which currently exists between the dwelling and the neighbouring properties, to assimilate with the character of the area. Reductions have also been made to the size of the property within the roof space, reducing its visual impact.
- 7.16 The previous scheme featured substantial additional bulk along Warren Road, the impact of which was criticised in the appeal decision. This element is not part of the current application, with the proposed block occupying a similar footprint to the existing dwelling, though it would extend further towards Warren Road. The reduction in scale along Warren Road is considered sufficient to address concerns regarding the impact of the scheme from this perspective.
- 7.17 There were also concerns previously about the extent of plot coverage by buildings and hardstanding for vehicles. The Inspector noted that the "presence of soft landscaping character that is visible from outside the site positively enhances the area". On the current scheme, the reduction in area covered by development has allowed an increase in landscaping. There would be a unified amenity space to the rear of the building whilst the parking area to the front and side of the house at present would be replaced by landscaping. A carpark would be created at the rear of the site for 6 vehicles, accessed from Silver Birch Close, and it is noted that rear parking is not a feature of the area. However, the area of the site covered by soft landscaping would increase from approximately 480sqm to 620sqm, and this would be particularly visible to the more prominent front and side of the site. Existing trees would be retained. Overall, subject to an acceptable planting scheme being secured by condition alongside tree protection measures, the proposed landscaping of the site weighs in favour of the current application.
- 7.18 In addition to the above, conditions have been added to ensure that the dwelling is of an appropriate material finish. Taking into consideration the sites surroundings, the above analysis, recommended conditions, the proposed development is considered to be acceptable and to have an acceptable impact on the character and appearance of the area. The proposal, therefore, complies with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and the NPPF (2021).

#### 7.19 Residential Amenity

7.20 Policies DMH 5, DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure a satisfactory relationship with adjacent dwellings with no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.

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- 7.21 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.
- 7.22 Impact on the neighbouring property at No. 277 Swakeleys Road:
- 7.23 The proposed development would sit slightly forward than the neighbouring property at No.277 Swakeleys Road but would not project further rearward from this neighbour. The closest part of the proposal would be set away from the shared side boundary by approximately 1 metre. Whilst noting that side facing windows are served at No.277, given that the existing building line extends beyond these windows, it is not considered that the proposed dwelling would further exacerbate harm on light levels to what currently exists on site. Side facing windows are proposed to face towards No.277, however these windows serve non-habitable rooms (en-suite rooms). To ensure no adverse impact on neighbour amenity, an obscure glazing condition requiring the windows to be obscured glazed and non-opening up to 1.8 metres of the finished floor level would be secured to these windows.
- 7.24 It is no longer proposed to put habitable room windows facing towards No.277, so the reason for refusal on the previous scheme regarding the impact on the amenities of that property is addressed.
- 7.25 Impact on the neighbouring properties along Warren Road:
- 7.26 The proposed development would be set in approximately 3.5 metres from the side boundary closest to the properties along Warren Road, given the sufficient separation distance, in comparison to the previous scheme of 2.7 metres, it is not considered to have a detrimental impact on loss of light, loss of privacy or would appear visually overbearing.
- 7.27 The proposal introduces additional windows to the front and rear elevations, including Juliette balconies, which would provide elevated views of the surrounding properties front and rear gardens. However, these windows would provide similar views to the existing windows at first floor. In addition, the Juliette balcony, would not provide a platform to directly step out onto. Therefore, it is considered that the proposal would not have a detrimental impact on privacy.
- 7.28 Having regard to the above, it is considered that the proposed development would not unduly impact on the living conditions of neighbouring occupiers. It would therefore comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020), in this respect.
- 7.29 Quality of Residential Accommodation (Internal and External)
- 7.30 Policy D6 of the London Plan (2021) requires that all housing should be of highquality design and provide adequately sized rooms with comfortable and

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- functional layouts which are fit for purpose and meet the needs of all Londoners without differentiating between tenures.
- 7.31 Policy DMHB 16 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) requires that all housing developments should have an adequate provision of internal space in order to provide an appropriate living environment
- 7.32 The proposed development comprises the following internal accommodation:

7.33 Flat 1: 89 square metres

Flat 2: 81 square metres

Flat 3: 73 square metres

Flat 4: 73 square metres

Flat 5: 71 square metres

- 7.34 Each flat proposed would exceed the floorspace requirements set out in Policy D6. Furthermore, habitable rooms within the property would have access to outlook and natural light with all the rooms having associated bathrooms/en-suite bathroom facilities. The internal living accommodation afforded to new residents is considered to be acceptable. A kitchen and lounge area is proposed per flat providing communal space for residents. It is therefore considered that future residents of the proposed building would have a satisfactory internal living accommodation.
- 7.35 Accordingly, the proposal is considered to comply with Policy D6 of the Hillingdon Local Plan, Policies DMHB 14, DMHB 5, DMHB 14, DMHB 16 and DMHB 18 of the Hillingdon Local Plan Part Two (2020).
- 7.36 Policy DMHB 18 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Table 5.3 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020) states that flats with two-bedrooms should have a minimum of 25 square metres of private usable amenity space.
- 7.37 The proposal would provide approximately 261 sqm of private amenity space for the occupiers of the property. It is considered that the proposed development would provide the future occupiers of the proposed dwellings with external private amenity space provision that is of a sufficient size, usability and functionality, in accordance with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020). The two ground floor flats would have their own private spaces immediately next to their rear windows, ensuring that their privacy would be protected.
- 7.38 The dispersed and disjointed amenity space on the previous scheme lacked functionality, and this was one of the reasons for refusal. Th compact and unified amenity space to the rear of the building in the current scheme overcomes this concern.

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## 7.39 Highways and Parking

- 7.40 Policies T4, T6, T6.2 of the London Plan (2021), DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposed development. These policies can be read in full in the Committee Report Part 3 Policy Appendix, and in summary, seek to deliver development which is sustainable in transport terms and safeguards highway and pedestrian safety.
- 7.41 These aims are also supported by the NPPF (2023) at Chapter 9, which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

## 7.42 Car Parking

7.43 The plans illustrate that six off-street parking will be located to the rear of the site and is therefore acceptable in this regard, being less than the 7-8 maximum under the parking standards. As noted by the Highways Officer, given the low Public Transport Accessibility of the site, this level of parking is acceptable. Parking controls on neighbouring streets would limit overspill parking. A parking allocation plan would be secured for the flats. The internal arrangement of the car park would meet best practice.

## 7.44 Cycle Parking

7.45 The plans illustrate cycle storage will be located to the rear of the site and is considered acceptable subject to a condition securing full details.

#### 7.46 Vehicular Access

7.47 The highways officer notes that the removal of the existing access via Warren Road and its replacement with one from Silver Birch Close is acceptable in principle. Visibility plays to the new access would be secured by condition.

## 7.48 Trip Generation

7.49 As noted by the Highways Officer, the increase in trip generation would be marginal and could be absorbed by the local network without a significant impact on traffic congestion or road safety.

#### 7.50 Electrical Vehicle Charging Provision:

7.51 No details on vehicle charging points have been submitted as part of this application, however, in the event of an approval, details on electric vehicle charging points would be secured via a condition, with 20% 'active' provision and the rest as passive.

#### 7.52 Waste and Recycling

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- 7.53 The plans illustrate adequate refuse storage will be located to the front of the site which is considered to be acceptable. However, no details have been provided which indicate how the refuse and recycling will be collected. Whilst an objection has not been raised to the location of the bin store, this requires details regarding the management and collection to be provided to ensure that residents are not subjected to overflowing waste and the appropriate carrying/drag distances are met. As such a condition pertaining to the submission and approval of a waste management condition is recommended to be attached to the decision notice.
- 7.54 Construction Management Plan
- 7.55 A Construction Management Plan would be secured by condition given the scale of the development.
- 7.56 The Highway Authority has been consulted and does not raise an objection to the proposed development, subject to conditions. The proposal is considered to comply with Policy DMT 6 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020).

## 7.57 Noise

- 7.58 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.
- 7.59 The intensification of the site will bring about limited additional comings and goings of people and associated impacts that arise with people living independently from one another. Despite this, the increase in terms of noise levels will likely be minimal. Given the large separation distances between the detached dwellings along Warren Road, this is unlikely to result in any adverse impacts in terms of noise and disturbance to neighbouring occupiers of Warren Road, Silver Birch Close and Swakeleys Road.

## 7.60 Air Quality

7.61 Local Plan Policy DMEI 14 states:

Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to safeguard and improve air quality in order to protect existing and new sensitive receptors. These aims are also supported by the NPPF (2023) at chapter 15.

7.62 The application site forms part of the declared Hillingdon Air Quality Management Area and sits circa 200m to the east of the Swakeleys Road Air Quality Focus Area.

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7.63 Given that there would not be a significant increase in vehicle movements to and from the site and there would be an increase in the area of soft landscaping on the site, it is not considered that there would be an adverse air quality impact from the development sufficient to warrant refusal.

## 7.64 Accessibility

- 7.65 Policy D5 and Policy D7 of the London Plan (2021) aims to provide suitable housing for London's diverse population including disabled people, older people and families with young children.
- 7.66 The proposed plans introduce a lift to facilitate the future occupiers at ground, first and loft floor. In the event of an approval, a condition would be secured to ensure the development complies with Building Regulation M4(2). Also, a condition would be secured requiring submission of plans to demonstrate step-free access via all points of entry and exit. Subject to such conditions, the proposed development would comply with Policies D5 and D7 of the London Plan (2021).
- 7.67 The absence of a lift formed a refusal reason for the previous scheme, which has now been overcome.

#### 7.68 Security

7.69 The proposed development is not considered to compromise the security of the application site or adjoining sites.

#### 7.70 Trees and Landscaping

- 7.71 Policy D5 of the London Plan (2021) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.
- 7.72 Policy DMHB 14 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) requires that all development retains or enhances existing landscaping, trees, and biodiversity.
- 7.73 The trees within and surrounding the application site are subject to Tree Preservation Orders (TPOs). Existing trees on site would be retained. The Council's Trees and Woodlands Officers were consulted and raised no objections subject to compliance with the tree protection plan.
- 7.74 As noted above, it is considered that the expansion of the proportion of the site covered by soft landscaping has the potential to improve the ecological value of the site. Details would be secured by condition.

#### 7.75 Ecology

7.76 Whilst there has now been a formal adoption of the biodiversity net gain policies within the NPPF, for minor scale applications the requirement to deliver a 10% net

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gain is applicable to applications which have been validated from 02.04.24. As this application was validated prior to this date there is no formal requirement to provide a 10% net gain.

#### 7.77 Flooding and Drainage

- 7.78 Policy SI12 and SI13 of the London Plan (2021) require, in summary, that flood risk is minimised and mitigated, and that surface water runoff is managed close to source.
- 7.79 Policy DMEI 9 and Policy DMEI 10 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) require, in summary, that flood risk is mitigated and proposals that increase the risk of flooding or which fail to make adequate provision to control surface water runoff will be refused.
- 7.80 The application is in Flood Zone 1 (low risk) and is not in a critical drainage area. In accordance with Policy DMEI 10, a condition would secure details of sustainable drainage measures.

## 7.81 Sustainability

- 7.82 Policy SI 2 of the London Plan (2021) states residential development should achieve at least a 10% improvement beyond Building Regulations 2013.
- 7.83 Policy DMEI 2 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.
- 7.84 The proposed development is of a minor scale therefore whilst the principle of SI 2 (carbon reduction) is applicable, the London Plan Policy applies more specifically to major scale applications. The applicant is not required to submit an Energy Statement with the application or demonstrate a policy level of onsite savings. Notwithstanding this point, the modern construction of the development would be considered as providing sufficient energy savings itself and therefore the development would comply with the principles of the carbon saving development plan policies.

## 7.85 Airport Safeguarding

7.86 The proposed development would not extend beyond the height of the existing building and would remain a two-storey building therefore would have no impact upon airport safeguarding.

## 7.87 <u>Land Contamination</u>

7.88 The site is not located within an area identified as being subject to potential land contamination.

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#### 8 Other Matters

#### **Human Rights**

8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

#### Equality

8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

#### Local Finance Considerations and CIL

8.3 The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

The proposal involves the erection of 5 new dwellings (an uplift of 4 from the existing situation) and is therefore CIL liable.

## 9 Conclusion / Planning Balance

- 9.1 The reduction in scale and footprint of the development, the increase in soft landscaping, the introduction of a lift, the consolidation of amenity spaces and the removal of windows facing towards neighbouring properties have served to overcome the reasons for refusal on the previous scheme on this site.
- 9.2 The development would have an acceptable unit mix, including one family sized three-bedroom unit, and would make a contribution to the supply of housing in the borough. The development would be acceptable in highway and amenity terms and may result in an increase in the ecological value of the site due to increased soft landscaping.
- 9.3 Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1 (below).

#### 10 **Background Papers**

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a (/ <u>v</u> r/ ir	Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the Council's website here, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingdon.gov.uk.	
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Hillingdon Planning Committee – 11 <sup>th</sup> June 2024  PART 1 – Members, Public & Press		
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## **APPENDICES**

# **Planning Application**

30255/APP/2023/417

## **Appendix 1: Recommended Conditions and Informatives**

#### **Conditions**

#### 1. HO1 Time Limit

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

#### **REASON**

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

## 2. HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; 22/3503/1, 22/3503/5 Rev A, 22/3503/4 Rev A, 22/3503/3 Rev A and Design and Access Statement dated 10th February 2023.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

#### 3. HO4 Materials

No development above ground level shall take place until details of all materials and external surfaces (associated with the proposed development) 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 DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## 4. HO6 Obscure Glazing

The first floor side window(s) facing No. 277 Swakeleys Road and Warren Road shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the

Hillingdon Local Plan Part 2 (2020).

## 5. NONSC Construction Management Plan

Prior to development commencing, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## 6. 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), which include the provision of pollution absorbing planting
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Refuse Storage
- 2.b Cycle Storage for a minimum of 6 cycles
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts
- 2.e Hard Surfacing Materials
- 2.f External Lighting

- 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 DMHB 11, DMHB 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Policies within the London Plan (2021).

## 7. SUS8 Electric Charging Points

Prior to the occupation of the development, the applicant shall submit a Car Parking Management Plan to the Council for approval confirming that one car parking space would be allocated to each of the dwellings. Two of the parking spaces shall have active electrical vehicle charging points and the others shall be installed with passive electrical charging. The development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

#### **REASON**

To encourage sustainable travel in accordance with Policy T6.1 of the London Plan (2021).

#### 8. RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork

shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'.

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### 9. NONSC Non Standard Condition

The development shall be carried out and maintained in full accordance with the Tree Report within the Design and Access Statement dated 10th February 2023.

#### **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 DMHB 11, DMHB 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan Part 2 (2020).

#### 10. NONSC Non Standard Condition

Prior to first occupation of the premises a Waste Management Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include:

- details to demonstrate that the carrying distance for occupiers of the development is no more than 30 metres
- details of the location and method of collection which should include a drag distance of no more than 10 metres

#### REASON

To ensure that the proposed development complies with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## 11. NONSC Details of step free access

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

#### **REASON**

To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

#### 12. NONSC Non Standard Condition

The dwellings hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

#### **REASON**

To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with Policy D7 of the London Plan (2021).

## 13. A38 Surface Water/Sewage Disposal

No development above ground level shall take place until a scheme for the provision of sustainable water management and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- 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

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;
- vi. Provide details of how the dwelling will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the optional requirement defined within Approved Document G of the Building Regulations).

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 the development does not increase the risk of flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

#### 14. B11 Visible for Private Access

The vehicular access points hereby approved shall be provided with 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.

The development shall not be occupied until the above works have been implemented in accordance with the above specifications.

## **REASON**

In the interests of highway and pedestrian safety in accordance with Policy DMT 2 of the Hillingdon Local Plan: Development Management Policies (2020).

## 15. B12 Closure of Existing Access

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and the footway reinstated to full kerb height where any vehicle crossovers are redundant.

#### **REASON**

In the interests of pedestrian safety and accessibility in accordance with Policy DMT2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

## **16.** B3 Fencing to Protect Root Areas

Prior to works commencing on site, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, groups of trees and other vegetation to be retained during construction work, shall be submitted to and approved by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres and shall be erected prior to any demolition, removal of topsoil, and commencement of building operations and retained in position until development is completed. The land so enclosed shall be kept clear of all dumping, materials, machinery and cement mixing and the existing soil levels not altered or disturbed. No fires shall be lit on the land so enclosed.

#### **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **Informatives**

#### 1. 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should

ensure that the following are complied with:-

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

- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

## 2. 147 Damage to Verge - For Council Roads:

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

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

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

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

## 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. 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

## 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
H4	Mix of housing units
H6	Considerations influencing appropriate density in residential development.
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP H1	(2021) Increasing housing supply

LPP H10 (2021) Housing size mix LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking

## **Appendix 2: Relevant Planning History**

30255/APP/2004/1516 279 Swakeleys Road Ickenham

ERECTION OF A PORCH WITH CANOPY ACROSS FRONTAGE OF PROPERTY, AND FRONT GATES

Decision: 13-07-2004 Approved

30255/APP/2005/1010 279 Swakeleys Road Ickenham

CONVERSION OF ROOFSPACE TO HABITABLE ACCOMMODATION INVOLVING INSTALLATION OF REAR FACING DORMER WINDOW

Decision: 23-05-2005 Approved

30255/APP/2005/1717 279 Swakeleys Road Ickenham

CONVERSION OF ROOFSPACE TO HABITABLE ACCOMMODATION INVOLVING CHANGE OF ROOF FROM HIP END TO GABLE END

Decision: 08-08-2005 Approved

30255/APP/2005/247 279 Swakeleys Road Ickenham

CONVERSION OF ROOFSPACE TO HABITABLE ACCOMMODATION INVOLVING INSTALLATION OF SIDE AND REAR DORMER WINDOWS

Decision: 16-03-2005 Refused

30255/APP/2005/3194 279 Swakeleys Road Ickenham

ERECTION OF SINGLE STOREY REAR EXTENSION AND INSTALLATION OF AN ADDITIONAL REAR DORMER WINDOW

Decision: 10-01-2006 Approved

30255/APP/2006/1448 279 Swakeleys Road Ickenham

ERECTION OF A SINGLE STOREY GARDEN OUTBUILDING FOR USE AS A GYM/STORE AND INSTALLATION OF INWARD OPENING GATES WITH TWO BRICK PIERS 2.0M HIGH (INVOLVING THE DEMOLITION OF THE EXISTING DETACHED GARAGE SITED DIRECTLY BEHIND THE PROPOSED GATES AND PIERS).

Decision: 21-07-2006 Approved

30255/APP/2006/169 279 Swakeleys Road Ickenham ERECTION OF A SINGLE STOREY REAR EXTENSION

Decision: 29-03-2006 Approved

30255/APP/2006/341 279 Swakeleys Road Ickenham

ERECTION OF A SINGLE-STOREY REAR EXTENSION AND INSTALLATION OF A VEHICULAR CROSSOVER (INVOLVING CLOSURE OF EXISTING CROSSOVER)

Decision: 13-03-2006 Withdrawn

## 30255/APP/2020/2413 279 Swakeleys Road Ickenham

Erection of a two storey building with habitable roofspace to consist of  $6 \times 2$ -bed and  $2 \times 1$ -bed self-contained flats with parking and amenity space, involving demolition of existing dwelling.

Decision: 30-09-2020 Withdrawn

## 30255/APP/2020/4275 279 Swakeleys Road Ickenham

Erection of a two storey building with habitable roofspace to consist of 6 x 2-bed and 1 x 3-bed self-contained flats with parking and amenity space, involving demolition of existing dwelling.

Decision: 21-04-2021 Refused Appeal: 13-01-2022 Dismissed

30255/B/93/1039 279 Swakeleys Road Ickenham Installation of a 2 metre high wall on Swakeleys Road

**Decision:** 05-08-1993 Approved

30255/PRC/2020/51 279 Swakeleys Road Ickenham

Demolition of existing building and construction of new building to provide 1 x 3 bed, 4 x 2 bed and  $4 \times 1$  bed self contained flats with associated parking and amenity space

**Decision**: 15-04-2020 Objection

## Appendix 3: List of Relevant Planning Policies

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

H4 Mix of housing units

H6 Considerations influencing appropriate density in residential development.

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP G1 (2021) Green infrastructure

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking



# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: Katherine Mills	26090/APP/2024/813
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Date Application Valid:	28.03.24	Statutory / Agreed Determination Deadline:	23.05.24
Application Type:	Householder	Ward:	Northwood

Applicant: Mr Anthony Strachan

Site Address: 15 KEWFERRY ROAD

**NORTHWOOD** 

Proposal: **Erection of first floor rear extension.** 

Summary of **GRANT planning permission subject to** 

Recommendation: conditions

Reason Reported Required under Part 3 of the Planning Scheme of

to Committee: **Delegation (Petition received)** 



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

## 1 Executive Summary

- 1.1 Planning permission is sought for the erection of a first floor rear extension to be situated above an existing ground floor rear extension.
- 1.2 The proposal is considered to comply with the objectives of the relevant planning policies and would appear subordinate in the context of the existing dwelling. It would not give rise to any significant harm to the wider local character nor impact the street scene given its location to the rear of the site.
- 1.3 The proposal would have an acceptable impact on neighbouring residential amenity and would not adversely affect highway safety, or cause harm in other respects.
- 1.4 Due regard has been given to local residents' objections, including the petition against the application, however it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken.
- 1.5 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

## 2 The Site and Locality

- 2.1 The application site comprises a two-storey, detached dwellinghouse located on the western side of Kewferry Road, Northwood (refer to figure 1 below).
- 2.2 The property has an existing single storey full width rear extension, as well as a lean-to outbuilding situated along the northern boundary with No.117 Kewferry Road. A first floor side extension along the southern side and rear dormer has also been added previously to the original building. The site contains a generous garden with an outbuilding located towards the rear along the north-western boundary. To the front, the site benefits from a small centrally positioned landscaped section with off-street parking accessed via a vehicular cross-over off Kewferry Road.
- 2.3 The application site is located within TPO 118. The northern site boundary is located within the Flood Map for Surface Water, as identified in the Surface Water Management Plan (SWMP) for Hillingdon.
- 2.4 No.13 Kewferry Road is located along the southern site boundary and comprises a two storey detached property which has been extended to the rear at ground floor. No.17 Kewferry Road is located along the northern site boundary and comprises a

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- similar style dwelling with a single storey rear extension and outbuilding adjacent application site. Nos.1-6 Harrison Close and Nos.7-11 Harrison Close are located to the east, on the opposite side of the road.
- 2.5 The surrounding area is residential in character comprising of two-storey, semidetached and detached dwellinghouses of a similar style and age to the application property. Generally, there is a variation of alterations to the existing dwellings along this street of Kewferry Road that have evolved overtime and contribute to the established character.

Figure 1: Location Plan (application site edged red)



Figure 2: Street View Image of the Application Property (See below)

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Figure 3: Rear Elevation Image of the Application Property

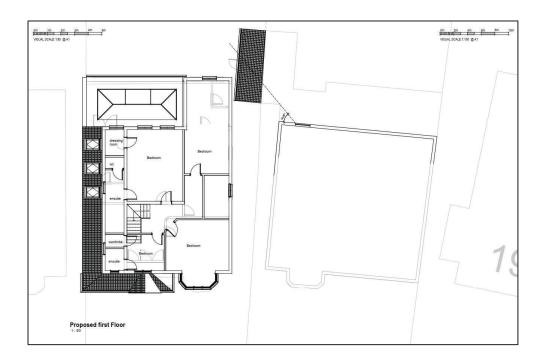


## 3 Proposal

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- 3.1 Planning permission is sought for the erection of a first-floor extension to the rear of the application property. The extension would be situated towards the northern side above the existing utility room. It would extend 3.6m deep beyond the main rear wall and 3.52m wide. The proposed first floor rear extension would have a hipped style roof that would have a maximum height of 7.8m and set down approximately 1.8m from the main ridgeline. The proposed materials would match the existing property. The proposed first floor rear extension would extend an existing bedroom and include a shower room.
- 3.2 Amended plans were received during the course of the application which included references to the side door on the outbuilding structure between the application property and No.17 Kewferry Road. The amended plans also demonstrated compliance with the 45-degree rule taken from the nearest neighbouring habitable room window at No.17 Kewferry Road.
- 3.3 Following an Officer's site inspection, it was also noted that the development has not been built and therefore the scheme is not retrospective, and the description of development has been amended accordingly. It was not necessary to re-consult on the final revised plan and slight description change due to the minor nature of the amendment or clarification.

**Figure 4: Proposed Plan** (please note – larger version of plan can be found in the Committee Plan Pack)



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**Figure 5: Proposed elevations** (please note – larger version of plan can be found in the Committee Plan Pack)



## 4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 Planning permission was approved in August 2017 (ref: 26090/APP/2017/2357) for a "first floor side extension, single storey rear extension and conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and 3 side rooflights. This was built on site, albeit the single storey rear extension was not built in accordance with approved plans and was the subject of a retrospective planning application ref: 26090/APP/2020/300 which is discussed below (paras 4.4-4.6)
- 4.3 Planning application ref: 26090/APP/2019/2860, for a "single storey front extension and porch/canopy" was Approved on 22-10-2019. This has been built on site.
- 4.4 Planning application ref. 26090/APP/2020/300, for a "retrospective application for a single storey rear extension and front boundary wall and gates" was Refused on 19-06-20 for the following reason:
  - "The proposed front garden, boundary treatment and gates, by reason of their size, scale and design would significantly erode and detract from the verdant character and appearance of the street scene and have a detrimental appearance on the character and appearance of the streetscene contrary to Policies BE1 of the

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- Hillingdon Local Plan: Part One Strategic Policies (November 2012), and Policies DMHB 11, DMHB 14 and DMHD 1 Local Plan: Part Two Development Management Policies (2020)".
- 4.5 The Council had no objection to the single storey rear extension sought under planning application ref. 26090/APP/2020/300.An appeal against the Council's refusal of the retrospective planning application ref. 26090/APP/2020/300) was Allowed by the Planning Inspectorate on 25/05/2021 (Appeal Ref. APP/R5510/D/20/3256761).
  - In allowing the appeal, the Planning Inspector stated
  - '8. The appeal site comprises a two-storey dwelling, which has a fairly traditional appearance. A single storey extension with a roof domelight, which is part of the appeal development, has been erected to the rear. The front boundary treatment, also part of the appeal development, consists of a red brick wall with metal railings and metal gates which are painted black with minor detailing. Whilst I note that the wall and railings are taller than some of the neighbouring boundary treatments, there are other neighbouring examples which are similar in scale.
  - 9. Although I have noted the predominantly verdant character of the surrounding area, there are properties on Kewferry Road which do not incorporate boundary planting to the front. The variation in appearance, scale, and materials of front boundary treatments in the neighbouring area also creates a mixed character. Within this context the appeal development does not stand out as an incongruous feature and assimilates well with the surroundings. The fact that the development comprises two separate gates does not have a visually harmful impact.
- 4.6 There has been an Enforcement investigation (ref: ENF/566/19) regarding works on the site not being carried out in accordance with approved plans. An Enforcement Notice regarding the front boundary enclosure was served on 20/08/2020. The Enforcement Notice however was quashed following the appealed decision in September 2021 which concluded that the design of the brick walling and timber fencing was an acceptable design. (Appeal Ref: APP/R5510/C/20/3258741, dated 04/10/21).

## 5 Planning Policy

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

#### 6 Consultations and Representations

6.1 Consultation letters were sent to 5 local owners/occupiers and the Northwood Residents Association, with the consultation period dating between 5th April 2024 and 26th April 2024. Two objections from one consultee were received along with one petition objecting to the proposal. Two objections were also received from the Northwood Residents Association.

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6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
A petition of 20 valid signatures has been received against the application.	Concern regarding the impact on adjoining neighbours' amenity in terms of dominance.	Discussed at paragraphs 7.14–7.25 of this report.
	2. The description is incorrect as the first-floor extension has not yet been built.	The description of development as originally inputted/validated referred to the proposed first floor rear extension as retrospective. Officer site visits have established that the development has not been built and therefore is not retrospective, and the description of development has been amended accordingly.
2 individual letters of objection have been received.	Application is not retrospective	As per Planning Officer's response to point 2 (see above).
	II. Plans incorrect. Outhouse building, door not shown. The outhouse is situated between our properties	Amended plans (Rev A) were submitted on 22nd April 2024. The amended plans now include reference to the side door on the outbuilding structure between the application property and No.17 Kewferry Road.
	III. Extension overbearing. It will block most light from kitchen meaning will need to have lights on all day. Sunlight blocked to	Discussed at paragraphs 7.14 – 7.25 of this report.

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conconvatory Light	
conservatory. Light blocked to bedroom.	
IV.Numbers 5 to 17 Kewferry Road were built 1902 to 1904 and are handsome	The design is discussed at paragraphs 7.6 – 7.13 of this report.
Edwardian houses - except for no 15 which following extension built between 2017 and 2020 had 1,000 sq. ft added which totally spoiled the harmony.	It is noted that there have been a number of planning applications between 2017 and 2020 on the site.  Planning applications have been determined against relevant local, regional, and national planning policies at the time of the applications. The planning history of the site has been discussed in detail in Section 4 of this report.
V.No 15 is a single person occupancy and does not need further extension	The level of occupancy is not a material consideration once the use remains a C3 Dwelling House. The applicant is entitled to apply for planning permission no matter the level of occupancy and this is accessed against relevant planning policies. The proposed first floor rear extension would extend an existing bedroom within the property and provide a shower room. The property is an existing 4-bedroom property, and no additional bedrooms would be provided.
VI.Length of time previous works took to complete and damage to neighbours' buildings from previous works.  More building work will mean another long period of stress and most likely cause	Any damage caused to neighbouring properties during construction phase is a civil matter. It is not considered proportionate given the modest size of the extension to impose a planning condition in relation to a construction management plan for this householder application.
	Nuisance from demolition and

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further damage to outhouse	construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation; this would be added as an informative on any consent issued. Issues relating to property damage from building works is a civil matter and is not a material planning consideration.
VII.The plans submitted on 28th April are incorrect.	The plans originally submitted with the application (received 28th March 2024) have been superseded by amended plans. Amended plans (Rev A) were submitted on 22nd April 2024. The amended plans now include reference to the side door on the outbuilding structure between the application property and No.17 Kewferry Road, and a 45-degree line from the nearest neighbouring habitable room window at No.17 Kewferry Road. It is considered that the plans are correct and reflect what already exists on site. Officers did not consider a further period of consultation necessary given that no changes were proposed to the development initially submitted (in terms of size, design, height).
VIII. No notice has been posted outside the property.	Consultation letters were sent to neighbouring properties as per the statutory guidance, giving a period of 21 days for comments. The statutory guidance did not require a site notice advertising the application to be displayed on site. The Public consultation for the application was therefore carried out in
	VII.The plans submitted on 28th April are incorrect.  VIII. No notice has been posted outside the

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	accordance with statutory guidance.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Northwood Residents Association	
The rear first floor will be over dominant affecting number 17 Kewferry Road.	Discussed at paragraph 7.19 to 7.22 of this report.
The description is inaccurate and misleading because it is not retrospective as the rear first floor has not been built yet. Therefore, the description of the application is incorrect.	The description of development as originally inputted/validated referred to the proposed first floor rear extension as retrospective. Officer site visits have established that the development has not been built and therefore is not retrospective, and the description of development has been amended accordingly.
Inaccurate Drawings on the existing site context	Amended plans have been provided which include reference to the side door on the outbuilding structure between the application property and No. 17 Kewferry Road. Notwithstanding this, given the proposals relate to a first-floor extension, it is not considered that the side door to the outbuilding is a relevant consideration as this would be unaffected by the proposals.

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Policy HD 1 B) vi) - there is no statement that it complies with the 45-degree rule for two story extension.

Amended plans have been provided which include a 45-degree line from the nearest neighbouring habitable room window at No.17 Kewferry Road.

The impact on neighbour's amenity is further discussed below in paragraphs 7.14-7.25.

## 7 Planning Assessment

### Principle of Development

7.1 The proposal is for an extension to an existing residential dwelling. As such, the principle of development is supported by national, regional, and local planning policies, subject to the considerations set out below.

## Impact on the Character and Appearance of the Area

- 7.2 Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (November 2012) requires that new developments achieve a high quality of design in all new buildings, alterations, extensions, and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place
- 7.3 Policy DMHB 11 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) requires all development to be designed to the highest standards and incorporate principles of good design, either complementing or improving the character and appearance of the area. Policy DMHB 12 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) seeks to protect and improve the public realm, including streets.
- 7.4 Policy DMHD 1 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene and should appear subordinate to the main dwelling.
- 7.5 Part B of Policy DMHD 1 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) sets out specific requirements for rear extensions. Two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21m. Pitched

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roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design.

#### Site Context

7.6 The property is situated on Warren Road which is characterised by detached two-storey dwellings, each with architectural merit with a relatively verdant character along the front. The two-storey dwelling is set back from the road with a large front driveway separated from the public highway by boundary wall/fence that was allowed at appeal. The existing dwelling has been extended historically through a number of individual extensions since 2017 including a first floor side with roof conversion as well as a single storey rear extension which have been highlighted within the history section of this report above. The first floor side extension has been integrated successfully within the roof form; whilst the rear dormer sits comfortably within the roof slope, set in sufficient distances from the ridge line, sides and eaves lines. As such, the existing extensions appear subservient to the original property design and generally sympathetic to the local character and the street scene.

#### Proposed scheme

- 7.7 The current proposal involves a single storey first floor rear extension which would situated along the northern flank of the property. It would be located above the existing ground floor extension previously approved and built out. The proposal would extend 3.6m in depth from the main rear wall and would be 3.52m wide maintaining approximately 6m of the main rear wall that would not be extended. Along the rear elevation, it would create a flush finish with the existing rear wall serving the ground floor element. The proposed first floor rear extension would have a pitched roof that matches the existing pitched roof at the front of the property. The proposed materials would also match the existing materials.
- 7.8 The roof form of the extension is considered acceptable and sits comfortably along the northern side of the property. The hipped style roof would be set down sufficient distance from the ridge line and maintains a sufficient distance from the existing dormer. The eaves height would align with the existing arrangement thereby maintaining a consistent roof pattern that matches the existing building lines.
- 7.9 The subtle nature of the hipped roof contributes to its appearance and does not appear overly bulky within the larger roof form. Officers are satisfied that the overall size of the extension would appear modest in scale and subordinate to the rear of the property. The fact the first-floor element is set over at the northern side with a modest width ensures that the main rear wall of the dwelling continues to appear visually prominent. This allows the extension to appear subordinate in the overall context of the existing dwelling. The overall depth and size complies with the policy requirement (Policy DMHD1 Local Plan Part 2: 2020). The depth would be 3.6m and the first floor element would not breach the 45-degree line of sight drawn from the centre of the nearest window serving the adjacent property at No 17 Kewferry Road.

- 7.10 The modest width of the extension also ensures that cumulatively both the existing dormer as well as the roof serving the first floor element would not appear visually awkward in the context of the existing dwelling. The design of both additions appear subservient and cumulatively would not be visually dominating in the context of the original dwelling.
- 7.11 The fenestration serving the first floor element is considered appropriate, and the treatment would match the design of the existing first floor windows. As the brick work would match the existing arrangement, the overall finish would be in harmony and sympathetic to the existing dwelling and established local character. A condition is recommended to ensure that the materials match the existing dwelling.
- 7.12 As the first floor extension is located solely to the rear of the property, it is considered there would be no harm to the character and appearance of the street scene.
- 7.13 It is therefore considered that the proposed first floor rear extension would be acceptable and would not cause harm to the character and appearance of the application property or to the character and appearance of the surrounding area. The proposal thereby complies with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020).

## Residential Amenity

- 7.14 Policy DMHD 1 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.
- 7.15 Policy DMHB 11 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.16 The site abuts two detached properties with No 13 Kewferry Road situated to the south and No 17 Kewferry Road located along the northern flank where the proposed extension would be erected. To the rear, the site also abuts a section of garden that is associated with No 17 Kewferry Road. Further beyond this garden lies the rear gardens of the properties serving Nos. 34-36 Gateway Close which are over 50 metres distance from the proposed works.
- 7.17 No.13 Kewferry Road site boundary would be situated approximately 8.7m away from the flank wall of the first floor extension. There are no windows proposed along this flank elevation that would cause any loss of privacy to this adjoining resident. It is also noted that this neighbour has an existing ground floor extension that extends out from the main rear wall with only a small section (approximately 1m) of the proposed first floor element projecting out beyond the existing ground floor rear building line of this neighbour. Given the modest projection, as well as the sufficient

separation distance between the flank elevation of the development and the common boundary of this neighbour, Officers are satisfied that there would be no direct impact on this neighbouring property's amenity. It would not impact in terms of loss of daylight/sunlight or overbearing/sense of enclosure. The amended plans also confirm compliance with the 45-degree line of sight from the closest neighbouring habitable room window. A condition is also recommended ensuring that no additional windows are added along either flank wall which would ensure privacy remains protect.

- 7.19 No.17 Kewferry Road is situated along the northern flank and closest to where the proposed first floor element would be situated. Both application site and this neighbouring property are detached dwellings set in from their respected boundaries. The extension would be set in 2.1m from the common boundary of this neighbouring property with a further 1.3m to the flank wall. It is also noted that both properties have an outbuilding along the boundary that largely screens their respected ground floor additions from each other. A further observation would relate to the orientation of this neighbouring dwelling which is slightly angled away from the application site towards the rear which ensures the windows serving this neighbour maintain their outlook.
- 7.20 The proposed 3.6m deep first floor rear extension would not extend beyond the existing ground floor rear building line and would not extend beyond the existing northern side elevation. It has been demonstrated through the proposed plans, that the extension would not compromise this neighbours' outlook or sense of enclosure. The plans show the nearest first floor window serving No.17 Kewferry Road which would continue to have unrestricted outlook to their rear garden largely due to the orientation of the building. The proposed floor plan also demonstrates compliance with the 45-degree rule in so far as, the proposed first floor extension would not break the 45-degree line of sight from this closest neighbouring habitable room window.
- 7.21 Concerns have been raised that the proposed first floor rear extension would have a detrimental impact on the residential amenity of No.17 Kewferry Road through an over-dominant/overbearing form and loss of light to the neighbouring property. Given the policy compliant depth, together with the orientation and separation distance between the two properties, and the fact that the proposed first floor extension would not break the 45 degree line of sight from the closest neighbouring habitable room window, it is considered that the proposed first floor rear extension would not over-dominate No. 17 Kewferry Road or result in a detrimental loss of light. A condition can also be attached ensuring no additional windows are added along the flank elevation that could protrude into this neighbour's amenity. It is therefore considered that the proposed rear extension would not impact on the residential amenity of No. 17 Kewferry Road through the loss of light, privacy, overlooking or over-bearing form.
- 7.22 The comments received also raised concerns regarding light to the garden area. The BRE Daylight Sunlight guidance (2022) requires garden spaces to achieve a minimum of two hours sunlight on 21 March, which Officers are satisfied is easily achieved given the overall size of the garden. The modest depth would ensure that

- overshadowing of the garden areas would be limited, and sufficient daylight sunlight would be maintained throughout most of the daytime.
- 7.23 Dwellings located to the rear on Gateway Close (34-36) would be over 50m from the proposed extensions, thus they would experience no harmful loss of residential amenity.
- 7.24 As the development is situated to the rear of the site, there would be no impact on the dwelling/residential units (1 to 6 & 7 to 12 Harrison Close) to the front on the opposite side of the highway
- 7.25 For the reasons outlined above, it is concluded that the proposal would have an acceptable impact on neighbouring residential amenity in compliance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020).

Residential Amenity – Application Property

- 7.26 The proposed extension involves a modest addition at first floor level to provide a larger bedroom space. This space would be served by a window that provides outlook onto the rear garden. It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (March 2021).
- 7.27 The proposed extension would be located at first floor level and so would not impact on the existing external amenity space for the property. The property would continue to be served by a generous garden which would meet the standards set out in Table 5.3 (Private Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). The proposal, therefore, would not undermine the provision of external amenity space, thereby complying with Policies DMHB 18 and DMHD 1 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020).

#### Highways and Parking

- 7.28 Policy DMT 6 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.
- 7.29 The application site has two driveways and a parking area for at least two vehicles at the front of the site. The proposed first floor rear extension would not impact on car parking provision for the site given its location to the rear. The level of parking on site is in line with the maximum amount expected for a residential dwelling and as such and so would comply with Policy DMT 6 of the Hillingdon Local Plan: Part Two Development Management Policies (November 2012).

Trees and Landscaping

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7.30 The application site is located within TPO 118. This is situated towards the rear end of the site garden and significant distance from the works. The proposed first floor rear extension would not impact on any trees or landscaping features protected by TPO 118. The proposed first floor rear extension would be located at the rear of the property, above an existing rear extension. There a no significant trees within the immediate area of the proposed works. As the works would not involve any additional excavation of ground. It would not be reasonable to require a tree planted or tree protection condition in this instance. The proposal thereby complies with Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

#### Drainage

- 7.31 Policy DMEI 9 of the Hillingdon Local Plan: Part Two Development Management Policies (January 2020) seeks to ensure that developments provide appropriate management of flood risk.
- 7.32 The northern site boundary is located within the Flood Map for Surface Water, as identified in the Surface Water Management Plan (SWMP) for Hillingdon. The proposal would not extend the footprint of the building from the current arrangement. Given that the extension is situated above an extension already in situe, it would not erode into the garden area. It therefore would not cause any additional floor risk or drainage concerns given the overall context of the application. An informative advising the applicant that water run off should be directed to a soakaway, tank or permeable surface shall be added to any consent granted.

#### 8 Other Matters

#### Human Rights

8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

#### Equality

8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

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8.3 Not applicable. The proposed development is not CIL liable.

## 9 Conclusion / Planning Balance

9.1 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

### 10 Background Papers

10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the <a href="Council's website">Council's website</a> here, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingdon.gov.uk.

## **APPENDICES**

# **Planning Application**

26090/APP/2024/813

## **Appendix 1: Recommended Conditions and Informatives**

#### **Conditions**

#### 1. HO1 Time Limit

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

#### **REASON**

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

## 2. HO2 Accordance with approved

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

#### Location Plan

A108 (Proposed Elevations)

A109 (Proposed 3D View)

Proposed Block Plan

A111 Rev A dated 18/04/2024 (Proposed Ground Floor Plan)

A112 Rev A dated 18/04/2024 (Proposed First Floor Plan)

### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), and the London Plan (March 2021).

## 3. HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

#### 4. HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be

constructed in the walls or roof slopes of the development hereby approved facing 13 and 17 Kewferry Road.

#### **REASON**

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

#### Informatives

## 1. 147 Damage to Verge - For Council Roads:

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

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

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

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

#### 2. 115 Control of Environmental Nuisance from Construction Work

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

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

- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

3.

The northern site boundary is located within the Flood Map for Surface Water, as identifed in the Surface Water Management Plan (SWMP) for Hillingdon. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from the site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with e development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission. A water butt should be incorporated.

## **Appendix 2: Relevant Planning History**

26090/78/2022 15 Kewferry Road Northwood

Householder development - residential extension(P)

Decision: 16-01-1979 Approved

26090/APP/2004/1066 15 Kewferry Road Northwood

ERECTION OF TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION

AND REAR CONSERVATORY AND FRONT DORMER WINDOW

Decision: 22-10-2004 Approved

26090/APP/2004/195 15 Kewferry Road Northwood

ERECTION OF TWO-STOREY SIDE EXTENSION, SINGLE-STOREY REAR EXTENSION,

AND FRONT FACING DORMER WINDOW

Decision: 16-03-2004 Refused

26090/APP/2016/4541 15 Kewferry Road Northwood

Single storey side and single storey rear extension

Decision: 20-02-2017 Approved

26090/APP/2017/2357 15 Kewferry Road Northwood

First floor side extension, single storey rear extension and conversion of roof space to

habitable use to include a rear dormer, 2 front rooflights and 3 side rooflights

Decision: 24-08-2017 Approved

26090/APP/2019/1932 15 Kewferry Road Northwood

Single storey outbuilding for use as a summerhouse (Application for a Certificate of Lawful

Development for an Proposed Development)

Decision: 30-07-2019 Approved

26090/APP/2019/1934 15 Kewferry Road Northwood

Front canopy with open porch and 3 columns

Decision: 01-08-2019 Refused

26090/APP/2019/2858 15 Kewferry Road Northwood

Single storey outbuilding to rear for use as a summer house/store

Decision: 18-10-2019 Approved

26090/APP/2019/2860 15 Kewferry Road Northwood

Single storey front extension and porch/canopy

Decision: 22-10-2019 Approved

26090/APP/2020/300 15 Kewferry Road Northwood

Retrospective application for a single storey rear extension and front boundary wall and

gates

Decision: 17-06-2020 Refused Appeal: 07-06-2021 Allowed

26090/C/86/2075 15 Kewferry Road Northwood

Householder extension-two storey side ext.(P)

Decision: 10-02-1987 Approved

26090/D/89/2332 15 Kewferry Road Northwood

Erection of a single storey rear extension and front dormer

**Decision:** 17-07-1990 Approved

26090/F/98/0893 15 Kewferry Road Northwood

Tree surgery to one Horse Chestnut (T45) on TPO 118, including the removal of the three

lowest branches overhanging No.13 Kewferry Road

Decision: 30-06-1998 Approved

26090/TRE/2002/128 15 Kewferry Road Northwood

TREE SURGERY TO ONE HORSE CHESTNUT (T45) ON TPO 118

Decision: 01-07-2003 Approved Appeal: 01-07-2003 Allowed

26090/TRE/2010/10 15 Kewferry Road Northwood

To fell one Horse Chestnut (T45) on TPO 118.

Decision: 16-03-2010 Approved

## Appendix 3: List of Relevant Planning Policies

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMEI 9 Management of Flood Risk

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards

NPPF12 NPPF 2021 - Achieving well-designed places



# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: Haydon Richardson	36999/APP/2023/3455
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Date Application Valid:	18.01.24	Statutory / Agreed Determination Deadline:	11.06.24
Application Type:	Full	Ward:	Yeading

Applicant: Mr Ben Train

Site Address: Tesco Stores Ltd, Glencoe Road

Proposal: Variation of Condition 3 (Deliveries) of planning permission ref.

36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of Condition 12 (Opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's

Lane, Hayes.

Summary of **GRANT planning permission subject to** 

Recommendation: conditions

Reason Reported Required under Part 3 of the Planning Scheme of

to Committee: **Delegation (Petition received)** 



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

## 1 Executive Summary

- 1.1 The application seeks planning permission to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of Condition 12 (Opening Hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes.
- 1.2 At present Condition 3 of the permission states: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries.'
- 1.3 In order to better facilitate the supply and sale of fresh goods at the store, as well as to reduce the number of staff working to midnight on Saturday, Tesco seek permission to change the wording of Condition 3 to: 'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'
- 1.4 The single service delivery would take place via HGV and would be dropped off to the front of the store prior to the store opening. Goods would then be lowered via tail lift and wheeled into the store by staff.
- 1.5 The delivery drop-off point is in the middle of the site which is a considerable distance from all neighbouring properties. In this location the developments noise and activity related impacts would cause no significant harm to the amenities of neighbours, especially as the site is already subject to high levels of noise and activity, as discussed in Section 7 of this report.
- 1.6 The proposed drop-off time would limit the likelihood of conflict between customers visiting the store and servicing activities.
- 1.7 Adequate space and internal roads exist within the site for the HGV to enter and exit in a forward gear. The HGV would park along disabled parking bays at the front of the site. In this location it would not disrupt the flow of traffic around the site. Furthermore, due to the significant level of parking at the site, as well as the fact that the delivery would take place prior to trading hours, there would be more

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- than adequate space for customers to park during deliveries. The development is therefore considered to have no adverse highways related impacts.
- 1.8 The proposal would add 1 additional delivery to the stores existing arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be negligible.
- 1.9 Due regard has been given to local residents' objections, including the petition against the application. However it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken.
- 1.10 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

## 2 The Site and Locality

- 2.1 The application site is located on the northern side of Glencoe Road, Yeading, and falls within the Willow Tree Lane Local Centre as designated by the Hillingdon Local Plan Saved UDP Policies (November 2012). The site is occupied by a part one, part two storey Tesco superstore located in the North-East portion of the site, and a petrol filling station, which is located in the Southern corner of the site. An internal service road runs along the Eastern and Southern boundaries of the site. The remainder of the site is occupied by a 543-space car park for customer use.
- 2.2 The surrounding area is predominantly residential, characterised by terraced houses. There are 8 retail units with flats above (4-34 Jollys Lane) located immediately to the North of the application site. A number of gardens also directly abut the site boundaries.

Figure 1: Location Plan (application site edged red)

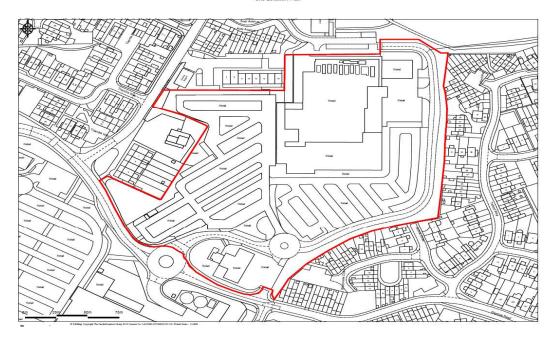


Figure 2: Street View Image of the Application Property



## 3 Proposal

3.1 Planning permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May

Hillingdon Planning Committee - 11th June 2024

- 1995 for the removal of Condition 12 (Opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990.
- 3.2 The wording of Condition 3 would be changed from: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries' to 'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'

## 4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2. Notwithstanding this point, the following should be noted:
- 4.2 Outline Planning Permission was granted in 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes (application reference 36999E/89/1214).
- 4.3 A variation of condition application was submitted in 1994 to change the trading hours of the approved superstore (application reference No.36999/T/93/0878). This was refused but was allowed at appeal (application reference No.94/236865).
- 4.4 Relevant to this application is Condition 3 (Service Deliveries) of the allowed appeal which states: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries.'
- 4.5 It should also be noted that Condition 1 (Hours of Opening) of the allowed appeal (application reference No.94/236865) states: 'The food superstore shall not open for the sale of goods on Christmas Day, before 0800 hours and after 2100 hours on Mondays to Saturdays, and before 1000 hours and after 1600 hours on Sundays and bank holidays.'
- 4.7 Tesco is currently operating under these restrictions, as noted in the submitted covering letter.
- 4.8 Numerous applications have been submitted, refused, and dismissed at appeal for alterations to the stores operating hours. Those applications are referenced in Appendix 2 of this report. This application solely seeks to alter the stores delivery arrangements and therefore those applications are not considered to be relevant to its determination.

#### 5 Planning Policy

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5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

## 6 Consultations and Representations

- 6.1 65 neighbouring properties and the Brag Committee Residents Association were directly notified of the proposed development on 18/01/24. 3 site notices were also placed at the site on 15/02/2024.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representati ons	Summary of Issues Raised	Planning Officer Response
A petition with 40 signatures was received on 12/02/24 objecting to the proposed development.	1. The proposed development would adversely impact on neighbouring amenities due to increases in noise and pollution caused by additional delivery lorries on a Sunday. Sunday is the only day that residents get a rest from air and noise pollution.	Discussed at paragraphs 7.5 - 7.17 of this report.
	There is not 1 item that has a shelf life of a day, as such the proposed development is unnecessary.	Noted, however this is not a material planning consideration.
	3. The development is for profit.	Noted, however this is not a material planning consideration.
16 individual objections have been received	Approval of this application will lead to applications for more deliveries on a Sunday.	Noted, however each application must be determined on its individual merits and at present no such

		applications
		have been submitted.
II.	Operation of the site and particularly lorries sitting idle on the rear service yard for long periods of time, night, and day, 6 x a week, causes noise pollution and air pollution to the detriment of resident's amenities. This would be exacerbated by the proposed development.	Discussed at paragraph 7.10 to 7.17 of this report.
III.	Visitors to the store would be endangered during Sunday morning deliveries	Discussed at paragraph 7.18 to 7.26 of this report.
	There is not 1 item that has a shelf life of a day, as such the proposed development is unnecessary.	Noted, however this is not a material planning consideration.
V.	Tesco do not close their service yard barrier doors on Saturday night as per the requirements of their condition.	Noted, however this is not a material planning consideration in the determination of this application.
VI.	Tesco's waste and recycling is not well managed. Charity bins overflow and litter the car park. The site is also used for fly tipping adding further unmanaged mess to the site.	Noted, however this is not a material planning consideration in the determination of this application.
/II.	Tesco have no regard for the living quality of nearby residents. Complaints raised are often never responded to.	Noted, however Tesco's complaint management service is not a material planning consideration in the determination of this application.

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	III. Proposed building works would have an adverse visual and noise impact.	No building works are proposed as part of the proposed development.
	IX. We operate a hot food take away business on Jollys Lane. The proposal would lead to additional restaurants, which would lead to additional competition, the closing of the business and me losing my job.	No additional businesses or restaurants are proposed as part of the proposed development.
	X. I understand Tesco have not renewed their lease and are proposing a small shop where prices are considerably higher. This would impact negatively on customers and local residents.	Permission is sought to vary the delivery condition only, as set out within this report.
	XI. We operate a carpet selling business on Jollys Lane. Additional traffic at the site will destroy our business.	The highways and traffic related impacts are discussed in paragraphs 7.18 to 7.26 of this report.
1 letter of query was received	(II. Can I please see proposed plans for the development. I am concerned about the visual impact of the development, overlooking and its highways impacts.	Permission is sought for an additional delivery on a Sunday morning. No physical operations are proposed and therefore there are no proposed plans. The highways impact is discussed at paragraphs 7.18 to 7.26 of this report. It's impact on neighbouring amenities has

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			been discussed at paragraph 7.5 to 7.17 of this report.
1 letter of support was received for the proposed development	XIII.	More deliveries are welcome as empty shelves have been witnessed at Tesco in the evenings.	Noted.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
NOISE OFFICER	
The Applicant is seeking the variation of Condition 3 to allow a single delivery to be taken to the front door of the store between 0900-1000 hours on Sundays. Information has been provided with the application in the form of a noise assessment specific to the variation applied for which shows that the predicted noise levels are consistent with the Council's normal planning conditions on operational noise and its supplementary planning guidance. Hence, I see no reason to object to the application on noise grounds.	Discussed at paragraph 7.10 to 7.11 of this report.
HIGHWAYS OFFICER	
The applicant proposes that Condition 3 is reworded to read: "On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000". The proposal is unlikely to discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns. The Highway Authority would therefore offer no objection to the application.	Discussed in paragraphs 7.18 to 7.26 of this report.

## 7 Planning Assessment

**Principle of Development** 

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- 7.1 Planning permission was granted for the Tesco superstore and associated development in 1990. Operation of the store commenced shortly after and has continued for over 20 years.
- 7.2 Permission is sought to vary the wording of Condition 3 to allow for an additional delivery to take place on a Sunday morning. Subject to compliance with the relevant policies and material considerations cited within this report the proposed development is considered to be acceptable in principle.

## Design and Impact on the character and appearance of the area

- 7.3 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) so that a single service delivery can be made to the front of the site on a Sunday morning between 9am and 10am.
- 7.4 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harm to the character and appearance of the area.

## Residential amenity

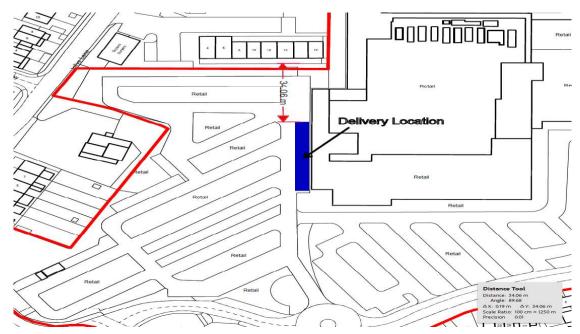
- 7.5 Policy DMHB 11 of the Hillingdon Local Plan: Part Two Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.6 Paragraph 135 of the NPPF (2023) states 'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 7.7 Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.
  - Light, outlook, and privacy
- 7.8 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) so that a single service delivery may be made to the front of the site on a Sunday morning between 9am and 10am.
- 7.9 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harmful loss of outlook or light to neighbouring properties. Nor would it result in any additional loss of privacy or overlooking to neighbouring properties

## Hillingdon Planning Committee - 11th June 2024

#### Noise

- 7.10 The proposal is for a single servicing delivery between the hours of 9am -10am on Sunday mornings. 1 additional service delivery above and beyond the sites existing level of deliveries is unlikely to generate noise levels which would be detrimental to neighbouring amenities.
- 7.11 The proposed drop off point would be at the store's front entrance. The entrance is approximately 34m or more from any neighbouring property (the nearest being flats above Jolly's Lane shopping parade see Figure 3). Properties on Acer Avenue, Telford Way, Sharpness Close, Kennet Drive and Clayton Terrace would be 75m to 130m away from the drop off point. The separation distance between the drop off point and neighbouring properties would aid in ensuring that the development has no significant adverse noise impact on neighbouring occupiers.

Figure 3: Distance between Jolly's Lane Flats and the Store's front entrance/proposed drop off point



7.12 Furthermore, the front entrance of the store is bordered by its car park. The car park is prone to a considerable level of noise and activity, due to cars entering and exiting the site, taxi's parking and remaining idle, the unloading of shopping and movement of shopping trollies, customer discussion, and at times the servicing of the shops on Jolly's Lane (north of the site). This being the case, 1 additional delivery on a Sunday morning is not considered to harmfully exacerbate noise or activity levels at the site to the extent that the amenities of neighbours would be harmed. It should also be noted that permission exists for newspaper deliveries to be made to the Store on a Sunday, as such some Sunday servicing already exists.

- 7.13 Several shops exist on Jolly's Lane to the north of the site. The shops are accessible via the Tesco site and some of them open at 9am.
- 7.14 The proposed drop off point is off-road and would therefore allow for the free flow of traffic in and around the site during the Sunday delivery. A significant level of parking exists to the front of the mentioned shops as well as around the wider site, therefore their customers would have adequate parking. Several footpaths exist around the site and from neighbouring residential roads, rendering the shops accessible via foot. The shared vehicular access route for users of the site and the Jolly's Lane shops runs along the site's western boundary (which is away from the drop off point). Additionally, as the site's largest contributor of activity and occupier of parking spaces (Tesco) would not be open during servicing, the site would be relatively empty, allowing for people or cars to get around a service vehicle in a worst-case scenario.
- 7.15 Noting the above, the development is not considered to cause any significant nuisance or disturbance to nearby businesses, nor is considered to reduce their ability to function.
- 7.16 The Borough's Noise officer was consulted on the proposed development and has raised no objection to the proposal.
- 7.17 Taking the above into consideration, the proposed development is not considered to have an adverse impact on neighbouring amenities.

#### Highways and Parking

- 7.18 Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states that development proposals must ensure that safe vehicular access to the highway network is provided and that they do not contribute to the deterioration of air quality, noise, local amenity or safety. Impacts on local amenity and congestion should be minimised.
- 7.19 Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states that development proposals must comply with the parking standards and address issues relating to congestion and amenity.
- 7.20 The development site is located within PTAL 1.
- 7.21 The proposal seeks permission for an additional service delivery on Sunday mornings between the hours of 9am and 10am.
- 7.22 Tesco opens at 10am and therefore the delivery will arrive and depart from the store before it opens for trading. This will limit the likelihood of any conflict with visitor traffic entering the site. It will also limit the chances of conflict with pedestrians visiting the store.
- 7.23 The delivery will be undertaken by a HGV, which will park immediately outside the stores entrance, across existing disabled parking bays (see figure 2 and 3 of

## Hillingdon Planning Committee – 11th June 2024

this report). In this off-road location, the delivery vehicle would be able to unload safely without obstructing traffic movements in and around the site. Further, traffic movements would be limited during the delivery as the store would not be open.

- 7.24 Tesco has a two-way internal road system, so the HGV could easily join an exit route without having to turn. Furthermore, due to the size of the site and the fact that the store would not be open, thus limiting occupancy of its car park, adequate manoeuvring space would exist for the HGV to turn if necessary and then exit the site safely in a forward gear.
- 7.25 Additionally, as the sites car park is significant, more than sufficient space would exist, away from the drop off point, for customers who visit prior to the store opening at 10am. The additional delivery is therefore not considered to result in any harmful loss of parking to the stores users, especially as it would be leaving the site at opening time.
- 7.26 Taking into consideration the above, the proposed development is considered to have no adverse highways or parking related impacts.

## Air Quality

- 7.27 Local Plan Policy DMEI 14 states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- 7.28 The development site is located within an Air Quality Management Area, as such the development should be air quality neutral.
- 7.29 The proposal would add 1 additional delivery to the stores existing delivery arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be de minimis.

### 8 Other Matters

#### Major development related planning considerations

8.1 The impact of the proposed development with regards to external appearance, layout, means of access, landscaping, design and (where relevant) ecology, parking provision, energy, sustainability, fire safety, contamination, airport safeguarding, waste management, overheating, security, accessibility, flooding, drainage, density, housing provision, housing quality, housing mix, housing accessibility, health, town centre uses, and planning obligations were considered and approved as part of the original outline planning consent and subsequent applications at the site. Those matters are therefore not considered to be relevant to the consideration of the current application.

## **Human Rights**

Hillingdon Planning Committee - 11th June 2024

8.2 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## Equality

8.3 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

#### Local Finance Considerations and CIL

8.4 The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre. The proposed development is not CIL liable.

## 9 Conclusion / Planning Balance

- 9.1 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865), so that a single service delivery can be made to the front of the site, on a Sunday morning, between 9am and 10am.
- 9.2 The single delivery would take place via HGV and would be dropped off to the front of the store which located in the middle of the site prior to the store opening.
- 9.3 The delivery drop-off point is in the middle of the site (a considerable distance from all neighbouring properties). In this location the developments noise and activity related impacts would cause no significant harm to the amenities of neighbours, especially as the site is already subject to high levels of noise and activity.
- 9.4 The proposed drop-off time would limit the likelihood of conflict between customers visiting the store and servicing activities. The proposed drop off location would ensure that the free flow of traffic around the site is not disrupted. Further, a vast array of parking would remain on site for customers that attend the shop prior to its opening hours.
- 9.5 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harm to the character and appearance of the area. The development is therefore considered to have no adverse highways related impacts. The proposal would add 1 additional delivery

## Hillingdon Planning Committee – 11th June 2024

- to the stores existing arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be negligible.
- 9.6 Notwithstanding the additional Sunday morning delivery, the site would continue to operate as approved under the original reserved matters application and all other subsequent applications.
- 9.7 Taking into consideration the above, it is recommended that planning permission be granted subject to conditions set out in Appendix 1 of this report.

## 10 Background Papers

10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the <a href="Council's website here">Council's website here</a>, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at <a href="planning@hillingdon.gov.uk">planning@hillingdon.gov.uk</a>.

## **APPENDICES**

# **Planning Application**

36999/APP/2023/3455

## **Appendix 1: Recommended Conditions and Informatives**

#### **Conditions**

#### 1. NONSC Non Standard Condition

Condition 3 of planning permission ref.36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995, shall be reworded to read as follows:

'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'

#### **REASON**

To safeguard the amenity of the occupants of the surrounding properties in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy D14 of the London Plan (2021) and paragraph 135 (f) of the NPPF (2023).

#### 2. NONSC Non Standard Condition

Notwithstanding Condition 3, the development shall otherwise be carried out, retained, and maintained in compliance with all other approved details and conditions of planning permission ref.36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995.

#### Informatives

## 1. 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).

#### 2.

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

## 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and NPPF (2023).

9	
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP E9	(2021) Retail, markets and hot food takeaways
LPP H1	(2021) Increasing housing supply
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling

LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

## Appendix 2: Relevant Planning History

36999/APP/2012/2449 Tesco Store Glencoe Road Hayes

Change of use of nine car parking spaces to a hand car wash, including installation of a portakabin and installation of a canopy (Retrospective)

**Decision:** 04-01-2013 Approved

36999/APP/2013/1204 Tesco Stores Ltd Glencoe Road Hayes

Installation of customer collection pod with canopy

Decision: 15-07-2013 Approved

36999/APP/2013/552 Tesco Stores Ltd Glencoe Road Hayes

Installation of Customer Collection Pod with canopy

Decision: 29-04-2013 Refused

36999/APP/2013/774 Tesco Stores Ltd Glencoe Road Hayes Installation of canopy and 2.45m high pallisade fence and gates.

**Decision:** 21-05-2013 Approved

36999/APP/2014/1717 Tesco Stores Ltd Glencoe Road Hayes

Installation of cabin for use as car rental with associated designated parking

**Decision:** 09-09-2014 Refused **Appeal:** 13-01-2015 Allowed

36999/APP/2017/662 Tesco Stores Ltd Glencoe Road Hayes

Installation of new centre pod

Decision: 22-05-2017 Approved

36999/APP/2018/3016 Tesco Stores Ltd Glencoe Road Hayes

Variation of Condition 2 (Security Barriers) and Condition 3 (Service Deliveries) of allowed appeal decision ref. 94/236865 (dated 10.01.95) relating to refused application ref 36999/T/93/0878 (dated 08.03.94) for the Variation of Condition 12 (Trading Hours) of planning permission ref. 36999E/89/1214 (dated 01.05.90). This current application seeks to enable service deliveries between the hours of 1000 and 2100 on Sundays and bank holidays.

**Decision:** 14-11-2018 Refused **Appeal:** 25-10-2019 Dismissed

36999/E/89/1214 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Erection of retail store, 12 shop units, with residential accommodation over, surgery, public house/restaurant, public conveniences, petrol filling station, community facilities, car parking and landscaping

**Decision:** 01-05-1990 Approved

36999/T/93/0878 Tesco Superstore & Petrol Station Glencoe Road Hayes

Variation of condition 12 of planning permission ref. 36999E/89/1214 dated 1.5.90 to allow

trading on Sundays between 1000 and 1800 hours

Decision: 08-03-1994 Refused Appeal: 10-01-1995 Allowed

# Appendix 3: List of Relevant Planning Policies

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMH 2 Housing Mix

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP E9 (2021) Retail, markets and hot food takeaways

LPP SD7	(2021) Town centres: development principles and Development Plan Documents
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking



# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Date Application	10.01.2024	Statutory / Agreed	28.06.2024
Valid:		Determination	
		Deadline:	
Application	Full	Ward:	Heathrow
Type:			Villages

Applicant: **Lewdown Holdings Ltd. and Autom** 

Site Address: Former Sipson Garden Centre, Sipson Road

Proposal: The development of a Centre of Excellence for

servicing and repair of Airside Support Vehicles (Use Class B2), consisting of a service building with 7no. service bays and 1no. storage bay, an two-storey office building, ancillary associated hardstanding, parking, a wash bay,

plant, solar PVs, landscaping and drainage.

**GRANT** planning permission subject to section Summary of

Recommendation: 106 legal agreement and conditions

Reason Reported Required under Part 1 of the Planning Scheme of to Committee:

**Delegation (Major application recommended for** 

approval)



# **Summary of Recommendation:**

GRANT planning permission subject to the completion of a satisfactory section 106 legal agreement to secure the heads of terms set out below, and subject to the conditions as set out in Appendix 1.

That delegated powers be given to the Director of Planning, Regeneration and Environment to grant planning permission subject to the following:

- A) That the application be referred to the Mayor under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.
- B) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:
- i) Carbon Offset Contribution: Any additional shortfall identified through the ongoing reporting required by Condition 29 shall form a cash in lieu contribution to the Council in accordance with Policy SI2 of the London Plan (2021) at a rate of £95/tCO2 annualised for not more than 30 years beginning on the commencement of development. [i.e. if a shortfall is first identified after 5 years the cash in lieu contribution is based on a 25year duration].
- ii) Air Quality Contribution: A financial contribution amounting to £32,092 shall be paid to address the air quality impacts of the proposed development.
- iii) Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives.
- iv) Section 278: Obligation for the developer to enter a 1980 Highways Act s.278 agreement with the Council to make permanent alterations or improvements to the adopted highway. This will include, but is not limited to, the changes to the access into the development site which intersects with Sipson Road.
- v) Employment Strategy and Construction Training: Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is the Council's priority. A financial contribution will only be accepted in exceptional circumstances.

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- vi) Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resultant 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 Agreement and any abortive work resulting from 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 and agree any changes requested by the Greater London Authority.
- D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning, Regeneration and Environment), delegated authority be given to the Director of Planning, Regeneration and Environment to refuse planning permission for the following reason:

'The applicant has failed to mitigate the impacts posed by the proposed development (in respect of Carbon Offsetting, Air Quality, Travel Planning, Highways Safety, and Employment). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-57 of the National Planning Policy Framework (2023).'

E) That if the application is approved, that the permission is subject to the Conditions as set out in Appendix 1.

# 1 Executive Summary

- 1.1 This application seeks permission for a 'Centre of Excellence' for servicing and repair of Airside Support Vehicles (Use Class B2), consisting of a service building with 7no. service bays and 1no. storage bay, an ancillary two storey office building, with associated hardstanding, parking, a wash bay, plant, solar PVs, landscaping and drainage.
- 1.2 The proposed development is considered acceptable in land use terms. Whilst the development would be considered inappropriate development within the Green Belt, very special circumstances are considered to exist. Notably, the need to support Heathrow Airport, the demonstration of no suitable and available non-Green Belt sites for the proposed use, and provision of significant biodiversity enhancements weigh in favour of the proposal. As agreed by the Greater London Authority and the Council's Planning Policy Team, these factors cumulatively weigh up to conclude that very special circumstances exist to

- clearly outweigh the harm posed to the Green Belt by reason of inappropriateness.
- 1.3 The economic benefit of commercial development is acknowledged and supported by national, regional and local planning policies. As noted under Paragraph 85 of the National Planning Policy Framework (NPPF) (2023), significant weight should be placed on the need to support economic growth and productivity.
- 1.4 Subject to the planning conditions and obligations recommended, the proposed development is considered acceptable with respect to design, heritage, residential amenity, environmental issues, transport, and sustainability.
- 1.5 Due regard has been given to local residents' objections; however, it is concluded that the proposal complies with the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For the reasons outlined above and within the main body of the report, this application is considered to comply with the Development Plan and is recommended for approval, subject to securing the planning conditions set out in Appendix 1 and a Section 106 legal agreement.

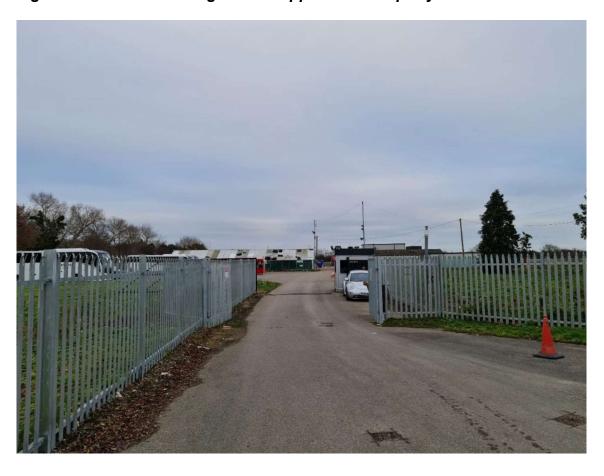
# 2 The Site and Locality

- 2.1 The application site is located on the eastern side of Sipson Road and measures approximately 1 hectare in area. The site comprises an area of hardstanding and redundant structures associated with the former Sipson Village Garden Centre. A hotel is located to the north of the site and Sipson Village is located to the south. The site is also bound by the M4 to the east.
- 2.2 The site is located within designated Green Belt and is classed as Grade 1 (best and most versatile) agricultural land. The site forms part of the Hillingdon Air Quality Management Area and the Sipson Air Quality Focus Area. The land is also located within the Heathrow Archaeological Priority Zone and is potentially contaminated. According to Transport for London's (TfL) WebCAT planning tool, the site has an accessibility rating of 1b (poor).
- 2.3 A location plan outlining the site in red, and a street view image of the application property is shown in Figures 1 and 2.



Figure 1: Location Plan (application site edged red)

Figure 2: Street View Image of the Application Property



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# 3 Proposal

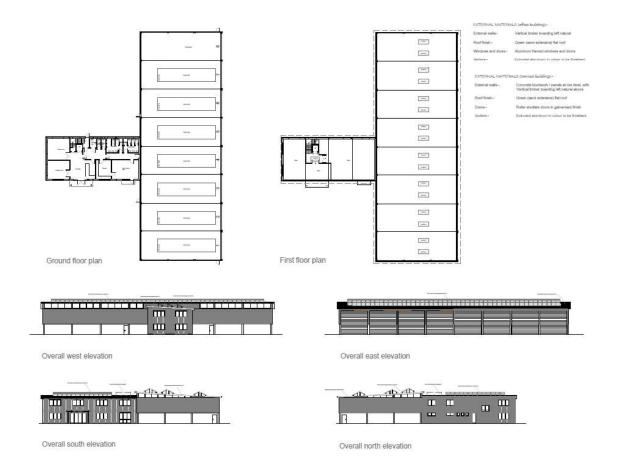
- 3.1 This application seeks permission for a 'Centre of Excellence' for servicing and repair of electric Heathrow Airport airside support vehicles (Use Class B2). The main service building proposed would comprise 980m2 Gross Internal Area (GIA) / 1020m2 Gross External Area (GEA) floorspace, including 7no. internal service bays and 1no. storage bay. This would be attached to an ancillary two-storey office building with 400m2 GIA / 442m2 GEA. Both buildings are proposed with green roofs and photovoltaic (PV) solar panels.
- 3.2 Separate from the main building, circa 5,687m2 of hardstanding is proposed and would facilitate 15 no. external parking spaces for larger vehicles (including 6 no. spaces measuring 16.5m long and 9 no. spaces measuring 13.5m long), 34 no. staff and visitor car parking spaces (including 3 no. accessible car parking spaces), and a wash bay. The majority of the site would comprise soft landscaping. This would consist of planted areas, and alongside sustainable urban drainage features, would be concentrated in the east, south and west sections of the site.
- 3.3 During the course of the application, minor amendments were submitted. The amendments submitted confirm the provision of secure and sheltered cycle storage and provision of shower facilities in the ancillary office space.

**Figure 3: Proposed Site Plan** (please note – a larger version of plan can be found in the Committee Plans Pack)



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Figure 4: Proposed Elevations and Floorplans (please note – a larger version of plan can be found in the Committee Plan Pack)



# 4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 Application reference 67666/APP/2019/1245 was granted consent on 25th June 2021 for the reinstatement of a Garden Centre with replacement buildings, outdoor sales areas, hard-standing, associated car parking and landscaping. Although this planning permission was not implemented, it is highlighted that this permission is a material planning consideration and establishes the precedent for development on this plot of land which is designated Green Belt.
- 4.3 Application reference 67666/APP/2021/2977 sought planning permission for a specialist vehicle storage area for a temporary period of 2 years and was refused permission for the following reasons:
  - "1. The proposed development, by reason of the number, size and siting of vehicles, the expected vehicle movements in and out of the site and the 24-hour use of the site, would not preserve the openness of the Green Belt and would

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constitute inappropriate development within designated Green Belt land. Very special circumstances have not been sufficiently evidenced in order to outweigh the harm to the Green Belt by reason of inappropriateness. As such, the proposal is contrary to Policy EM2 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (2020), Policy G2 of the London Plan (2021) and Paragraphs 147 to 150 of the National Planning Policy Framework (2021).

- 2. The on-site parking arrangements (including vehicles parked to the West of the site), results in a detrimental impact on the street scene and visual amenities of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy D3 of the London Plan (2021), paragraph 130 of the National Planning Policy Framework (2021) and the National Design Guide (2021).
- 3. Insufficient information has been submitted to demonstrate that the proposed use would avoid significant adverse impacts on the health and quality of life of neighbouring residents, contrary to Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy D14 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021).
- 4. The location of the entrance gates, just 13 metres from the public highway, would result in large vehicles overhanging onto Sipson Road when they are closed. As such, the proposal creates a use with a layout which would be prejudicial to the free-flow of traffic and the safety of all highway users, contrary to Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020), Policy T4 of the London Plan (2021), and paragraphs 110 and 112 of the National Planning Policy Framework (2021).
- 5. The applicant has failed to secure Section 106 planning obligations required as a consequence of demands created by the proposed development (in respect of air quality, travel planning, project management and monitoring). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-57 of the National Planning Policy Framework (2021)."
- 4.4 The current application is similar to that submitted under application reference 67666/APP/2021/2977 but it is not entirely the same. The current application does not seek retrospective permission for the existing unlawful operations on the site. The application seeks permission for a new form of development for the purposes of servicing and repair of electric Heathrow Airport airside support vehicles (Use Class B2).

## 5 Planning Policy

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

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# 6 Consultations and Representations

- A total of 97no. letters were sent to neighbouring properties, a site notice was displayed to the front of the site and an advert was posted in the local paper. All forms of consultation expired on 21st February 2024. A total of four objections were received from neighbouring residents.
- Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
A total of four letters of objection were received from neighbouring residents.	The development will cause highways safety issues.     The development will cause unacceptable noise disturbance.	Noted. Please refer to paras. 7.79 – 7.100 (Transport).  Noted. Please refer to paras. 7.44 – 7.52 (Environmental Issues) and conditions 8 (hours of operation) and 9 (noise levels).
	3. The development will result in unacceptable air quality emissions.	Noted. Please refer to paras. 7.55-7.57 (Air Quality), conditions 10 (NRMM) and 13 (CMLP) and Head of Terms no. ii (Air Quality Contribution).
	4. The development will result in flooding.	Noted. Please refer to paras. 7.69 – 7.73 and conditions 22 (SuDs details) and 24 (SuDs verification).
	5. The site is already being used for storage of vehicles without planning permission.	Whilst it is noted that the site is currently being operated unlawfully, this does not impact on the consideration of the current application.
	6. The site is part of Green Belt land and should not be developed.	Noted. Please refer to paras. 7.6 – 7.13.

7. The development will				
remove greenery.				

Noted. Please refer to paras. 7.58-7.68.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
External Consultation	•
Heathrow Villages Conservation Area Advisory Panel:	The Heathrow Villages Conservation Area Advisory Panel comments are noted.
The development is inappropriate development in the Green Belt with no very special circumstances.	The impact of the proposed development on the Green Belt, its
2. The development would be a commercial intrusion that detracts from the semi-rural surroundings. It is far larger-scale in terms of building volumes than the old single-storey garden centre.	appropriateness and very special circumstances are considered and addressed within paras. 7.6 – 7.13 of this report.
3. The development will generate additional traffic on Sipson Road which is already subject to traffic.	2. The impact on the character and appearance of the area is addressed within paras. 7.19 – 7.32 of
4. The development is airport-related development that is extending the footprint of the airport into the surrounding area rather than containing it.	this report.  3. The impact on the local highways network is addressed in paras. 7.79 –
5. The previous refusal means the current use is unlawful and enforcement action must be	7.100 of this report.
taken to close it down.	4. Noted.
6. The application should be refused.	5. Whilst the existing unlawful operation of the site is noted, it is emphasised that this should not prejudice the consideration of the current application which notably does not seek retrospective planning permission for existing operations.
	6. Noted.

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#### **Thames Water:**

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Groundwater discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, an informative should be added.

With regard to surface water drainage, developers should follow the sequential approach to the disposal of surface water, in accordance with Policy SI 13 of the London Plan (2021). Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Regarding the wastewater network and sewage treatment works infrastructure capacity, Thames Wate raise no objection to the above planning application, based on the information provided.

The Thames Water comments are noted. Informative 9 is proposed to be added to any decision for approval.

## **National Air Traffic Services (NATS):**

The proposed development does not conflict with NATS safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

The NATS comments are noted.

# **Heathrow Airport Safeguarding:**

The proposed development has been examined from an aerodrome safeguarding

The Heathrow Airport Safeguarding comments are noted. Please refer to

perspective and could conflict with Condition 20 (Bird Hazard safeguarding criteria unless any permission Management Plan). granted is subject to a planning condition for a Bird Hazard Management Plan. **Ministry of Defence:** The Ministry of Defence comments are noted. The proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed. The London Fire Brigade **London Fire Brigade:** comments are noted. The PV panels proposed should be installed correctly to avoid fire hazards associated with It is noted that the poorly fitted installations. Maintenance access development should accord should be provided. It is our expectation that with the relevant Building suitable isolation controls will be provided for Regulation requirements. use by firefighters. Fire safety matters are also to be addressed through It should be ensured that the roof coverings are in accordance with table B2 of Approved Condition 33 (Fire Safety). Document B: 2019. Where no permanent irrigation system is installed, the organic content is limited to less than 20% of the growing medium and peat free organic material is used. Please also note the requirements for fire breaks on green roofs which should be provided around perimeters, openings and every 40 metres on larger roofs. The Applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority. **Greater London Archaeological Advisory** The GLAAS comments are noted. Please refer to Service (GLAAS): Condition 25 (WSI). The significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition requiring the submission of a written scheme of

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accommodation.

# Transport for London (TfL):

The Transport Note dated April 2024 has been reviewed and the following comments are made:

- Concerns regarding pedestrian and cycle access arrangements have been addressed.
- A nighttime Active Travel Zone Assessment has been submitted and is accepted.
- Further justification for the operational servicing bays has been provided.

In terms of staff car parking, we don't accept that 34 car parks are required for staff and visitors which exceeds the 32 staff to be present on site and exceeds the car parking standard for opportunity areas. The applicant needs to clarify if all 32 staff will be always present or if the site will operate on shift schedule.

The applicant needs to clarify if any shower/locker facilities for staff will be provided to support modal shift which should be a goal within the Travel Plan.

The TfL comments are noted

Please refer to paras. 7.79 – 7.100 for consideration of transport matters.

Paragraph 4.2 of the Highways Response Note (Dated 22nd April 2024) states that one female and one male shower will be provided within the changing facilities within the employee building and is marked on the site layout. These facilities are also shown on drawing reference 10760.05 Rev. E. Facilities are therefore proposed to support the Travel Plan.

# **Greater London Authority (GLA) (Stage 1):**

Strategic Issues Summary

Land use principles: The proposals are inappropriate development in the Green Belt and by definition harmful to it. However, very special circumstances relating to the improvements to Green Belt, ecology and biodiversity, employment and economic benefits and the lack of an alternative site exist so as to justify the proposed development. On balance, the harm proposed to Green Belt with respect to a loss of openness is suitably off set by the benefits arising from the scheme (subject to these being appropriately secured).

Urban design: Given the location and use of the site, the design of the proposed

The GLA's Stage 1 comments are noted.

Please refer to paras. 7.6 – 7.13 for consideration of Green Belt matters.

Please refer to paras. 7.19 – 7.32 for consideration of design matters.

Please refer to paras. 7.79 – 7.100 for consideration of transport matters.

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development is generally supported subject to a very special circumstances case.

Transport: Car parking should be reduced in line with the London Plan standards for the Heathrow Opportunity Area. The applicant must also clarify and provide safe access for pedestrians and cyclists, provide secure cycle storage, as well as providing a Travel Plan, Deliveries and Servicing Plan and Construction Logistics Plan.

Other issues regarding sustainable development and environmental issues also require resolution prior to the Mayor's decision making stage.

#### Recommendation

That Hillingdon Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 76. Possible remedies set out in this report could address these deficiencies.

### **Internal Consultation**

# **Planning Policy Officer:**

The development is considered inappropriate development within the Green Belt.

To demonstrate very special circumstances (VSC), the applicant must also demonstrate a requirement for a Green Belt location. This can be demonstrated in part by providing evidence of alternative sites that were considered and if they were not appropriate for this development, providing reasons as to why they were inappropriate and why the application site is the most appropriate. As part of the alternative sites assessment. reasons as to why the application site is an ideal site for their needs and why alternative sites they considered are not, are needed. This search for sites should be extensive, as the NPPF states that significant weight should be given to harm to the Green Belt.

The Planning Policy Officer comments are noted.

Matters relating to the principle of development and Green Belt are addressed in paras. 7.6 – 7.13. of this report.

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The applicant has been consistent in outlining the requirement to be located within 2km of the airport, which is accepted. The applicant has also outlined that for operational reasons, the proposed site must be within 3km of the other AGS site on Bath Road. These two requirements limit the search area for alternative sites to a smaller area and so it is accepted that this may yield a lower number of suitable alternative sites which are within the applicant's locational requirements and also outside of the Green Belt. The applicant has presented four alternative sites which were considered and has set out the reasons why these sites were not suitable. The reasons for these sites not being suitable alternatives is accepted, and so on balance, combined with the other cases for VSC outlined above, it is considered that the applicant has demonstrated that VSC exists. Considered alongside the applicant's efforts to minimise the impact of the proposed development on the openness of the Green Belt, the proposal is considered acceptable on balance.

# **Urban Design Officer:**

While the proposal to repurpose the underutilised site is welcomed in principle, the applicant has yet to provide sufficient justification for the increase in height, bulk, hardstanding areas, and parking provisions. Although additional trees and vegetation have been added, there is still room for improvement in their distribution and integration with the site, as well as the possibility of introducing wildflower meadows where feasible. While there are no major concerns regarding the chosen facade materials in principle, given the industrial nature of the proposal, it's crucial that the colour and finish are agreed upon through the submitted information to ensure they blend well with and are sympathetic to the adjacent Sipson village and the Green Belt location.

The current application represents a departure from the established operation of the site due

The Urban Design Officer comments are noted.

Matters relating to design are addressed in paras. 7.19 – 7.32 of this report.

Please also refer to paras. 7.6 – 7.13.for consideration of Green Belt matters.

The final design details of the materials and landscape scheme are proposed to be secured by Conditions 18 (Materials) and 19 (Landscape Scheme).

to the increased size of the proposed buildings and the effects of the quantity of large vehicles and cars being parked on-site. The increase in building volume and associated elements of the proposal is potentially impacting the openness of the Green Belt (concerning requirements of Hillingdon DMEI 4 policy and Paragraph 154 of the NPPF).

#### **Access Officer:**

This proposal has been assessed against the requirements of London Plan policy D5, which seeks to secure the highest standards of inclusive design. The intention is to construct a new class B2 unit for the servicing and maintenance of airside support vehicles. Adjacent to the unit is an office building, which appears to be fundamentally wheelchair accessible on the ground floor, with lift access shown on plan to the first floor. The associated car park has 32 parking spaces, including 3 accessible parking bays, detailing a 1.2m transfer zone to one side of the bays. Conclusion: acceptable. No accessibility concerns are raised, however an informative regarding the Equality Act 2010 should be attached to any approval.

The Access Officer comments are noted.

Matters relating to access are addressed in paras. 7.33 – 7.36 of this report.

Please refer to Informative no. 6.

## **Building Control Officer:**

- 1. The Fire Statement document addresses and references Policy D12 but should also include
- A site plan to show the layout and positioning of the fire appliances.
- Assembly Points locations on the site plan. The document states that assembly points are currently undetermined, but these should already be finalised at this stage and shown on the site plan.
- 2. The drainage strategy should include a general provision for drainage during construction, as this will increase settlement of rainwater.

The Building Control Officer comments are noted.

Matters relating to fire safety are addressed by Condition 33 (Fire Safety).

Matters relating to the drainage strategy are addressed by Condition 20 (SuDs).

Matters relating to the construction are addressed by Condition 13 (CMPLP).

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3. The outline construction and demolition method statement should reference management of asbestos as buildings constructed pre-2000 are very likely to contain some asbestos.

# **Highways Officer:**

#### Access

The largest vehicle that would access the site would be a 19.830m tow truck with a catering 'Mallaghan' vehicle. The tow truck would make one-way trips to the site with the catering truck leaving the site independently after repair which would be acceptable. The swept path for the vehicle would be acceptable.

The southern radius of the bellmouth to the entrance of the site from A408 Sipson Road, makes the southern exit from the site more onerous for large vehicles whilst reducing the crossing distance for pedestrians which would improve safety and would be acceptable. Tactile paving across the site access would be provided.

A shared foot/cycle path would be provided on the northern side of the access road between A408 Sipson Road and would lead to a cycle store located close to the entrance. Details should be secured by condition.

The applicant should be informed that all works to the adopted highway would be required to be carried out under s184 Highways Act at the applicant's/developer's expense.

Concerns remain regarding the number of HGV movements that would be generated by the site. A condition should be secured to prevent HGV movements to and from the site during peak times 07.30-09.30 and 15.30-18.00 to reduce congestion and road danger.

Construction Logistics Plan (CLP)

The Highways Officer comments are noted.

Matters relating to transport are addressed in paras. 7.79 – 7.100 of this report.

The CLP submitted is broadly acceptable, however, a condition securing the final CLP is recommended Recommendation The Highway Authority are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection to the application subject to conditions. Air Quality Officer: The Air Quality Officer comments are noted. The proposed development is air quality neutral but not air quality positive. Please see the 'Summary of Recommendation' section The undiscounted level of mitigation required and paras. paras. 7.55-7.57 to the proposed development for traffic for confirmation that emissions is £35,658. Once all deductions £32,092 fee is proposed to were applied, the remaining value of be secured via a Section mitigation due is £32,092. Flat rate deductions 106 legal agreement. applied are as follow: Travel Plan (10%), Green Sustainable Measures (0%), Please also refer to contribution to long term LBH strategic long-Conditions 10 (NRMM) and term strategies and public service projects 13 (CMLP). (0%), totalling a reduction of £3,566. Therefore, a section 106 agreement with the LPA of £32,092 is to be paid for Hillingdon to deliver its air quality local action plan and/or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels. Conditions should also be secured in order to reduce emissions associated with construction and demolition. Flooding and Drainage Specialist: The Flooding and Drainage Specialist comments are

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No objection subject to condition which

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secures the following:

noted.

Matters relating to flood and water management are

- The applicant should address the potential for the inclusion of rainwater harvesting at detailed design stage.
- Maintenance tasks and frequencies should be provided for the green roof.
- A maintenance owner should be named.
- Exceedance flow routes should be provided on a diagram with a description of how exceedance should be managed.
- The green roof should be included on the drainage diagram.

addressed in paras. 7.69-7.76 of this report.

# **Noise Specialist:**

Sufficient information has been provided by the Applicant to make a recommendation with respect to noise. It is recommended that no objection is made on noise grounds subject to conditions which limit hours of operation and noise levels. The Noise Specialist comments are noted.

Matters relating to noise are addressed in paras. 7.44 – 7.52 of this report.

Please also refer to Conditions 8 (Hours of Operation) and 9 (Noise Levels).

# 7 Planning Assessment

# 7.1 Land Use Principles

Industrial Use

- 7.2 This application seeks permission for a 'Centre of Excellence' for servicing and repair of Airside Support Vehicles (Use Class B2). The principle of the proposed development is inherently linked with the site's designation as part of the Green Belt which is discussed in paras. 7.6 7.13 of this report.
- 7.3 The site is not designated for employment or industrial uses but was formerly occupied by the Sipson Village Garden Centre which would fall under Use Class E. Planning permission was granted in 2020, under application reference 67666/APP/2019/1245, for the reinstatement of the garden centre with replacement buildings, outdoor sales areas, hard-standing, associated car parking and landscaping. This permission was not implemented, and the site has since been operated unlawfully for storage of vehicles associated with AGS Automania Garage Services.
- 7.4 The current application submission would redevelop the site to provide a vehicle service building (Use Class B2), two-storey office building and use of site for

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- maintenance of airside support vehicles with ancillary external storage of vehicles. This would constitute a change of use.
- 7.5 There are no specific land use policies which would preclude the occupation and operation of the application site for Use Class B2 and as such, no issues are raised in principle, subject to the detailed consideration of the application in the following sections of the report.

# Impact on Green Belt

- 7.6 Policies G2 of the London Plan (2021), EM2 of the Hillingdon Local Plan: Part 1 (2012), DMEI 4 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 Policy Appendix, and in summary, set out that substantial weight is given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. These aims are also supported by the NPPF (2023) at chapter 13, including paragraph 154 which sets out exceptions to inappropriate development in the Green Belt, including:
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;...
  - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development.
- 7.7 Table 1 and 3 of the Planning Statement lists out the relevant metrics for the proposed development. It is noted that when compared to the development approved under application reference 67666/APP/2019/1245 for a reinstated garden centre, the proposal reduces the amount of hardstanding by 1,457m2 (20.4%) and building footprint by 967m2 (44.2%) but increases the height of buildings by circa 1m and the volume of buildings on-site by 963m3. Whilst the previous approval on this site is a material planning consideration, the test for appropriateness outlined under point d) above is whether the proposed development would be materially larger than the existing development. The existing development is less extensive than the development previously approved and it is concluded that the proposal would be materially larger as result. With respect to point g), it is noted that the development would include development of land which was not previously developed. As such, this exception also is not applicable to the proposal.
- 7.8 In terms of the impact on the openness, it is noted that the views outlined in the Landscape and Visual Impact Assessment submitted do demonstrate that the development will result in reduced perceived openness, although it is noted that any such reduction in openness will not be significant by virtue of the building itself. There is also expected to be significant traffic generation, including 15 larger parking spaces to the rear measuring between 13.5m and 16.5m in length.

- 7.9 In accordance with the above assessment, it is concluded that the proposed development does not constitute appropriate development within the Green Belt. As such, very special circumstances need to be demonstrated to outweigh the inappropriateness of development proposed.
- 7.10 The applicant has set out reasons for very special circumstances, including:
  - "a. The site is previously developed and is in a poor state of appearance.
  - b. The site's security is threatened and a long-term sustainable occupation for passive/ natural security minimises this risk and the greater harm and disruption that it may cause.
  - c. The proposed development will contribute to UK PLC as a result of its direct support for the UK's busiest airport.
  - d. There is no sequentially preferable location currently available for the proposed operation and there is a justification for the locational proximity to the airport.
  - e. That the development will be Zero Carbon in operation.
  - f. That the embodied Carbon of the development will be minimised via a fabric first approach.
  - g. That the development will not result in a detrimental visual impact given its context.
  - h. That the development offers substantial enhancement to the site's landscape both visually, and in respect of ecological value/ biodiversity net gain.
  - i. That the development will result in additional local employment, including opportunity for skilled training and apprenticeships schemes in association with the local education authority and local institutions."
- 7.11 It is considered that these reasons would not represent a case for very special circumstances. However, when viewed cumulatively, there are matters which are considered to weigh in favour of very special circumstances existing, including the need to support Heathrow Airport, the demonstration of no suitable and available non-Green Belt sites for the proposed use, and provision of significant biodiversity enhancements.
- 7.12 To demonstrate very special circumstances, the applicant must also demonstrate a requirement for a Green Belt location. The applicant has been consistent in outlining the requirement to be located within 2km of the airport, which is accepted. The applicant has also outlined that for operational reasons, the proposed site must be within 3km of the other AGS site on Bath Road. These two requirements limit the search area for alternative sites to a smaller area and it is accepted that this may yield a lower number of suitable alternative sites which are within the applicant's locational requirements and also outside of the Green Belt. The applicant has presented four alternative sites which were considered and discounted as not suitable. In consultation with the Council's Planning Policy Team and the Greater London Authority, it is accepted that there are no alternative sites in non-Green Belt locations which meet the locational and operational requirements of the proposed development.
- 7.13 On balance, it is considered that the applicant has demonstrated that very special circumstances exist, in accordance with the NPPF (2023), Policy G2 of

the London Plan (2021), Policy EM2 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (2020).

# 7.14 Employment Use

It is noted that Policy E2 of the London Plan (2021) requires that B Use Class business uses should be fit for purpose. Policy E4 of the London Plan (2021) states that additional industrial capacity should be prioritised in locations that are accessible.

- 7.15 It is understood that the proposal would have good access to the M4 and would support the function of London Heathrow Airport. It is important that the proposed office space is ancillary to the primary function of the site for vehicle servicing (Use Class B2). If recommended for approval, this would be secured by planning condition.
- 7.16 Based on the information submitted, the proposed development would create over 30 new jobs on a vacant site. Additionally, the Planning Statement notes an aspiration to establish a local apprenticeship scheme which would be supported. In addition to this, the applicant notes that the proposed development would help contribute to the UK's economy as it directly supports Heathrow Airport, which is the country's busiest airport.
- 7.17 Policy E11 of the London Plan (2021) states that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate. In accordance with this, the Council's Planning Obligations Supplementary Planning Document (2014) requires that developments with estimated construction costs of over £2 million and a construction period of three months or more deliver an in-kind employment and training scheme or financial contributions towards training and employment in the borough. An employment strategy and construction training scheme is proposed to be secured by a Section 106 legal agreement under Head of Term (v).

# **Economy**

7.18 Paragraph 85 of the NPPF (2023) states that significant weight should be placed on the need to support economic growth and productivity. It is agreed that there would be economic benefits arising from the proposed scheme and significant weight is afforded to such benefits.

## **Design**

Impact on the Character and Appearance of the Area

7.19 Policies D3 of the London Plan (2021), BE1 of the Hillingdon Local Plan: Part 1 (2012), DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the

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Committee Report Part 3 - Policy Appendix, and in summary, seek to secure a high quality of design that enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character. These aims are also supported by the NPPF (2023) at chapter 12.

- 7.20 The existing development consists of hardstanding and a series of single storey structures associated with the previous Sipson Garden Centre and the ongoing unlawful operation of the site for vehicle storage purposes. The site sits between a public house and hotel, which are to the north, open green fields to the east and west, and a row of residential properties to the south. The site sits within the designated Green Belt and is characterised as such.
- 7.21 This proposed development would comprise a vehicle service building (Use Class B2), two-storey office building and use of site for maintenance of airside support vehicles with ancillary external storage of vehicles. Following the submission of amended plans, the proposal would comprise:
  - 5,687m2 of hardstanding;
  - 1,219m2 of building footprint;
  - 7,884m3 of building volume;
  - 8 no. internal vehicle servicing bays;
  - 15 no. external parking spaces for larger vehicles, including 6 no. spaces measuring 16.5m long and 9 no. spaces measuring 13.5m long;
  - 34 no. car parking spaces, including 3 no. accessible car parking spaces, for use by staff and visitors; and
  - Wash bay structure covering an area of approximately 175m2.
- 7.22 The two-storey office building would provide a reception, meeting room, kitchen, drivers rest room, office space and toilets. The office element is located near to the entrance to the site, with staff and visitor parking located to the west and south. Approximately 400m2 of office floor space would be provided and would be split over two floors.
- 7.23 Next to and abutting the office element is the proposed servicing building formed of 8 no. bays of 6.60m wide by 19m deep each, totalling 52m in length. This amounts to 1,007m2 and would accommodate vehicles up to 13.5m long.
- 7.24 The green space at the front (western) side of the site will be retained to provide a landscape buffer and further tree planting is proposed within the wider landscape, including to the rear of the site (east and south).
- 7.25 For context, it should be highlighted that the previous application submitted on this site (reference 67666/APP/2021/2977) was refused for several reasons, including the considered detrimental impact to the street scene and visual amenities of the area. Although the plans submitted under that application indicated that vehicles were to be stored to the rear of the site, a visit to the site made it clear that this was not how the site was functioning. Large vehicles,

including buses and coaches, were being stored to the front of the site. Inevitably, it was considered that this previous proposal would change the character of the site from what could have been a welcoming garden centre to a rather unwelcoming private storage yard. This was compounded by unauthorised works, including the erection of further unwelcoming elements of development, including a palisade fence to the front of the site, a temporary security hut and three portakabin structures.

- 7.26 The current application addresses several concerns previously raised, including the layout of the site which precludes the parking of larger vehicles to the front of the site in the main. The existing unlawful palisade fence to the front is proposed to be replaced by hedgerow which would sit in front of a new green painted fence. The plan states that palisade fencing is proposed but weldmesh fencing is preferred. The detail of this fencing would be secured under Condition 19 (Landscape Scheme).
- 7.27 The inclusion of green roofs and PV panels to the service building and office building is welcomed and accords with the planning policy requirements for such proposals.
- 7.28 The service building uses a simple steel frame, with concrete infill panels at low level. Above the concrete panels, the walls are formed of simple profiled metal cladding. The overall approach is that of a simple modern farm/rural building.
- 7.29 The proposed office building is located at the front of the building and would be more visible from the main approach to the site. The finish of the external walls has been changed to a less industrial form and the use of a look-a-like timber board product.
- 7.30 The final materials are proposed to be secured by Condition 18 (Materials) to ensure the delivery of high-quality development.
- 7.31 The proposed reduction in hardscape area, buildings volume and vehicle parking are a notable improvement on the existing scenario.
- 7.32 In conclusion, the information submitted is considered to sufficiently demonstrate that the development would not be harmful to the street scene and would instead harmonise with the visual amenities of the area. Subject to appropriately worded conditions, the development is considered to accord with the requirements of Policy BE1 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy D3 of the London Plan (2021), paragraph 131 of the NPPF (2023).

Accessibility

7.33 Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design.

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7.34 Whilst the primary use proposed is for the B2 servicing and maintenance of electric Heathrow Airport airside support vehicles, an ancillary office space is also proposed. The Council's Access Officer has confirmed that the building would be fundamentally wheelchair accessible on the ground floor, with lift access shown on plan to the first floor. The associated car park includes 3no. accessible parking bays, detailing a 1.2m transfer zone to one side of the bays. The development is therefore considered to accord with the requirements of Policy D5 of the London Plan (2021).

Security

- 7.35 Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. This is supported by Policy D11 of the London Plan (2021).
- 7.36 A secured by design condition has been recommended to achieve appropriate accreditation. Subject to Condition 30 (Secured by Design), the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

Fire Safety

- 7.37 Policy D12 of the London Plan (2021) states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal would function in fire safety terms.
- 7.38 A Fire Statement has been submitted that demonstrates consideration of fire safety principles early in the development process. The London Fire Brigade have not raised any specific objections but have advised that the development should accord with Building Regulation requirements. Whilst the GLA have confirmed that the information submitted is sufficient and acceptable, the Council's Building Control Officer has requested further information in relation to the layout and positioning of fire appliances and assembly points. This is proposed to be secured by Condition 33 (Fire Safety). Subject to this condition, the proposal would accord with the requirements of Policy D12 of the London Plan (2021).

#### Heritage

7.39 The application site is not subject to a Conservation Area designation and does not contain any heritage assets, including statutory listed buildings or locally listed buildings.

Archaeology

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- 7.40 Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020) states that the Council, as advised by the Greater London Archaeological Advisory Service (GLAAS), will ensure that sites of archaeological interest within, or where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts.
- 7.41 The application site forms part of the Heathrow Archaeological Priority Zone. GLAAS have been consulted and have commented that the application site lies within an area of well-documented archaeological interest with extensive prehistoric, Roman and early medieval archaeological remains. The applicant's desk-based assessment identifies potential harm mainly from the new buildings and SUDs basin, and possibly from landscaping and some services. GLAAS have therefore recommended that the applicant should submit a written scheme of investigation for approval prior to commencement of works. Planning Condition 25 is proposed to secure the written scheme of investigation. Subject to such a condition, the development would accord with the requirements of Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020).

## Residential Amenity

Impact on Neighbours

- 7.42 Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.43 Residential properties are located immediately to the south of the application site, including property numbers 241 to 263 Sipson Road. Taking into consideration the siting and extent of development proposed, it is considered unlikely that the redevelopment of the site as presented would impact the privacy of neighbouring residents or the receipt of daylight and sunlight. There would, however, be concerns regarding noise, vibration, dust and lighting impacts which are addressed in paras. 7.44 7.52 below.

### **Environmental Issues**

Noise, Vibration, Dust and Lighting

- 7.44 Policy D14 of the London Plan (2021) states that development should reduce, manage, and mitigate noise to improve health and quality of life. This can be done by separating noise generating uses from noise sensitive uses. Mitigation can also be secured through screening, layout, orientation, uses and materials. This is supported by Policy EM8 of the Hillingdon Local Plan: Part 1 (2012).
- 7.45 As noted above, the site is located a short distance to the north of residential properties. These represent notable constraints on the permitted noise environment of any future use. In response to previous comments raised, the development has been proposed so that the orientation of the servicing building faces the roller doors away from the neighbouring residents, instead facing

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eastwards towards the M4. The development has also been set away from residents, with the service building set circa 95m away to the north-east of the closest residential property, number 241 Sipson Road. The vehicle wash bay is also sited in the north-eastern corner of the site, 150m from the closest residential property, on the other side of the service building. Several trees are also proposed to be planted between the residential properties and the main area of development, providing an element of screening.

- 7.46 A Noise Assessment has been submitted and confirms that the hours of operation proposed are:
  - Monday Friday 07:30 -18:00; and
  - Recovery of airside alternative fuel vehicles, which will be 24/7.
- 7.47 The more intense servicing operations will occur during the 07:30-18:00 core hours and only recovery operations will happen outside of these periods during the standard BS 4142:2014+A1:2019 daytime (07:00-23:00) and night-time (23:00-07:00).
- 7.48 The trip generation assessment states that there would be 18 operational vehicle movements in a typical working day. There are 7 internal vehicle servicing bays, leaving the eighth bay for storage. In the worst-case scenario, the vehicle access doors would be open whilst works are being undertaken, however, the Cover Letter (dated 23<sup>rd</sup> April 2024) submitted does state that the doors would be closed in the main. The exceptions to this are when vehicles are being moved in or out, or when ventilation is required during hot weather conditions. Vehicle servicing may involve the use of pneumatic tools, hammering, angle grinders and people shouting.
- 7.49 The plans also show a wash area, and a pressure washer has been included in this area. The wash bay has been assumed to be operational for 45 minutes in the worst case 1-hour daytime assessment period for core hours; this would allow approximately 3 vehicles to be cleaned thoroughly with a pressure washer.
- 7.50 The information submitted explains that the recovery operations would be much quieter than core hours operations and would include one heavy truck entering the site in the daytime assessment period of 1-hour or the night-time assessment period of 15-minutes.
- 7.51 The Council's Noise Specialist has been consulted and confirms that sufficient information has been submitted regarding noise related impacts. No objection has been raised subject to securing the necessary restrictions via planning condition.
- 7.52 Conditions 8 and 9 are proposed to restrict the hours of operation and restrict the permissible noise levels to protect the amenity of neighbouring residents. Subject to such conditions, the development would accord with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

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#### Odour

- 7.53 Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality.
- 7.54 It is noted that paragraph 188 of NPPF (2023) states that the focus of planning decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

# Air Quality

- 7.55 Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 Policy Appendix, and in summary, seek to safeguard and improve air quality to protect existing and new sensitive receptors. These aims are also supported by the NPPF (2023) at chapter 15.
- 7.56 The application site forms part of the declared Sipson Air Quality Focus Area and Hillingdon Air Quality Management Area.
- 7.57 The Council's Air Quality Officer has confirmed that the proposed development is air quality neutral but not air quality positive, as required by its Focus Area status. It has been calculated that the air quality impact associated with traffic emissions could be mitigated through the payment of a £35,658 fee towards off-site air quality improvement works. A 10% discount, equal to £3,566, has been applied for the Travel Plan to be secured with any forthcoming permission. Subject to the securement of a £32,092 financial contribution towards the delivery of the Hillingdon air quality local action plan (please refer to S106 Head of Term ii), alongside Condition 10 for the reduction of emissions during construction, the development would accord with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021) and the NPPF (2023).

### Trees and Landscaping

- 7.58 Policies G1 and G5 of the London Plan (2021), DMEI 1, DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposed development. These policies can be read in full in the Committee Report Part 3 Policy Appendix, and in summary, seek to safeguard existing trees and deliver high quality landscaping to enhance amenity, biodiversity, and green infrastructure. These aims are also supported by the NPPF (2023) at chapter 12.
- 7.59 Regarding landscaping, it is acknowledged that the proposals would commit to a significant improvement in planting. Through the rationalisation of development, namely a more efficient layout, the proposals would result in a

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reduction of 2,225m2 (equivalent to 24%) of developed land at this Green Belt site. Much of the resulting site would comprise soft landscaping. This would consist of planted areas, and alongside sustainable urban drainage features, would be concentrated in the east, south and west sections of the site.

- 7.60 Notably, the existing unlawful palisade fencing would be replaced with hedge planting to the front. Whilst a new green palisade fence is proposed, this would be positioned behind the hedging and screened from view. The details of the boundary treatments would be secured under Condition 19, noting that there is a strong preference for weldmesh fencing instead of palisade fencing.
- 7.61 The Arboricultural Impact Assessment submitted proposes to remove 6 Category U trees (T21, T23, T24, T25, T28 and T29) and one group of Category C trees (G7). All remaining trees would be retained and protected. Further, the proposed site plan submitted commits to the planting of 126 new trees, with trees to be concentrated on all boundaries to provide screening to the development.
- 7.62 The final details of hard and soft landscaping are proposed to be secured by Condition 19 to ensure that the landscape scheme to be delivered is high quality and retained in the long term. Subject to this condition, the proposal would accord with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020).

# 7.63 Urban Greening Factor

Policy G5 of the London Plan (2021) states that major development proposals should contribute to the greening of London and that the target score for commercial development is 0.3.

7.64 The development reports an Urban Greening Factor score of 0.559 which exceeds the minimum requirements. This weighs in favour of the scheme in terms of the overall planning balance.

# **Biodiversity**

- 7.65 The Environment Act 2021 has established that all major planning permissions granted in England must deliver at least 10% BNG from 12 February 2024. This application is exempt from these mandatory requirements (as the valid submission date of 10 January 2024 predates 'day one' of these requirements). Nevertheless, Paragraph 174 of the NPPF (2023) also states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).
- 7.67 The Biodiversity Net Gain Assessment submitted states that the development would deliver a net gain of 47.07% in habitat units and a net gain of 1387.68%

in linear units. This is considered a significant benefit of the scheme and measures to deliver these uplifts must be appropriately secured.

7.68 The final details of a Biodiversity Net Gain Scheme which maximises net gains in biodiversity value for the development would be secured by Condition 21. Subject to such a condition, the proposal is considered to accord with the NPPF (2023), Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

#### Flood Risk

- 7.69 Policy SI 12 of the London Plan (2021) requires that development proposals ensure that flood risk is minimised and mitigated. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMEI 9 of the Hillingdon Local Plan: Part 2 (2020). Notably, proposals that fail to make appropriate provision of flood risk and surface water flooding mitigation will be refused.
- 7.70 The application site is location in Flood Zone 1, meaning that the site is at very low risk of fluvial flooding. The proposed commercial use is considered to fall under the 'less vulnerable' classification. Accordingly, the proposal is appropriate in this location. The development is considered to accord with Policy SI 12 of the London Plan (2021), Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMEI 9 of the Hillingdon Local Plan: Part 2 (2020).

### Drainage

- 7.71 Policy SI 13 of the London Plan (2021) also requires that development proposals utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMEI 10 of the Hillingdon Local Plan: Part 2 (2020).
- 7.72 The proposed development would remove impermeable hardstanding and replace it with soft landscaping, resulting in a net benefit to drainage. Two drainage basins are also proposed, alongside green roofs on both the main warehouse building and ancillary office building. The Council's Flooding and Drainage Specialist has confirmed no objection to the proposed drainage strategy, subject to the necessary planning conditions.
- 7.73 Conditions 22 and 24 have been recommended to secure the final details and implementation of the drainage scheme. Subject to these conditions, the scheme would accord with Policy EM6 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 10 of the Hillingdon Local Plan: Part 2 (2020) and Policy SI 13 of the London Plan (2021).

Water Infrastructure

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- 7.74 Policy SI 5 of the London Plan (2021) sets out water infrastructure requirements for commercial forms of development, including achieving at least the BREEAM excellent standard for the 'Wat 01' water category160 or equivalent, measures to reduce water use, provide adequate wastewater infrastructure capacity and minimise the potential for misconnections between foul and surface water networks.
- 7.75 During the consultation process, Thames Water has confirmed no objection to the proposed development in respect of wastewater network and sewage treatment works. However, insufficient information has been submitted in respect of the BREEAM standards for Wat 01 credits and water metering and saving measures.
- 7.76 It is important to determine whether the submission of insufficient information needs to be resolved prior to determination or post approval via way of condition. The information requested is not of a unique nature and the information provided shows compliance with policy to the extent necessary at this stage of the process. Whilst it is accepted further information is necessary there is nothing to suggest that this would not be forthcoming. Securing the information by way of condition would satisfy the requirements of the planning policy. Subject to the Condition 23, the proposed development would accord with Policy SI 5 of the London Plan (2021).

### Land Contamination

- 7.77 Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020) states that development on potentially contaminated sites shall assess conditions and demonstrate that the site can be safely remediated. Planning conditions and S106 legal agreements can be used to secure the appropriate level of detail required.
- 7.78 A phase 1 contaminated land study has been submitted for consideration and is sufficient and acceptable for the initial stage of the planning process. Condition 16 is proposed to secure further details of a remediation strategy. Subject to such a condition, the proposal is not considered contrary to Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

## <u>Transport</u>

7.79 Policies T4, T6, T6.2 of the London Plan (2021), DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposed development. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to deliver development which is sustainable in transport terms and safeguards highway and pedestrian safety. These aims are also supported by the NPPF (2023) at chapter 9, including paragraph 115 of the NPPF (2020) which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

# **Proposed Operation**

- 7.80 This application seeks permission for a 'Centre of Excellence' for servicing and repair of Heathrow Airport electric airside support vehicles (Use Class B2). Specifically, this would involve two types of recovery vehicles, including tow trucks (measuring circa 9.50m L x 2.55m W x 3.95m H) and trucks with low-loaders attached (measuring circa 15.5m total length). There are five different types of electric vehicles to be recovered, including arctic trucks, catering trucks, vans, cars, and buses.
- 7.81 The core hours of use are proposed to be between 07:30 18:00 Monday to Friday and recovery of airside vehicles would be 24/7. The site would employ a total of 32 staff.

# Staff and Visitor Car Parking

- 7.82 Policy T6.2 of the London Plan (2021) states that car parking provision at Use Classes Order B2 (general industrial) and B8 (storage or distribution) employment uses should have regard to these office parking standards and take account of the significantly lower employment density in such developments.
- 7.83 Policy T6.2, Table 10.4, of the London Plan (2021) outlines car parking requirements for Class B2 as follows:
  - Outer London Opportunity Areas Up to 1 space per 600m2 gross internal area (GIA)
  - Outer London Up to 1 space per 100m2 (GIA)
- 7.84 A total of 34no. staff and visitor car parking spaces are proposed. Transport for London have requested that the number of spaces be reduced. Whilst the 34 spaces proposed would exceed the total number of staff (32) on-site at any one time, it would facilitate a changeover in shifts alongside any visitors to the site without detriment to local highway network conditions. The level proposed is therefore accepted on balance.

### Disabled Person Car Parking

- 7.85 Policy T6.5, Table 10.6, of the London Plan (2021) states that 5% of all car parking spaces should be provided as designated disabled persons parking bays and 5% should be provided as enlarged parking bays which are capable of being converted to disabled persons parking. This would require the provision of 2no. disabled persons parking bays and 2no. enlarged parking bays.
- 7.86 The development proposes 3no. disabled persons parking bays and 3no. enlarged parking bays. This is accepted and secured by Condition 18.

#### **HGV** Parking

7.87 A total of 15no. external HGV parking spaces are proposed alongside 8 no. internal workshop HGV parking spaces.

Electric Vehicle Charging Points (EVCPs)

- 7.88 Policy T6 of the London Plan (2021) states that new developments with car parking should make provision for electric vehicles or other Ultra-Low Emission vehicles.
- 7.89 Policy T7 of the London Plan (2021) states under point (B)(3) that development should provide rapid charging points for freight vehicles. In support of this, Policy T6.2 of the London Plan (2021) states under point (F) that all operational parking must provide infrastructure for electric or other Ultra-Low Emission vehicles.
- 7.90 A total of 7no. active EVCPs are proposed to be provided to serve staff and visitor car parking. The remaining 27no. staff and visitor spaces would be provided with passive electric vehicle charging infrastructure. A total of 7no. HGV spaces would be served by active 22Kw EVCPs and 4no. additional 22Kw EVCPs would be provided within the workshop. This is accepted and is secured by Condition 18.

Cycle Parking

- 7.91 The published London Plan (2021) Table 10.2 Minimum Cycle Parking Standards requires that B2 developments provide 1no. long stay secure and undercover cycle parking space per 500m2 and 1no. short stay secure cycle space per 1000m2. This requires that at least 3no. long stay and 2no. short stay cycle parking spaces are provided.
- 7.92 The proposals have been amended to ensure that all 8no. cycle parking spaces proposed are secure and sheltered. There will be natural surveillance of the cycle parking due to parking being near the office building entrances. This is accepted and is to be secured by Condition 18.

Parking Design and Management Plan

7.93 As noted above, passive electric vehicle charging infrastructure is proposed. The applicant has therefore committed to increasing the number of electric vehicles charging spaces over time. The detail of a parking design and management plan is proposed to be secured under Condition 26.

Trip Generation

7.94 Based on the information submitted, it is estimated that the proposed operation would generate 18 movements per day. Including staff commuter movements, the site would generate 19.5 two-way vehicular trips in the AM peak and 19.5 for the PM peak, which represents a decrease in 3 movements in the PM peak than

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the approved 2020 garden centre. The overall impact on the highway network is acceptable.

#### Vehicle and Pedestrian Access

- 7.95 Vehicular access to the application site is gained over a 6.5m wide access road from A408 Sipson Road with a 2.0m footway on its northern side providing pedestrian access. The plans submitted show the proposed site layout which would provide gates located approximately 20m back from the adopted highway which would allow a 16.5m articulated vehicle to wait off A408 Sipson Road while the gates are opened or closed preventing obstruction of the highway which would be acceptable.
- 7.96 The Highways Response Note (dated 22nd April 2024) was submitted during the application process and clarifies the type and size of vehicles which would be accessing the site. This is considered acceptable by the Council's Highways Authority.
- 7.97 The Healthy Streets Transport Assessment (dated December 2023) states that most vehicle movements from the application site would exit to the north to gain access to the M4 and the wider national highway network. Whilst this is noted, amendments to the access to reduce the southern radius to the bellmouth of the junction and the entry radius should be provided to deter vehicles turning left out of the application site. This would reduce the width of the junction and increase pedestrian safety. This is proposed to be secured by Condition 17 and the relevant Section 278 agreement would be secured under the proposed S106 Head of Term (iv). Condition 28 would also secure the final detailed operational management plan which would reduce the number of HGV movements to or from the site occurring during peak hours for traffic, further safeguarding pedestrian safety.

#### Active Travel Zone Assessment

7.98 An Active Travel Zone Assessment has been submitted under the Highways Response Note (dated 22nd April 2024). This identified two key routes and concludes that the routes are both safe, convenient, and supported by well-maintained streetlights and footways, as well as being overlooked by residents and oncoming vehicles. Tactile paving at the site entrance is identified as an improvement. As this forms part of the application site, contained within the defined red line boundary, this improvement is to be secured under Condition 18. Accordingly, no financial contribution needs to be secured by a Section 106 legal agreement for off-site highway improvement works.

# Travel Plan

7.99 A detailed and finalised Travel Plan is proposed to be secured through the proposed S106 legal agreement, listed under Head of Term number (iii).

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Construction Logistics Plan, Service Delivery Plan and Operations Management Plan

7.100 Having regard to comments received from TfL and the Highways Authority, a Construction Logistics Plan, Delivery and Servicing Plan and Operations Management Plan are proposed to be secured under Conditions 13, 27 and 29 respectively.

Transport Conclusion

7.101 Subject to the necessary planning conditions and obligations, the proposed development would not be considered to prejudice conditions on the local highways network, in accordance with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020) and Policies T4 and T7 of the London Plan (2021).

# Sustainable Development

Whole-Life Carbon Cycle

- 7.102 Policy SI 2, Part F, of the London Plan (2021) states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 7.103 The applicant has submitted a Whole Life-Cycle Carbon (WLC) assessment as required. Condition 32 would secure the submission of a post-construction assessment to report on the development's actual WLC emissions. Subject to such a condition, the proposal would accord with Policy SI 2, Part F, of the London Plan (2021).

CO2 Emissions

- 7.104 Policy SI 2 of the London Plan (2021) and DMEI 2 of the Hillingdon Local Plan: Part 2 (2020) are relevant to the development proposed. These policies can be read in full in the Committee Report Part 3 Policy Appendix, and in summary, seek to secure major development proposals as net zero-carbon by reducing greenhouse gas emissions in operation and minimising energy demand in accordance with the energy hierarchy. These aims are also supported by the NPPF (2023) at chapter 14.
- 7.105 The Energy Statement states that the development would achieve 416% savings on-site, exceeding the minimum planning policy requirement of 35%. This is achieved by high efficiency systems, photovoltaic panels and an air source heat pump solution. Hence, there is no requirement to secure a financial contribution to achieve net zero-carbon. Condition 29 is proposed to secure the finalised energy strategy, alongside detail on monitoring, to ensure compliance with the requirements. A S106 planning obligation is proposed under Head of Term (i) to allow for a financial contribution to be secured if the development does not

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achieve net zero-carbon. Subject to such conditions and planning obligations, the development would accord with Policy SI 2 of the London Plan (2021).

# Energy Infrastructure

- 7.106 Policy SI 3 of the London Plan (2021) states that major development proposals should make provisions to connect into district heating networks, thereby utilising secondary heat sources.
- 7.107 The development is proposed to facilitate a future connection to a district heating scheme for export of low-grade heat should one become available. Planning Condition 11 is proposed to secure this commitment, ensuring compliance with Policy SI 3 of the London Plan (2021).

# Overheating

- 7.108 Policy SI 4 of the London Plan (2021) states that development should minimise adverse impacts on the urban heat island and reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.
- 7.109 Section 8 of the Energy Statement submitted confirms compliance with the cooling hierarchy. The details submitted are accepted and the development is considered to accord with the requirements of Policy SI 4 of the London Plan (2021).

# Circular Economy

- 7.110 Policy SI 7 and Policy D6 of the London Plan (2021) require developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food. Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) supports this policy from a design perspective.
- 7.111 Specifically, Policy SI 7, Part B, of the London Plan (2021) states that referable applications should submit Circular Economy Statements to promote circular economy outcomes and aim to be net zero-waste. Policy EM11 of the Hillingdon Local Plan: Part 1 (2012) also supports these objectives.
- 7.112 An Operational Waste Management Strategy has been submitted for consideration. A bin storage area, containing 5no. 1100 litre bins and 1no. green waste bin, is proposed to be located between the main service building and ancillary officer building, screened by a vertical boarded timber enclosure. This would be easily accessed and is appropriately designed.
- 7.113 A Circular Economy Statement has been submitted for consideration. Whilst the GLA have requested that further information is submitted in relation to reported metrics and waste management, it is considered that these matters can be

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resolved post-committee as part of the GLA Stage 2 referral process. A post-construction circular economy monitoring report is also proposed to be secured by Condition 31. Subject to such a condition, the proposed development would accord with Policy SI 7 of the London Plan (2021).

# Digital Connectivity

- 7.114 Policy SI 6 of the London Plan (2021) requires that development provides ducting space for full fibre connectivity.
- 7.115 Condition 12 is proposed and would ensure that sufficient ducting space for full fibre connectivity infrastructure is provided within the development. Subject to the recommended condition, the proposed development would accord with Policy SI 6 of the London Plan (2021).

#### 8 Other Matters

# Airport Safeguarding

- 8.1 Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.
- 8.2 The site is located within the 3km perimeter of Heathrow Airport and is sited circa 6.92km away from RAF Northolt. It is understood that taller vehicles, such as cranes, will not be stored on-site. The National Air Traffic Services, Heathrow Airport Ltd and the Ministry of Defence have been consulted and have confirmed no safeguarding objections, subject to securing a Bird Hazard Management Plan. Planning Condition 20 is proposed accordingly and subject to such a condition, the proposal would comply with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

# **Environmental Impact Assessment**

8.3 The proposed development does not constitute EIA development as per The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

#### Human Rights

8.4 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider

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community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

# **Equality**

8.5 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

# Local Finance Considerations and CIL

# Planning Obligations

8.6 Due consideration has been given to Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020), the National Planning Policy Framework (2023) and The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) with respect to securing appropriate planning obligations and the three tests that they must meet. On this basis it is only considered necessary, directly related to the development, and reasonable to request contributions and obligations for: carbon off-setting; air quality mitigation; travel plan and monitoring; s278 highways works; an employment strategy and construction training; and a project management and monitoring fee for the resultant agreement. The Heads of Terms are detail in the 'Summary of Recommendation' section of this report.

# Community Infrastructure Levy

8.7 The community liability infrastructure levy (CIL) payable is as follows: Hillingdon CIL: £0 ('All other uses' use type is charged £0)

Mayoral CIL: £25,284.55 (£60 per square metre plus indexation)

Total: £25,284.55

# 9 Conclusion / Planning Balance

- 9.1 This application seeks permission for a 'Centre of Excellence' for servicing and repair of Airside Support Vehicles (Use Class B2). The proposed development is considered acceptable in land use terms. Whilst the development would be considered inappropriate development within the Green Belt, very special circumstances are considered to exist to clearly outweigh the harm to the Green Belt by reason of inappropriateness, alongside the other harms identified within the main body of the report. The economic benefit of commercial development is acknowledged and supported by national, regional, and local planning policies.
- 9.2 Subject to the planning conditions and obligations recommended, the proposed development is considered acceptable with respect to design, heritage, residential amenity, environmental issues, transport, and sustainability.

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9.3 Due regard has been given to local residents' objections; however, it is concluded that the proposal complies with the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. For the reasons outlined above and within the main body of the report, this application is considered to comply with the Development Plan and is recommended for approval, subject to securing the planning conditions set out in Appendix 1 and a Section 106 legal agreement.

# 10 Background Papers

10.1 Relevant published policies and documents considered in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the <a href="Council's website here">Council's website here</a>, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at <a href="planning@hillingdon.gov.uk">planning@hillingdon.gov.uk</a>.

# **APPENDICES**

# **Planning Application**

67666/APP/2023/3721

# **Appendix 1: Recommended Conditions and Informatives**

# **Conditions**

#### 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:

10760.01 Rev. N Proposed Site Plan;

10760.02 Rev. A Existing Site Location Plan;

10760.04 Rev. F Overall Proposed Plans and Elevations;

10760.05 Rev. F Proposed Office Building Plans and Elevations;

10760.06 Rev. D Service Building Proposed Floor Plans;

10760.07 Rev. A Service Building Proposed Elevations:

10760.08 Rev. A Proposed Sections;

10760.09 Proposed Roof Plan;

10760.11Proposed South Elevation;

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 Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

# 3. COM5 General compliance with supporting documentation

The development hereby permitted shall be carried out and/or operated in accordance with the specified supporting plans and/or documents:

Noise Assessment (Dated January 2024);

Archaeological Desk-Based Assessment (Dated December 2023):

31667-HYD-XX-XX-RP-Y-5001 Issue PO2 Energy Statement (21st December 2023);

31667-HYD-XX-XX-RP-Y-5003 Issue P02 Circular Economy Statement (Dated 21st

December 2023);

31667-HYD-XX-ZZ-RP-Y-5001 Issue P02 Whole Life Carbon Report (Dated 21st December 2023);

Fire Statement v.01 (Rev. B) (Dated 20th December 2023);

12998A Issue 1 Solar Photovoltaic Glint and Glare Study (Dated December 2023);

12998B Issue 2 Addendum to Solar Photovoltaic Glint and Glare Study (Dated April 2024);

GWPR5638/DS/October 2023 Issue v.1.01 Contamination Phase 1 Desk Study;

23.1621 Landscape Implementation and Management Plan (Dated December 2023);

Biodiversity Net Gain Assessment V2.0;

Preliminary Ecological Appraisal V2.0;

Arboricultural Impact Assessment (Dated 7th December 2023);

Air Quality Assessment (Dated January 2024); and

Flood Risk Assessment and Drainage Strategy Issue B (Dated 8th January 2024).

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 Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

#### 4. NONSC Restriction of Use

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the buildings hereby approved shall not be used for any purpose other than as:

- Class B2: 1,007 m2 floorspace for industrial processes; and
- Ancillary: 400 m2 floorspace for ancillary office use.

# **REASON**

To ensure that the provisions of the proposed development are secured to the use proposed to prevent detrimental impacts arising from an alternative use which is not permitted, including impacts on town centres, the local highway network and air quality, in accordance with Policies DME 3, DMTC 1, DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policies SD7, T4 and SI 1 of the London Plan (2021) and paragraphs 87, 111 and 174 of the National Planning Policy Framework (2023).

# 5. NONSC Restrict Enlargement of B2 Use Buildings

Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the buildings shall not be extended.

# **REASON**

To ensure that the Local Planning Authority has assessed all the implications of the development, including impacts on design, the local highway network and air quality, in accordance with Policies DMHB 11, DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policies D4, T4 and SI 1 of the London Plan (2021) and paragraphs

111, 130 and 174 of the National Planning Policy Framework (2023).

# 6. NONSC Restrict Addition of Internal Floorspace

Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional structural internal mezzanine floorspace that can be used for storage shall be created in excess of that area expressly authorised by this permission.

#### **REASON**

To ensure that the Local Planning Authority has assessed all the implications of the development, including impacts on design, the local highway network and air quality, in accordance with Policies DMHB 11, DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policies D4, T4 and SI 1 of the London Plan (2021) and paragraphs 111, 130 and 174 of the National Planning Policy Framework (2023).

# 7. NONSC Ancillary Office Floorspace

The office floorspace hereby approved shall only be used as ancillary floorspace to the primary operation of the development (Use Class B2).

# **REASON**

To ensure that the provisions of the proposed development are secured to the warehouse use to prevent detrimental impacts arising from an alternative use which is not permitted, including impacts on town centres, the local highway network and air quality, in accordance with Policies DME 3, DMTC 1, DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policies SD7, T4 and SI 1 of the London Plan (2021) and paragraphs 87, 111 and 174 of the National Planning Policy Framework (2023).

# 8. NONSC Hours of Operation

The development hereby approved shall not operate core working hours outside of 07:30 to 18:00 Monday to Friday. Only vehicle recovery operations can take place outside of the permitted core working hours (07:30 to 18:00 Monday to Friday).

The development hereby approved shall not operate outside of 08:00 and 13:00 hours on Saturdays.

The development hereby approved shall not operate on Sundays and Bank Holidays.

#### REASON

To safeguard the amenity of the occupants of the surrounding properties in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

# 9. NONSC Noise Levels

For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed:

- 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700; and
- 50 dB LAr 1 hour for any one-hour period between 0700 and 2300.

The noise levels specified above are determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.

#### **REASON**

To safeguard the amenity of the occupants of the surrounding properties in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

# 10. NONSC Non-Road Mobile Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at https://nrmm.london/."

#### **REASON**

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021) and Paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2023).

# 11. NONSC Connection to Future District Heating Network

The development hereby approved shall connect to a district heating network should one become available in future and should it be viable to do so.

#### REASON

To ensure compliance with Policy SI 3 of the London Plan (2021).

# 12. NONSC Digital Connectivity Infrastructure

The development hereby approved shall ensure that sufficient ducting space for full fibre

connectivity infrastructure is provided.

#### **REASON**

To ensure compliance with Policy SI 6 of the London Plan (2021).

# 13. NONSC Construction Management and Logistics Plan

Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with relevant stakeholders). This plan shall detail:

- i.The phasing of the works;
- ii. The hours of work;
- iii.On-site plant and equipment;
- iv. Measures to mitigate noise and vibration;
- v. Measures to mitigate impact on air quality;
- vi.Waste management;
- vii. Site transportation and traffic management, including:
- (a) HGV Routing enforcement;
- (b) Signage;
- (c) Vehicle types and sizes;
- (d) Hours of arrivals and departures of staff and deliveries (avoiding peaks);
- (e) Frequency of visits;
- (f) Parking of site operative vehicles;
- (g) On-site loading/unloading arrangements;
- (h) Use of an onsite banksman (if applicable);
- (i) Use of consolidation centres to reduce HGV movements;
- (j) Achieve FORS Gold standard and 5\* Direct Vision Standard;
- (k) Encourage use of active travel;
- viii. The arrangement for monitoring and responding to complaints relating to demolition and construction;
- ix. Details of cranes and other tall construction equipment (including the details of obstacle lighting); and
- x. Measures to avoid and mitigate impacts to the Yeading Brook, Minet County Park and Hitherbroom Park Site of Importance for Nature Conservation.

This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document). It shall cover the entirety of the application site and any adjoining land which will be used during the construction period. It shall include the details of cranes and any other tall construction equipment (including the details of obstacle lighting).

The construction works shall be carried out in strict accordance with the approved plan.

**REASON** 

To safeguard the amenity of surrounding areas and to ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and local air quality, in accordance with Policies DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) and Policies D14, SI 1, T4 and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

#### 14. NONSC Tree Protection

The tree protection measures (including tree protection fencing) detailed in the Arboricultural Impact Assessment (Dated 7th December 2023) shall be installed prior to commencement of development and thereafter retained throughout the demolition and construction period.

#### **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

# 15. COM10 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plans shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

# **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### 16. NONSC Contaminated Land

- (i) The development hereby permitted (excluding demolition, site clearance and supplementary ground investigation works e.g. beneath demolished buildings) shall not commence until a scheme to address unacceptable contamination, in accordance with the Environment Agency's guidance "Land contamination risk management" (LCRM), has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of an approved remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:
- a) A detailed remediation strategy, to also include how completion of the remedial works will be verified, along with the details of a watching brief to address undiscovered contamination, shall be agreed in writing with the LPA. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.
- (ii) If, during remedial or development works, contamination not addressed in the submitted remediation strategy is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
- (iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The verification report shall include the details of the final remediation works and demonstrate that they have been conducted in full and in accordance with the approved methodology.
- (iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering 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 factual results and interpretive reports of this laboratory testing including details of placement of the suitable materials shall be submitted to and approved in writing by the Local Planning Authority.

#### **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 Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

# 17. NONSC Site Access

Notwithstanding the approved drawings, and prior to commencement of development, a scheme for the amendment of the southern radius to the bellmouth and amendment to the

entry radius of the access road (connecting Sipson Road to the site) shall be submitted and approved in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

The approved details shall thereafter be implemented and retained for the lifetime of the development.

#### **REASON**

To safeguard highway safety in accordance with Policy T2 and T4 of the London Plan (2021).

#### 18. NONSC Materials

Prior to the commencement of above ground construction works for the development, details and samples of materials and external surfaces for the development shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

# 19. COM9 Landscape Scheme

Prior to commencement of development above ground level, a landscape scheme shall be 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) to demonstrate no net loss of trees, and including (but not limited to) dense planting on the southern boundary in order to achieve effective screening of the site from views taken from the south
- 1.b Written specification of planting and cultivation works to be undertaken
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Refuse Storage
- 2.b Cycle Storage (showing provision for 8no. secure and covered spaces, in accordance with London Cycling Design Standards)
- 2.c Means of enclosure/boundary treatments
- 2.d Vehicle Parking Layouts:
- 34 no. staff and visitor car parking spaces total, including:

- 7 no. staff and visitor car parking spaces are served by active charging infrastructure;
- 27 no. staff and visitor car parking spaces are served by passive charging infrastructure;
- 3 no. staff and visitor car parking spaces will be designated disabled persons parking bays and 3 no. spaces will be designated as enlarged parking bays.
- 15 no. external HGV parking spaces total and 8 no. internal workshop HGV parking spaces total, including:
  - 7 no. external HGV spaces served by active 22Kw EVCPs;
  - 8 no. external HGV spaces served by passive electric vehicle charging infrastructure; and
  - 4 no. internal HGV spaces within the workshop to be served by active 22Kw EVCPs.
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures
- 3. Living Roofs
- 3.a Details for the provision and maximisation of living / green / blue / brown / bio-solar roofs, including:
- Its location, extent, specification (plant species and growing medium type), landscape integration, integration with other roof plant or renewable energy infrastructure, structural integrity, construction, operation and access; the location and vegetation type to be discussed in advance with the Planning Authority so that benefits to reduction in exposure to air pollution can be obtained;
- Section/profile drawings showing the growing medium depth, different layers and membranes;
- Plans to show clearly its location, extent, drainage catchment areas (if relevant), inlets and outflows; and
- Maintenance plan to show how it will be maintained regularly, maintenance considerations due to other roof infrastructure and any changes in maintenance throughout the seasons.
- 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 turfing/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
- 7. Confirmation of the final Urban Greening Factor score

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 DMHB 11, DMHB 12, DMHB 14, DMT 2, DMT 6 and DMEI 1 of the Hillingdon Local Plan: Part 2 (2020) and Policies G1, G5, T6, T6.2 and T7 of the London Plan (2021).

# 20. NONSC Bird Hazard Management Plan

Prior to the commencement of above ground works, a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

Although it is not anticipated that the proposed ponds will result in a significant increase in available habitat relative to the existing situation. If the ponds start to attract or support Waterfowl or Gull species, then the applicant must agree as part of this condition, to implement further habitat measures to bird proof the ponds.

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

#### **REASON**

It is necessary to manage the flat roofs and any proposed open water to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

# 21. NONSC Ecological Enhancement Scheme

Prior to commencement of development above ground level (excluding demolition), a detailed ecological enhancement scheme detailing biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out how the development will contribute positively to biodiversity value through the use of features and measures within the landscaping (i.e. nectar rich and diverse planting including living roofs) and the fabric of the new built form (i.e. bat and bird boxes). The scheme shall include a plan with the features annotated and the development must be built and operated in accordance with the approved scheme.

# **REASON**

To ensure the development contributes positively to the ecological value of the area in accordance with Policy EM7 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 7 of the Hillingdon Local Plan: Parts 2 (2020) and Policies G6 and G7 of the London Plan (2021).

# 22. NONSC Sustainable Drainage Scheme Details

Prior to commencement (except for demolition, ground and enabling work) any relevant phase of this development (excluding demolition and site clearance), a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the relevant stakeholders. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

- a) Sustainable Drainage features:
- i. Surface water discharge the submitted drainage strategy must identify the proposed method and location of discharging collected surface water from the site in accordance with the hierarchy set out in Policy SI 13 of the London Plan (2021). Where the proposal does not utilise the most sustainable solution, justification must be provided.
- ii. SuDS the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality and amenity benefits.
- iii. Runoff rates provide the greenfield and proposed runoff rates for a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change. Developments should aim to meet greenfield runoff rates unless a suitable justification can be provided.
- iv. Drainage calculations include calculations to demonstrate that the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for the entire site area for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.
- v. Exceedance routes provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and the depth of the flooding confirmed. Safe access and egress for the site must be demonstrated.
- b) Long-term management and maintenance of the drainage system.
- i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.
- ii. Include details of the necessary inspection regimes and maintenance frequencies.

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 and to ensure the development does not

increase flood risk, in compliance with Policy EM6 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020), Policies SI 12 and SI 13 of the London Plan (2021), the National Planning Policy Framework (2023); and Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

#### 23. NONSC Water Infrastructure Details

Prior to the commencement of the development (not including demolition and site clearance), water infrastructure details shall be submitted to and approved in writing by the Local Planning Authority. This detail shall:-

- i) achieve at least the BREEAM excellent standard for the 'Wat 01' water category160 or equivalent;
- ii) incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing;
- iii) seek to improve the water environment and ensure that adequate wastewater infrastructure capacity is provided; and
- iv) take action to minimise the potential for misconnections between foul and surface water networks.

The development must proceed and be occupied in accordance with the approved scheme.

#### **REASON**

To ensure compliance with Policy SI 5 of the London Plan (2021).

# 24. NONSC Sustainable Drainage Scheme Verification

Prior to the first operation of the development, evidence (photographs and installation contracts) shall be submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

# **REASON**

To ensure that surface water run off is controlled and to ensure the development does not increase flood risk, in compliance with Policy EM6 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 12 and SI 13 of the London Plan (2021), the National Planning Policy Framework (2023), and Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

# 25. NONSC Written Scheme of Investigation

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in

accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A.The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B.Where appropriate, details of a programme for delivering related positive public benefits C.The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

#### **REASON**

To secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020) and paragraph 211 of the National Planning Policy Framework (2023).

# 26. NONSC Parking Design and Management Plan

Prior to the first operation of the development, a Parking Design and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail car parking provision, indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. This should ensure that there is a robust management scheme for the change in shifts and mitigation against the highways safety risks that could arise from the overlap of trips made to and from the site during such shift changes.

The Parking Management Plan shall be implemented as approved and shall remain in force for the life of the development.

#### **REASON**

To allow sufficient space for all vehicles to access the application site and neighbouring sites, and to safeguard the safety of highway users, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) and Policies T4 and T6 of the London Plan (2021).

# 27. NONSC Delivery, Servicing and Waste Management Plan

Prior to the first operation of the development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). This should accord with Transport for London's Delivery and Servicing Plan Guidance and shall include:

- (i) The expected number and time of delivery and servicing trips to the site, including how deliveries will be scheduled to avoid several delivery vehicles arriving at the site simultaneously;
- (ii) The types of vehicles that will be servicing the site, including all relevant swept path analysis for these vehicles;

- (iii) Loading bay locations and layouts and vehicle turning areas;
- (iv) Routing of delivery and servicing vehicles to and from this site, and how this routing will be enforced;
- (v) Measures that will be implemented to reduce the impact of servicing movements;
- (vi) The requirement for all vehicles to achieve FORS Gold and 5\* Direct Vision standard, and detail on how this will be enforced;
- (vii) Detail on re-timing of deliveries to minimise impact on congestion and noise pollution; and
- (viii) Mechanisms for monitoring and review.

Thereafter the development shall be operated in full accordance with the approved details.

# **REASON**

To ensure appropriate servicing of the site, to safeguard highway safety and to safeguard the free flow of traffic, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) and Policy T7 of the London Plan (2021).

# 28. NONSC Operations Management Plan

Prior to operation of the development, a full and detailed Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The plan shall demonstrate (but is not limited to):

- (i) Deliveries and collections including explanation as to how such trips will be scheduled to avoid several vehicles arriving at the site simultaneously;
- (ii) The types of vehicles that will be servicing the site, including all relevant swept path analysis for these vehicles;
- (iii) Loading bay locations and layout and vehicle turning areas;
- (iv) HGV routing to and from this site, and how this routing will be enforced;
- (v) The requirement for all vehicles to achieve FORS Gold and 5\* Direct Vision standard, and detail on how this will be enforced;
- (vi) Detail on re-timing of deliveries to minimise impact on congestion and noise pollution;
- (vii) Targets and measures that will be implemented to increase the level of electric vehicles attending this site;
- (viii) Measures that will be implemented to ensure pedestrian and cyclist safety;
- (ix) Measures that will be implemented to reduce movement through consolidation; and
- (x) Mechanisms for monitoring and review.

Thereafter the development shall be operated in full accordance with the approved details.

#### **REASON**

To ensure appropriate operation of the site, to safeguard highway safety and to safeguard the free flow of traffic, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) and Policy T7 of the London Plan (2021).

# 29. NONSC Energy Monitoring, Recording and Reporting

Prior to the first operation of the development, an updated Energy Statement, including detailed energy monitoring, recording and reporting plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall accord with the requirements of the London Plan (policy SI2) and the GLA Energy Assessment Guidance (2022 or as amended).

The development must proceed in accordance with the approved reporting structure and where there is a failure to achieve the required carbon savings, the quantum (tCO2) shall be treated as part of the shortfall and shall result in a cash in lieu contribution in accordance with the formula set out in the S106 agreement.

#### **REASON**

To ensure the development's onsite carbon savings from regulated energy demand is achieved in perpetuity (i.e. annually over 30years) in accordance with the Policy SI2 of the London Plan (2021).

# 30. NONSC 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 ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

# 31. NONSC Circular Economy Monitoring Report

Prior to first operation of the development, a post-construction monitoring report should be completed in line with the Greater London Authority's (GLA) Circular Economy Statement Guidance.

The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the Local Planning Authority, prior to operation of the development.

#### **REASON**

In the interests of sustainable waste management and in order to maximise the re-use of materials, in accordance with Policy SI 7 of the London Plan (2021).

# 32. NONSC Whole Life-Cycle Carbon Assessment

Prior to the first operation of the development the post-construction tab of the Greater London Authority's (GLA) Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance.

The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the Local Planning Authority, prior to operation of the development.

#### **REASON**

In the interests of sustainable development and to maximise on-site carbon dioxide savings, in accordance with Policy SI 2 of the London Plan (2021).

# 33. NONSC Fire Safety

Prior to first operation of the development, the additional fire safety information shall be submitted to and approved in writing by the Local Planning Authority. This shall include a site plan which shows:

- The layout and positioning of the fire appliances; and
- The location of assembly points.

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

#### **REASON**

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

# **Informatives**

# 1. 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).

# 2. 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

# 3. 172 Section 106 Agreement

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

# 4. 173 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

#### 5. 115 Control of Environmental Nuisance from Construction Work

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

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

- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

#### 6.

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

# 7.

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

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

#### Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is

explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety/

To apply for future crane permits, please follow the link via CAA website:

Crane notification | Civil Aviation Authority (caa.co.uk)

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

8.

The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 205.

I envisage that the archaeological fieldwork would comprise the following:

#### Excavation

Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving.

In order to define the mitigation strategy the proposed groundworks should be overlain on the 2001 trial trench plan and any areas of likely existing modern disturbance in order to target investigation.

9.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C02%7CPlanningEConsult%40Hillingdon.Gov.UK%7C52372553daa94d7a390c08dc18d627d2%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C638412555282830008%7CUnknown%7CTWFpbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQljoiV2luMzliLCJBTil6lk1haWwiLCJXVCl6Mn0%3D%7C3000%7C%7C%7C&sdata=w6lVrgl2KrPaazuv3yc1nFlwLtgP016c0l9hhnJLEyk%3D&reserved=0. Please refer to the Wholesale; Business customers; Groundwater discharges section.

#### 10.

The development hereby approved includes the carrying out of alterations to the radius to the southern side of the vehicular access and kerb radius. Prior to undertaking work on the adopted highway you would require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the London Borough of Hillingdon website https://www.hillingdon.gov.uk/dropped-kerb-form

# 11.

It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that formed the bases for the guidelines published by the WHO in 1999 and 2009 the former being reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as detailed in BS4142.

# 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMAV 1 Safe Operation of Airports

DMCL 7	
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP G1	(2021) Green infrastructure
LPP G2	(2021) London's Green Belt
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T7	(2021) Deliveries, servicing and construction
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF13 -23	NPPF13 23 - Protecting Green Belt land
NPPF14 -23	NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF16 -23	NPPF16 23 - Conserving and enhancing the historic environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making

NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF7 -23	NPPF7 23 - Ensuring the vitality of town centres
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

# Appendix 2: Relevant Planning History

67666/APP/2019/1245 Former Sipson Garden Centre Sipson Road Sipson

Reinstatement of Garden Centre (Use Class A1) with replacement buildings, outdoor sales areas, hard-standing, associated car parking and landscaping

Decision: 27-05-2020 Approved

67666/APP/2021/2977 Former Sipson Garden Centre Sipson Road Sipson West Drayton Proposed use of site for specialist vehicle storage area for a temporary period of 2 years.

**Decision:** 13-05-2022 Refused

# Appendix 3: List of Relevant Planning Policies

The following Local Plan Policies are considered relevant to the application:-

#### Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

PT1.EM6 (2012) Flood Risk Management

PT1.EM7 (2012) Biodiversity and Geological Conservation

PT1.EM8 (2012) Land, Water, Air and Noise

# Part 2 Policies:

DMAV 1 Safe Operation of Airports

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 12 Development of Land Affected by Contamination

DMEI 14 Air Quality

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 7 Archaeological Priority Areas and archaeological Priority Zones

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP G1	(2021) Green infrastructure
LPP G2	(2021) London's Green Belt
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T7	(2021) Deliveries, servicing and construction
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF7 -23	NPPF7 23 - Ensuring the vitality of town centres
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF13 -23	NPPF13 23 - Protecting Green Belt land
NPPF14 -23	NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment

NPPF16 -23 NPPF16 23 - Conserving and enhancing the historic environment

# Planning Committee Report Part 3:

Planning Policy Appendix - Frequently Cited Policies



# **Frequently Cited Planning Policies**

# **Abbreviations**

LP – London Plan (2021)

LP1 – Hillingdon Local Plan Part 1: Strategic Policies (2012)

LP2 – Hillingdon Local Plan Part 2: Development Management Policies (2020)

Topic	Policy	Page No.
Householder	LP2 DMHD 1: Alterations and	4
Policies	<b>Extensions to Residential Dwellings</b>	
	LP2 DMHD 2: Outbuildings	6
	LP2 DMHD 3: Basement Development	6
Standard of	LP D6: Housing quality and standards	7
Accommodation	LP2 DMHB 16: Housing Standards	8
	LP2 DMHB 18: Private Outdoor	8
	Amenity Space	
Housing	LP H2: Small sites	9
	LP H4: Delivering Affordable	9
	Housing?	
	LP H10: Housing size mix	10
	LP1 H1: Housing Growth	10
	LP2 DMH 1: Safeguarding Existing	11
	Housing	
	LP2 DMH 2: Housing Mix	11
	LP2 DMH 4: Residential Conversions	11
	and Redevelopment	
	LP2 DMH 5: Houses in Multiple	11
	Occupation	
	LP2 DMH 6: Garden and Backland	12
	Development	
	LP2 DMH 7: Provision of Affordable	12
	Housing	
Design (Including	LP D3: Optimising site capacity	13
Heritage, Trees /	through the design-led approach	
Landscaping and	LP D5: Inclusive design	15
Accessibility)	LP D7: Accessible housing	15
	LP D8: Public realm	15
	LP D12: Fire safety	17
	LP HC1: Heritage conservation and	18
	growth	
	LP G7: Trees and woodlands	19
	LP1 BE1: Built Environment	19
	LP2 DMHB 1: Heritage Assets	21

		1
	LP2 DMHB 2: Listed Buildings	22
	LP2 DMHB 3: Locally Listed Buildings	22
	LP2 DMHB 4: Conservation Areas	23
	LP2 DMHB 5: Areas of Special Local	23
	Character	
	LP2 DMHB 11: Design of New	23
	Development	
	LP2 DMHB 12: Streets and Public	24
	Realm	
	LP2 DMHB 14: Trees and	25
	Landscaping	
	LP2 DMHB 15: Planning for Safer	25
	Places	
Environmental	LP D13: Agent of change	25
	LP D14: Noise	26
	LP SI2: Minimising greenhouse gas	27
	emissions	
	LP SI12: Flood risk management	27
	LP SI13: Sustainable drainage	28
	LP1 EM6: Flood Risk Management	29
	LP1 EM8: Land, Water, Air and Noise	29
	LP2 DMEI 2: Reducing Carbon	31
	Emissions	
	LP2 DMEI 9: Management of Flood	31
	Risk	
	LP2 DMEI 10: Water Management,	31
	Efficiency and Quality	
	LP2 DMEI 12: Development of Land	33
	Affected by Contamination	
	LP2 DMEI 14: Air Quality	33
Highways and	LP T4: Assessing and mitigating	33
Parking	transport impacts	
	LP T5: Cycling	34
	LP T6: Car parking	35
	LP T6.1: Residential parking	36
	LP2 DMT 1: Managing Transport	37
	Impacts	
	LP2 DMT 2: Highways Impacts	38
	LP2 DMT 5: Pedestrians and Cyclists	38
	LP2 DMT 6: Vehicle Parking	39
	LI & DIVIT U. VEHICLE FAIRING	JJ

# LP2 DMHD 1: Alterations and Extensions to Residential Dwellings

- A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:
- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;
- ii) a satisfactory relationship with adjacent dwellings is achieved;
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;
- iv) new extensions respect the design of the original house and be of matching materials;
- v) there is no unacceptable loss of outlook to neighbouring occupiers;
- vi) adequate garden space is retained;
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C:
- viii) trees, hedges and other landscaping features are retained; and
- ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale, proportions, roof form, window pattern, detailed design and materials.

# B) Rear Extensions

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more:
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level:
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

## C) Side Extensions

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;

- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
- iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- vii) in Conservation Areas, single storey side extensions may be required to be set back.

#### D) Front Extensions

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii) notwithstanding the above, at least 25% of the front garden must be retained.

# E) Roof Extensions

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

#### F) Front Gardens and Parking

- i) new or replacement driveways should use permeable (porous) surfacing. Surfaces of more than five square metres will need planning permission for laying traditional, impermeable driveways; and
- ii) the design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

# LP2 DMHD 2: Outbuildings

The Council will require residential outbuildings to meet the following criteria:

- i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees;
- iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

# LP2 DMHD 3: Basement Development

- A) When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals:
- i) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- ii) avoid cumulative impacts upon structural stability or the water environment in the local area;
- B) Schemes should ensure that they:
- i) do not harm the amenity of neighbours;
- ii) do not lead to the loss of trees of townscape or amenity value;
- iii) do provide satisfactory landscaping, including adequate soil depth;
- iv) do not harm the appearance or setting of the property or the established character of the surrounding area, for example through the introduction of front lightwells; and
- v) do protect important archaeological remains.
- C) The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.
- D) The Council will not permit basement schemes in Listed Buildings and will not permit them in Conservation Area locations where their introduction would harm the special architectural or historic character of the area.

# LP D6: Housing Quality and Standards

- A) Housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

  B) Qualitative aspects of a development are key to ensuring successful sustainable housing. Table 3.2 sets out key qualitative aspects which should be addressed in the design of housing developments.
- C) Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part D in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.
- D) The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- E) Housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste
- F) Housing developments are required to meet the minimum standards below which apply to all tenures and all residential accommodation that is self-contained.

## Private internal space

- 1. Dwellings must provide at least the gross internal floor area and built-in storage area set out in Table 3.1.
- 2. A dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide.
- 3. A one bedspace single bedroom must have a floor area of at least 7.5 sq.m. and be at least 2.15m wide.
- 4. A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sq.m.
- 5. Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (If the area under the stairs is to be used for storage, assume a general floor area of 1 sq.m. within the Gross Internal Area).
- 6. Any other area that is used solely for storage and has a headroom of 0.9-1.5m (such as under eaves) can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all.
- 7. A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. Any built-in area in excess of 0.72 sq.m. in a double

bedroom and 0.36 sq.m. in a single bedroom counts towards the built-in storage requirement.

8. The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

# Private outside space

- 9. Where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. This does not count towards the minimum Gross Internal Area space standards required in Table 3.1
- G) The Mayor will produce guidance on the implementation of this policy for all housing tenures.

# LP2 DMHB 16: Housing Standards

All housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

- i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and
- ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users.

# LP2 DMHB 18: Private Outdoor Amenity Space

- A) All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3.
- B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.
- C) Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. However, for new developments in Conservation Areas, Areas of Special Local Character or for developments, which include Listed Buildings, the provision of private open space will be required to enhance the streetscene and the character of the buildings on the site.
- D) The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

#### LP H2: Small sites

- A) Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:
- 1. significantly increase the contribution of small sites to meeting London's housing needs
- 2. diversify the sources, locations, type and mix of housing supply
- 3. support small and medium-sized housebuilders
- 4. support those wishing to bring forward custom, self-build and community-led housing
- 5. achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

#### B Boroughs should:

- 1. recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites
- 2. where appropriate, prepare site-specific briefs, masterplans and housing design codes for small sites
- 3. identify and allocate appropriate small sites for residential development
- 4. list these small sites on their brownfield registers
- 5. grant permission in principle on specific sites or prepare local development orders.

# LP H4: Delivering Affordable Housing

- A) The strategic target is for 50 per cent of all new homes delivered across London to be genuinely affordable. Specific measures to achieve this aim include:
- 1. requiring major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach (Policy H5 Threshold approach to applications)
- 2. using grant to increase affordable housing delivery beyond the level that would otherwise be provided
- 3. all affordable housing providers with agreements with the Mayor delivering at least 50 per cent affordable housing across their development programme, and 60 per cent in the case of strategic partners
- 4. public sector land delivering at least 50 per cent affordable housing on each site and public sector landowners with agreements with the Mayor delivering at least 50 per cent affordable housing across their portfolio
- 5. industrial land appropriate for residential use in accordance with Policy E7 Industrial intensification, co-location and substitution, delivering at least 50 per cent affordable housing where the scheme would result in a net loss of industrial capacity.
- B) Affordable housing should be provided on site. Affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.

# LP H10: Housing size mix

- A) Schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to:
- 1. robust local evidence of need where available or, where this is not available, the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment
- 2. the requirement to deliver mixed and inclusive neighbourhoods
- 3. the need to deliver a range of unit types at different price points across London
- 4. the mix of uses in the scheme
- 5. the range of tenures in the scheme
- 6. the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity
- 7. the aim to optimise housing potential on sites
- 8. the ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock
- 9. the need for additional family housing and the role of one and two bed units in freeing up existing family housing.

B For low-cost rent, boroughs should provide guidance on the size of units required (by number of bedrooms) to ensure affordable housing meets identified needs. This guidance should take account of:

- 1. evidence of local housing needs, including the local housing register and the numbers and types of overcrowded and under-occupying households
- 2. other criteria set out in Part A, including the strategic and local requirement for affordable family accommodation
- 3. the impact of welfare reform
- 4. the cost of delivering larger units and the availability of grant.

## **LP1 H1: Housing Growth**

The Council will meet and exceed its minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies.

The borough's current target is to provide an additional 4,250 dwellings, annualised as 425 dwellings per year, for the ten year period between 2011 and 2021.

Rolled forward to 2026, this target equates to a minimum provision of 6,375 dwellings over the period of the Hillingdon Local Plan: Part 1- Strategic Policies. Sites that will contribute to the achievement of this target will be identified in the Hillingdon Local Plan: Part 2- Site Specific Allocations Local Development Document (LDD).

# LP2 DMH 1: Safeguarding Existing Housing

- A) The net loss of existing self-contained3 housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.
- B) The Council will grant planning permission for the subdivision of dwellings only if:
- i) car parking standards can be met within the curtilage of the site without being detrimental to the street scene;
- ii) all units are self contained with exclusive use of sanitary and kitchen facilities and provided with individual entrances and internal staircases to serve units above ground floor level; iii) adequate amenity space is provided for the benefit of residents; and iv) adequate living space standards are met.

## LP2 DMH 2: Housing Mix

The Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need.

#### LP2 DMH 4: Residential Conversions and Redevelopment

Residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units are limited to one unit per floor for residential conversions.

# LP2 DMH 5: Houses in Multiple Occupation (HMOs) and Student Accommodation

A) In all parts of the Borough

Proposals for the provision of large HMOs, residential hostels, student accommodation and secure accommodation will be required to demonstrate that:

- i) there is good accessibility to local amenities and public transport;
- ii) they accord with the Accessible Homes standards and provide satisfactory living conditions for the intended occupiers; and
- iii) there will be no adverse impact on the amenity of neighbouring properties or the character of the area.
- B) In wards covered by an Article 4 Direction for HMOs

Planning applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted:

- i) where it is in a neighbourhood area where less than 20% of properties are or would be exempt from paying council tax (or in the case of Conservation Areas 10%) because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs;
- ii) in Conservation Areas where less than 10% of properties are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs and the change of use does not form a consecutive HMO use in a street frontage:
- iii) where less than 15% of properties within 100 metres of a street length either side of an application property are exempt from paying council tax because they are entirely occupied by full time students, recorded on the Council's database as a licensed HMO, benefit from C4/Sui Generis HMO planning consent and are known to the Council to be HMOs; and iv) where the accommodation complies with all other planning standards relating to car parking, waste storage, retention of amenity space and garages and will not have a detrimental impact upon the residential amenity of adjoining properties.

# LP2 DMH 6: Garden and Backland Development

There is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and iv) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

## LP2 DMH 7: Provision of Affordable Housing

- A) In accordance with national policy:
- i) developments with a capacity to provide 10 or more units will be required to maximise the delivery of on-site affordable housing;
- ii) subject to viability and if appropriate in all circumstances, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split 70% Social/Affordable Rent and 30% Intermediate as set out in Policy H2: Affordable Housing of the Local Plan Part 1.

- B) Affordable housing should be built to the same standards and should share the same level of amenity as private housing.
- C) Proposals that do not provide sufficient affordable housing will be resisted.
- D) To ensure that Policy H2: Affordable Housing of the Local Plan Part 1 is applied consistently and fairly on all proposed housing developments, the requirement for affordable housing will apply to:
- i) sites that are artificially sub-divided or partially developed;
- ii) phased developments where a housing development is part of a much larger development of 10 or more units (gross), affordable housing will be required as part of the overall scheme; and iii) additional units created through or subsequently amended planning applications, whereby the amount of affordable housing required will be calculated based on the new total number of units on the site. Affordable housing will be required where a development under the 10 unit threshold is amended to have 10 or more housing units in total (gross).
- E) In exceptional circumstances, where on-site provision of affordable housing cannot be delivered and as a last resort, a financial contribution will be required to provide off-site affordable housing on other sites which may be more appropriate or beneficial in meeting the Borough's identified affordable housing needs.

# LP D3: Optimising site capacity through the design-led approach

The design-led approach

- A) All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.
- B) Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 Infrastructure requirements for sustainable densities. Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Boroughs where appropriate. This could also include expanding Opportunity Area boundaries where appropriate.
- C) In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 Small sites.

# D) Development proposals should:

# Form and layout

- 1. enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions
- 2. encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area
- 3. be street-based with clearly defined public and private environments
- 4. facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users

#### Experience

- 1. achieve safe, secure and inclusive environments
- 2. provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest
- 3. deliver appropriate outlook, privacy and amenity
- 4. provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity
- 5. help prevent or mitigate the impacts of noise and poor air quality
- 6. achieve indoor and outdoor environments that are comfortable and inviting for people to use

#### Quality and character

- 1. respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character
- 2. be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 3. aim for high sustainability standards (with reference to the policies within London Plan Chapters 8 and 9) and take into account the principles of the circular economy
- 4. provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.
- E) Where development parameters for allocated sites have been set out in a Development Plan, development proposals that do not accord with the site capacity in a site allocation can be refused for this reason.

# LP D5: Inclusive Design

- A) Boroughs, in preparing their Development Plans, should support the creation of inclusive neighbourhoods by embedding inclusive design, and collaborating with local communities in the development of planning policies that affect them.
- B) Development proposal should achieve the highest standards of accessible and inclusive design. They should:
- 1. be designed taking into account London's diverse population
- 2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
- 3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
- 4. be able to be entered, used and exited safely, easily and with dignity for all
- 5. be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- C) Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement.

# LP D7: Accessible Housing

- A) To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:
- 1. at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
- 2. all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

#### LP D8: Public Realm

Development Plans and development proposals should:

- A) encourage and explore opportunities to create new public realm where appropriate
- B) ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable. Lighting, including for advertisements, should be carefully considered and well-

designed in order to minimise intrusive lighting infrastructure and reduce light pollution

- C) maximise the contribution that the public realm makes to encourage active travel and ensure its design discourages travel by car and excessive on-street parking, which can obstruct people's safe enjoyment of the space. This includes design that reduces the impact of traffic noise and encourages appropriate vehicle speeds
- D) be based on an understanding of how the public realm in an area functions and creates a sense of place during different times of the day and night, days of the week and times of the year. In particular, they should demonstrate an understanding of how people use the public realm, and the types, location and relationship between public spaces in an area, identifying where there are deficits for certain activities, or barriers to movement that create severance for pedestrians and cyclists
- E) ensure both the movement function of the public realm and its function as a place are provided for and that the balance of space and time given to each reflects the individual characteristics of the area. The priority modes of travel for the area should be identified and catered for, as appropriate. Desire lines for people walking and cycling should be a particular focus, including the placement of street crossings, which should be regular, convenient and accessible
- F) ensure there is a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm
- G) ensure buildings are of a design that activates and defines the public realm, and provides natural surveillance. Consideration should also be given to the local microclimate created by buildings, and the impact of service entrances and facades on the public realm
- H) ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter
- I) incorporate green infrastructure such as street trees and other vegetation into the public realm to support rainwater management through sustainable drainage, reduce exposure to air pollution, moderate surface and air temperature and increase biodiversity
- J) ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place

- K) ensure that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function is removed, to ensure that pedestrian amenity is improved. Consideration should be given to the use, design and location of street furniture so that it complements the use and function of the space. Applications which seek to introduce unnecessary street furniture should be refused
- L) explore opportunities for innovative approaches to improving the public realm such as open street events and Play Streets
- M) create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm
- N) ensure that any on-street parking is designed so that it is not dominant or continuous, and that there is space for green infrastructure as well as cycle parking in the carriageway. Parking should not obstruct pedestrian lines
- O) ensure the provision and future management of free drinking water at appropriate locations in the new or redeveloped public realm.

# LP D12: Fire Safety

- A) In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:
- 1. identify suitably positioned unobstructed outside space:
- a for fire appliances to be positioned on
- b appropriate for use as an evacuation assembly point
- 2. are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3. are constructed in an appropriate way to minimise the risk of fire spread
- 4. provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5. develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6. provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- B) All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

The statement should detail how the development proposal will function in terms of: 1. the building's construction: methods, products and materials used, including manufacturers' details

- 2. the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3. features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- 4. access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- 5. how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- 6. ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

# LP HC1: Heritage Conservation and Growth

- A) Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B) Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London's heritage in regenerative change by:
- 1. setting out a clear vision that recognises and embeds the role of heritage in placemaking
- 2. utilising the heritage significance of a site or area in the planning and design process
- 3. integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place
- 4. delivering positive benefits that conserve and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.
- C) Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- D) Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E) Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.

#### LP G7: Trees and Woodlands

- A) London's urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London's urban forest the area of London under the canopy of trees.
- B) In their Development Plans, boroughs should:
- 1. protect 'veteran' trees and ancient woodland where these are not already part of a protected site139
- 2. identify opportunities for tree planting in strategic locations.
- C) Development proposals should ensure that, wherever possible, existing trees of value are retained.140 If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

#### LP 1 BE1: Built Environment

The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

- 1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;
- 2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local

area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;

- 3. Be designed to include "Lifetime Homes" principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives:
- 4. In the case of 10 dwellings or over, achieve a satisfactory assessment rating in terms of the latest Building for Life standards (as amended or replaced from time to time);
- 5. Improve areas of poorer environmental quality, including within the areas of relative disadvantage of Hayes, Yiewsley and West Drayton. All regeneration schemes should ensure that they are appropriate to their historic context, make use of heritage assets and reinforce their significance;
- 6. Incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services;
- 7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife, encourage physical activity and where appropriate introduce public art;
- 8. Create safe and secure environments that reduce crime and fear of crime, antisocial behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals;
- 9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas;
- 10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable

Homes and BREEAM. These will be set out within the Hillingdon Local Plan: Part 2-Development Management Policies Local Development Document (LDD). All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill;

11. In the case of tall buildings, not adversely affect their surroundings including the local character, cause harm to the significance of heritage assets or impact on important views. Appropriate locations for tall buildings will be defined on a Character Study and may include parts of Uxbridge and Hayes subject to considering the Obstacle Limitation Surfaces for Heathrow Airport. Outside of Uxbridge and Hayes town centres, tall buildings will not be supported. The height of all buildings should be based upon an understanding of the local character and be appropriate to the positive qualities of the surrounding townscape. Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and Hillingdon Local Plan: Part 2- Development Management Policies.

# **LP2 DMHB 1: Heritage Assets**

- A) The Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where:
- i) it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation;
- ii) it will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPPF;
- iii) it makes a positive contribution to the local character and distinctiveness of the area;
- iv) any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset;
- v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials;
- vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and
- vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.
- B) Development proposals affecting designated heritage assets need to take account of the effects of climate change and renewable energy without impacting negatively on the heritage asset. The Council may require an alternative solution which will protect the asset yet meet the sustainability objectives of the Local Plan.

C) The Council will seek to secure the repair and reuse of Listed Buildings and monuments and improvements to Conservation Areas on the Heritage at Risk Register, through negotiations with owners, the provision of advice and guidance, the use of appropriate legal action, and through bids for external funding for improvement works.

# LP2 DMHB 2: Listed Buildings

- A) Applications for Listed Building Consent and planning permission to alter, extend, or change the use of a statutorily Listed Building will only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship.
- B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the building and the impact of the proposals on its significance.
- C) The substantial harm to or total loss of significance of a statutory Listed Building will only be permitted in exceptional circumstances when the nature of the heritage asset prevents all reasonable use of the building, no viable use can be found through marketing, grant-funding or charitable or public ownership and the loss is outweighed by bringing the site back into use. In such circumstances, full archaeological recording of the building will be required.
- D) Planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

# LP2 DMHB 3: Locally Listed Buildings

- A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.
- B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building.
- C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.

#### LP2 DMHB 4: Conservation Areas

New development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will:

- A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area.
- B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.
- C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

# LP2 DMHB 5: Areas of Special Local Character

- A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.
- B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.
- C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

## **LP2 DMHB 11: Design of New Development**

- A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:
- i) harmonising with the local context by taking into account the surrounding:
- scale of development, considering the height, mass and bulk of adjacent structures;
- building plot sizes and widths, plot coverage and established street patterns;
- building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
- architectural composition and quality of detailing;
- local topography, views both from and to the site; and

- impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development5 sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

# LP2 DMHB 12: Streets and Public Realm

- A) Development should be well integrated with the surrounding area and accessible. It should:
- i) improve legibility and promote routes and wayfinding between the development and local amenities:
- ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;
- iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space:
- iv) provide safe and direct pedestrian and cycle movement through the space;
- v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;
- vi) where appropriate, include the installation of public art; and
- vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.
- B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities.

# LP2 DMHB 14: Trees and Landscaping

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees onsite must be provided or include contributions to offsite provision.

# LP2 DMHB 15: Planning for Safer Places

The Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

## LP D13: Agent of Change

- A) The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.
- B) Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

- C) New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.
- D) Development proposals should manage noise and other potential nuisances by:
- 1. ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area
- 2. exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations
- 3. separating new noise-sensitive development where possible from existing noisegenerating businesses and uses through distance, screening, internal layout, soundproofing, insulation and other acoustic design measures.
- E) Boroughs should not normally permit development proposals that have not clearly demonstrated how noise and other nuisances will be mitigated and managed.

#### LP D14: Noise

- A) In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:
- 1. avoiding significant adverse noise impacts on health and quality of life
- 2. reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3. mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4. improving and enhancing the acoustic environment and promoting appropriate
- 5. separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials in preference to sole reliance on sound insulation
- 6. where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7. promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.
- B) Boroughs, and others with relevant responsibilities, should identify and nominate new Quiet Areas and protect existing Quiet Areas in line with the procedure in Defra's Noise Action Plan for Agglomerations.

# LP SI 2: Minimising Greenhouse Gas Emissions

- A) Major development should be net zero-carbon.151 This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 1. be lean: use less energy and manage demand during operation
- 2. be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3. be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4. be seen: monitor, verify and report on energy performance.
- B) Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.
- C) A minimum on-site reduction of at least 35 per cent beyond Building Regulations152 is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1. through a cash in lieu contribution to the borough's carbon offset fund, or
- 2. off-site provided that an alternative proposal is identified and delivery is certain.
- D) Boroughs must establish and administer a carbon offset fund. Offset fund payments must be ring-fenced to implement projects that deliver carbon reductions. The operation of offset funds should be monitored and reported on annually.
- E) Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.
- F) Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

## LP SI 12: Flood Risk Management

- A) Current and expected flood risk from all sources (as defined in paragraph 9.2.12) across London should be managed in a sustainable and cost-effective way in collaboration with the Environment Agency, the Lead Local Flood Authorities, developers and infrastructure providers.
- B) Development Plans should use the Mayor's Regional Flood Risk Appraisal and their Strategic Flood Risk Assessment as well as Local Flood Risk Management

Strategies, where necessary, to identify areas where particular and cumulative flood risk issues exist and develop actions and policy approaches aimed at reducing these risks. Boroughs should cooperate and jointly address cross-boundary flood risk issues including with authorities outside London.

- C) Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- D) Developments Plans and development proposals should contribute to the delivery of the measures set out in Thames Estuary 2100 Plan. The Mayor will work with the Environment Agency and relevant local planning authorities, including authorities outside London, to safeguard an appropriate location for a new Thames Barrier.
- E) Development proposals for utility services should be designed to remain operational under flood conditions and buildings should be designed for quick recovery following a flood.
- F) Development proposals adjacent to flood defences will be required to protect the integrity of flood defences and allow access for future maintenance and upgrading. Unless exceptional circumstances are demonstrated for not doing so, development proposals should be set back from flood defences to allow for any foreseeable future maintenance and upgrades in a sustainable and cost-effective way.
- G) Natural flood management methods should be employed in development proposals due to their multiple benefits including increasing flood storage and creating recreational areas and habitat.

# LP SI 13: Sustainable Drainage

- A) Lead Local Flood Authorities should identify through their Local Flood Risk Management Strategies and Surface Water Management Plans areas where there are particular surface water management issues and aim to reduce these risks. Increases in surface water run-off outside these areas also need to be identified and addressed.
- B) Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:
- 1. rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
- 2. rainwater infiltration to ground at or close to source
- 3. rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)

- 4. rainwater discharge direct to a watercourse (unless not appropriate)
- 5. controlled rainwater discharge to a surface water sewer or drain
- 6. controlled rainwater discharge to a combined sewer.
- C) Development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways.
- D) Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

# LP1 EM6: Flood Risk Management

The Council will require new development to be directed away from Flood Zones 2 and 3 in accordance with the principles of the National Planning Policy Framework (NPPF).

The subsequent Hillingdon Local Plan: Part 2 -Site Specific Allocations LDD will be subjected to the Sequential Test in accordance with the NPPF. Sites will only be allocated within Flood Zones 2 or 3 where there are overriding issues that outweigh flood risk. In these instances, policy criteria will be set requiring future applicants of these sites to demonstrate that flood risk can be suitably mitigated.

The Council will require all development across the borough to use sustainable urban drainage systems (SUDS) unless demonstrated that it is not viable. The Council will encourage SUDS to be linked to water efficiency methods. The Council may require developer contributions to guarantee the long term maintenance and performance of SUDS is to an appropriate standard.

# LP1 EM8: Land, Water, Air and Noise

#### Water Quality

The Council will seek to safeguard and improve all water quality, both ground and surface. Principal Aquifers, and Source Protection Zones will be given priority along with the:

- River Colne
- Grand Union Canal
- River Pinn
- Yeading Brook
- Porter Land Brook
- River Crane
- Ruislip Lido

# Air Quality

All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

All major development within the Air Quality Management Area (AQMA) should demonstrate air quality neutrality (no worsening of impacts) where appropriate; actively contribute to the promotion of sustainable transport measures such as vehicle charging points and the increased provision for vehicles with cleaner transport fuels; deliver increased planting through soft landscaping and living walls and roofs; and provide a management plan for ensuring air quality impacts can be kept to a minimum.

The Council seeks to reduce the levels of pollutants referred to in the Government's National Air Quality Strategy and will have regard to the Mayor's Air Quality Strategy. London Boroughs should also take account of the findings of the Air Quality Review and Assessments and Actions plans, in particular where Air Quality Management Areas have been designated.

The Council has a network of Air Quality Monitoring stations but recognises that this can be widened to improve understanding of air quality impacts. The Council may therefore require new major development in an AQMA to fund additional air quality monitoring stations to assist in managing air quality improvements.

#### Noise

The Council will investigate Hillingdon's target areas identified in the Defra Noise Action Plans, promote the maximum possible reduction in noise levels and will minimise the number of people potentially affected.

The Council will seek to identify and protect Quiet Areas in accordance with Government Policy on sustainable development and other Local Plan policies.

The Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

#### **Land Contamination**

The Council will expect proposals for development on contaminated land to provide mitigation strategies that reduce the impacts on surrounding land uses. Major development proposals will be expected to demonstrate a sustainable approach to remediation that includes techniques to reduce the need to landfill.

#### Water Resources

The Council will require that all new development demonstrates the incorporation of water efficiency measures within new development to reduce the rising demand on potable water. All new development must incorporate water recycling and collection facilities unless it can be demonstrated it is not appropriate. For residential

developments, the Council will require applicants to demonstrate that water consumption will not surpass 105 litres per person per day.

# LP2 DMEI 2: Reducing Carbon Emissions

- A) All developments are required to make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets.
- B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved.
- C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, where it is clearly demonstrated that the targets for carbon emissions cannot be met onsite, the Council may approve the application and seek an off-site contribution to make up for the shortfall.

# LP2 DMEI 9: Management of Flood Risk

- A) Development proposals in Flood Zones 2 and 3a will be required to demonstrate that there are no suitable sites available in areas of lower flood risk. Where no appropriate sites are available, development should be located on the areas of lowest flood risk within the site. Flood defences should provide protection for the lifetime of the development. Finished floor levels should reflect the Environment Agency's latest guidance on climate change.
- B) Development proposals in these areas will be required to submit an appropriate level Flood Risk Assessment (FRA) to demonstrate that the development is resilient to all sources of flooding.
- C) Development in Flood Zone 3b will be refused in principle unless identified as an appropriate development in Flood Risk Planning Policy Guidance. Development for appropriate uses in Flood Zone 3b will only be approved if accompanied by an appropriate FRA that demonstrates the development will be resistant and resilient to flooding and suitable warning and evacuation methods are in place.
- D) Developments may be required to make contributions (through legal agreements) to previously identified flood improvement works that will benefit the development site.
- E) Proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

# LP2 DMEI 10: Water Management, Efficiency, and Quality

A) Applications for all new build developments (not conversions, change of use, or refurbishment) are required to include a drainage assessment demonstrating that

appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy (Policy 5.13: Sustainable drainage).

- B) All major new build developments, as well as minor developments in Critical Drainage Areas or an area identified at risk from surface water flooding must be designed to reduce surface water run-off rates to no higher than the predevelopment greenfield run-off rate in a 1:100 year storm scenario, plus an appropriate allowance for climate change for the worst storm duration. The assessment is required regardless of the changes in impermeable areas and the fact that a site has an existing high run-off rate will not constitute justification.
- C) Rain Gardens and non householder development should be designed to reduce surface water run-off rates to Greenfield run-off rates.
- D) Schemes for the use of SuDS must be accompanied by adequate arrangements for the management and maintenance of the measures used, with appropriate contributions made to the Council where necessary.
- E) Proposals that would fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.
- F) Developments should be drained by a SuDs system and must include appropriate methods to avoid pollution of the water environment. Preference should be given to utilising the drainage options in the SuDS hierarchy which remove the key pollutants that hinder improving water quality in Hillingdon. Major development should adopt a 'treatment train' approach where water flows through different SuDS to ensure resilience in the system. Water Efficiency
- G) All new development proposals (including refurbishments and conversions) will be required to include water efficiency measures, including the collection and reuse of rain water and grey water.
- H) All new residential development should demonstrate water usage rates of no more than 105 litres/person/day.
- I) It is expected that major development8 proposals will provide an integrated approach to surface water run-off attenuation, water collection, recycling and reuse. Water and Wastewater Infrastructure
- J) All new development proposals will be required to demonstrate that there is sufficient capacity in the water and wastewater infrastructure network to support the proposed development. Where there is a capacity constraint the local planning authority will require the developer to provide a detailed water and/or drainage strategy to inform what infrastructure is required, where, when and how it will be delivered.

# LP2 DMEI 12: Development of Land Affected by Contamination

- A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.
- B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.
- C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.
- D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

# LP2 DMEI 14: Air Quality

- A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- B) Development proposals should, as a minimum:
- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

## **TP T4: Assessing and Mitigating Transport Impacts**

- A) Development Plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.
- B) When required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development. Travel Plans,

Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance.

- C) Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- D) Where the ability to absorb increased travel demand through active travel modes has been exhausted, existing public transport capacity is insufficient to allow for the travel generated by proposed developments, and no firm plans and funding exist for an increase in capacity to cater for the increased demand, planning permission will be contingent on the provision of necessary public transport and active travel infrastructure.
- E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.
- F) Development proposals should not increase road danger.

# LP T5: Cycling

- A) Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through:
- 1. supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure
- 2. securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, ensuring that a minimum of two short-stay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision.
- B) Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.
- C) Development Plans requiring more generous provision of cycle parking based on local evidence will be supported.
- D) Where it is not possible to provide suitable short-stay cycle parking off the public highway, the borough should work with stakeholders to identify an appropriate onstreet location for the required provision. This may mean the reallocation of space

from other uses such as on-street car parking. Alternatively, in town centres, adding the required provision to general town centre cycle parking is also acceptable. In such cases, a commuted sum should be paid to the local authority to secure provision.

- E) Where it is not possible to provide adequate cycle parking within residential developments, boroughs must work with developers to propose alternative solutions which meet the objectives of the standards. These may include options such as providing spaces in secure, conveniently-located, on-street parking facilities such as bicycle hangers.
- F) Where the use class of a development is not fixed at the point of application, the highest potential applicable cycle parking standard should be applied.

# LP T6: Car Parking

- A) Car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity.
- B) Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy.
- C) An absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets.
- D) The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans.
- E) Appropriate disabled persons parking for Blue Badge holders should be provided as set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking.
- F) Where provided, each motorcycle parking space should count towards the maximum for car parking spaces at all use classes.
- G) Where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles in line with Policy T6 .1 Residential parking, Policy T6 .2 Office Parking, Policy T6 .3 Retail parking, and Policy T6 .4 Hotel and leisure uses parking.

All operational parking should make this provision, including offering rapid charging. New or re-provided petrol filling stations should provide rapid charging hubs and/or hydrogen refuelling facilities.

- H) Where electric vehicle charging points are provided on-street, physical infrastructure should not negatively affect pedestrian amenity and should ideally be located off the footway. Where charging points are located on the footway, it must remain accessible to all those using it including disabled people.
- I) Adequate provision should be made for efficient deliveries and servicing and emergency access.
- J) A Parking Design and Management Plan should be submitted alongside all applications which include car parking provision, indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design.
- K) Boroughs that have adopted or wish to adopt more restrictive general or operational parking policies are supported, including borough-wide or other areabased car-free policies. Outer London boroughs wishing to adopt minimum residential parking standards through a Development Plan Document (within the maximum standards set out in Policy T6 .1 Residential parking) must only do so for parts of London that are PTAL 0-1. Inner London boroughs should not adopt minimum standards. Minimum standards are not appropriate for non-residential use classes in any part of London.
- L) Where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy. Some flexibility may be applied where retail sites are redeveloped outside of town centres in areas which are not well served by public transport, particularly in outer London.

## LP T6.1: Residential Parking

- A) New residential development should not exceed the maximum parking standards set out in Table 10.3. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category.
- B) Parking spaces within communal car parking facilities (including basements) should be leased rather than sold.
- C) All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

- D) Outside of the CAZ, and to cater for infrequent trips, car club spaces may be considered appropriate in lieu of private parking. Any car club spaces should have active charging facilities.
- E) Large-scale purpose-built shared living, student accommodation and other sui generis residential uses should be car-free.
- F) The provision of car parking should not be a reason for reducing the level of affordable housing in a proposed development.
- G) Disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:
- 1. ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset
- 2. demonstrate as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient. This should be secured at the planning stage.
- H) All disabled persons parking bays associated with residential development must:
- 1. be for residents' use only (whether M4(2) or M4(3) dwellings)
- 2. not be allocated to specific dwellings, unless provided within the curtilage of the dwelling
- 3. be funded by the payment of a commuted sum by the applicant, if provided onstreet (this includes a requirement to fund provision of electric vehicle charging infrastructure)
- 4. count towards the maximum parking provision for the development
- 5. be designed in accordance with the design guidance in BS8300vol.1
- 6. be located to minimise the distance between disabled persons parking bays and the dwelling or the relevant block entrance or lift core, and the route should be preferably level or where this is not possible, should be gently sloping (1:60-1:20) on a suitable firm ground surface.

## **LP2 DMT 1: Managing Transport Impacts**

- A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:
- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and

- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.
- B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments11 that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

# LP2 DMT 2: Highways Impacts

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

## LP2 Policy DMT 5: Pedestrians and Cyclists

- A) Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including:
- i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
- ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
- iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and
- iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.
- B) Development proposals located next to or along the Blue Ribbon Network will be required to enhance and facilitate inclusive, safe and secure pedestrian and cycle access to the network. Development proposals, by virtue of their design, will be

required to complement and enhance local amenity and include passive surveillance to the network.

#### LP2 DMT 6: Vehicle Parking

- A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when:
- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.
- B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.



# Hillingdon Planning Committee

Tuesday 11th June 2024



www.hillingdon.gov.uk

#### Report of the Head of Development Management and Building Control

Address: 279 SWAKELEYS ROAD ICKENHAM

**Development:** Demolition of the existing house and the erection of a two storey block of flats,

with habitable rooms in the roof space, consisting of 5 proposed flats (4 x two-

bed and 1 x 3-bed units) and associated parking.

**LBH Ref Nos**: 30255/APP/2023/417



#### LOCATION PLAN



SCALE 1:1250

### 279 Swakeleys Road, Ickenham, Uxbridge UB10 8DR

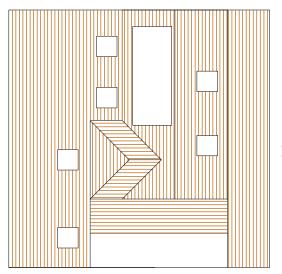


Drg. No. 22/3503/1 Scale 1250@A4 Date 02/02/23 Drawn by KH



THE GILLETT MACLEOD PARTNERSHIP Prg. No. 22/3503/6 Chartered Architects & Town Planning Consultants Scale 1:100 Date 29/05/24 I High Road old Eastcole Planer Middlews. HAS 2EW 161 2008 868 1333 Prown by AK

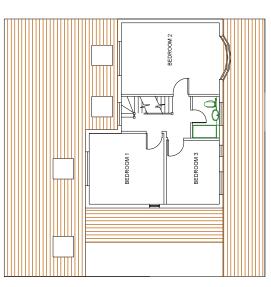




STUDY

STORE

**ROOF PLAN** 



FIRST FLOOR



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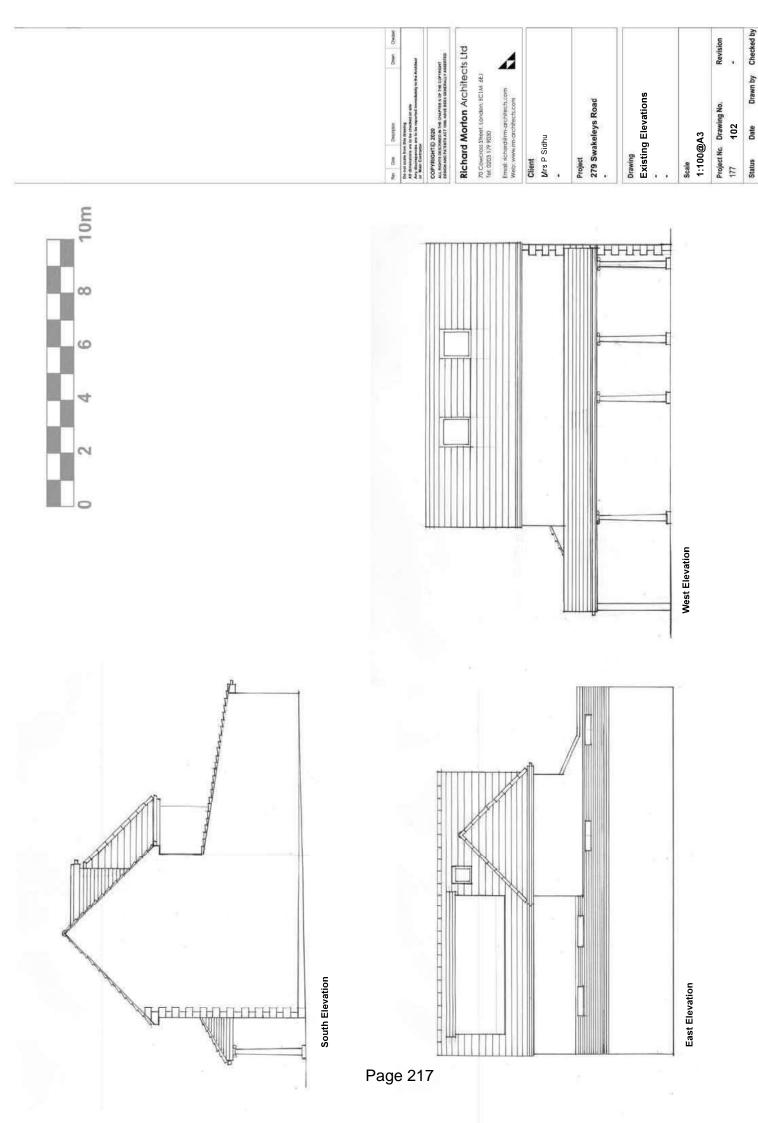
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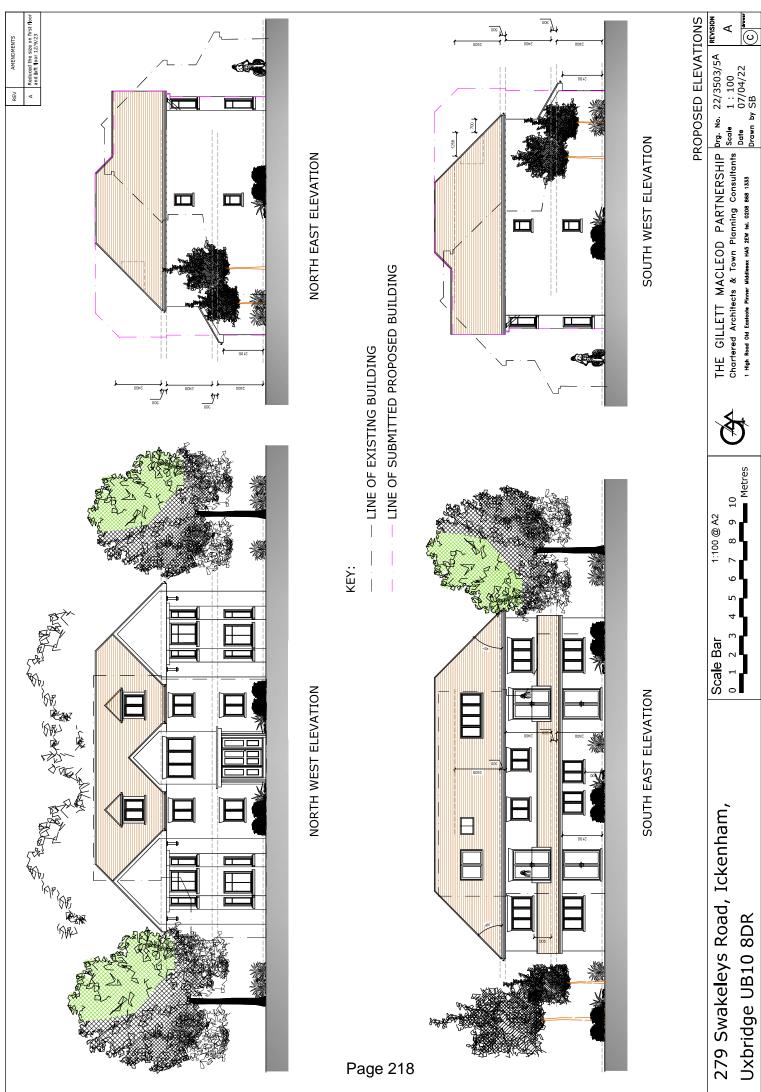
GROUND FLOOR

279 Swakeleys Road, Ickenham, Uxbridge UB10 8DR

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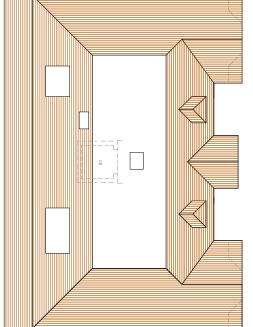
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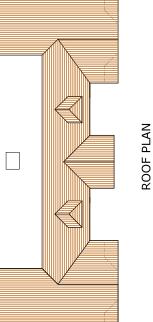


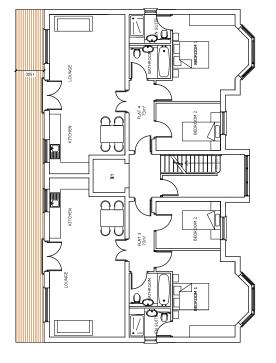


Uxbridge UB10 8DR









FIRST FLOOR

PROPOSED FLOOR PLANS

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THE GILLETT MACLEOD PARTNERSHIP brg. no. 22/3503/4A Chartered Architects & Town Planning Consultants Scale 1:100 Date 07/04/22 Drawn by SB

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GROUND FLOOR

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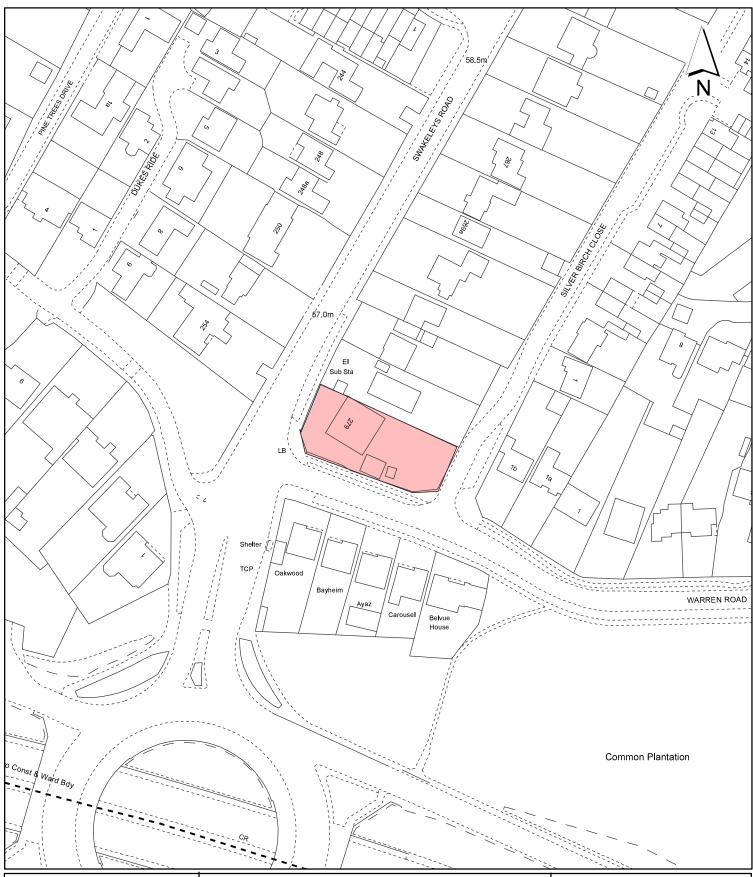
279 Swakeleys Road, Ickenham, Uxbridge UB10 8DR

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LOFT FLOOR

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#### Notes:



#### Site boundary

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Site Address:

#### 279 Swakeleys Road

Planning Application Ref: 30255/APP/2023/417

Scale:

Date:

1:1,250

Planning Committee:

Major Page 221

June 2024

#### LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111



#### Report of the Head of Development Management and Building Control

Address: 15 KEWFERRY ROAD NORTHWOOD

**Development:** Erection of first floor rear extension.

**LBH Ref Nos**: 26090/APP/2024/813

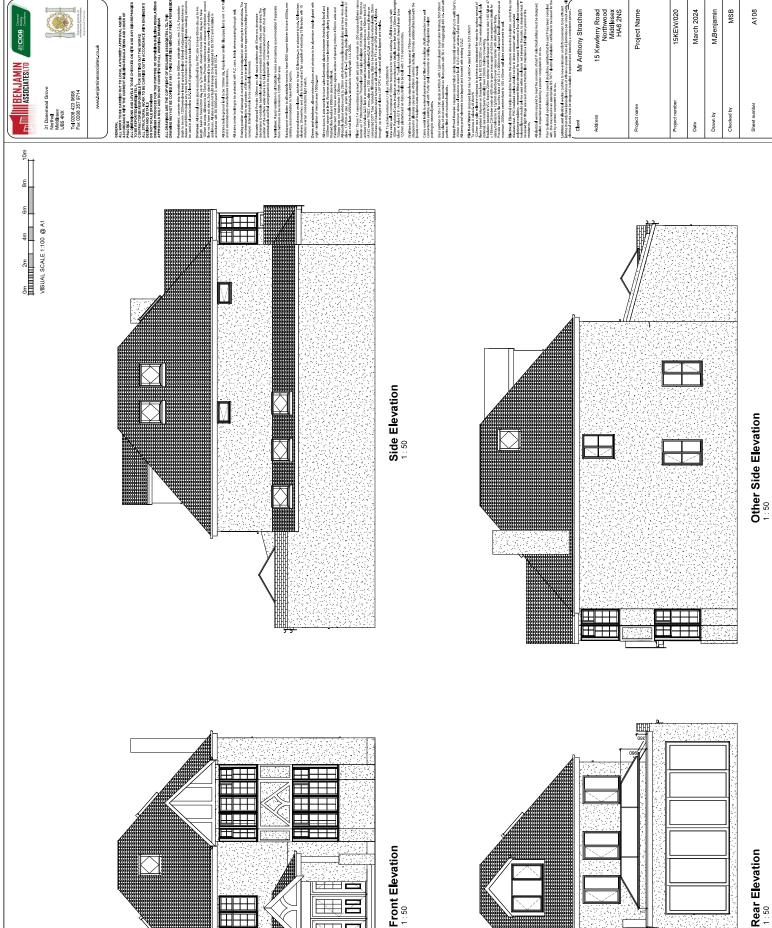


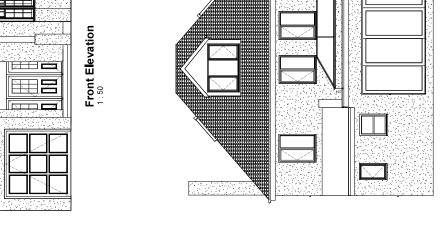




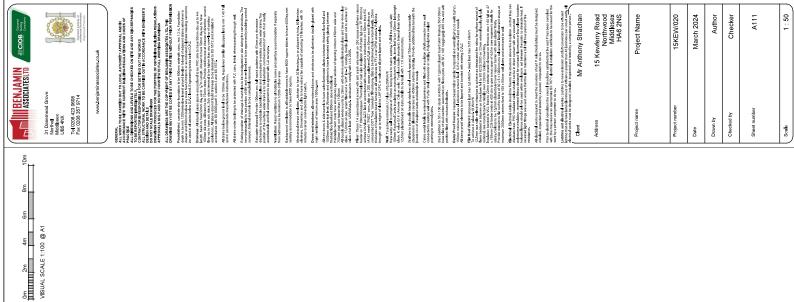
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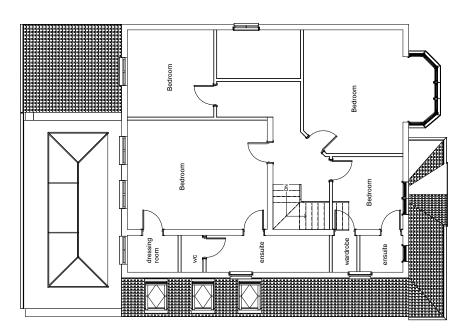
Location Plan



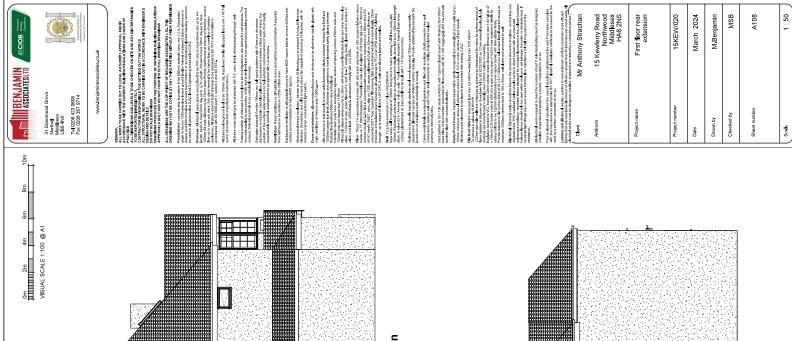


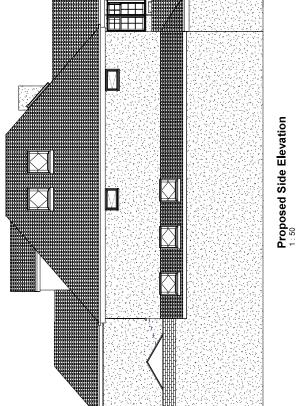
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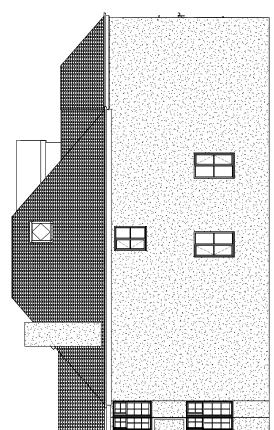


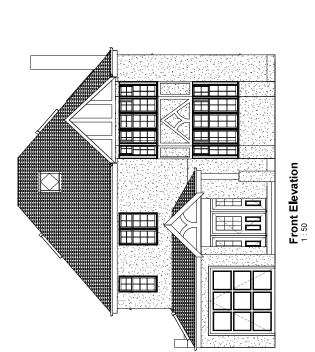


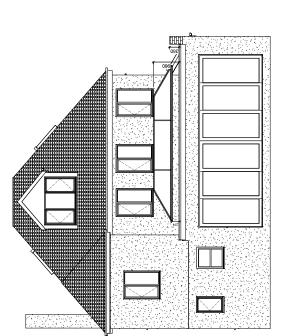
Existing First Floor







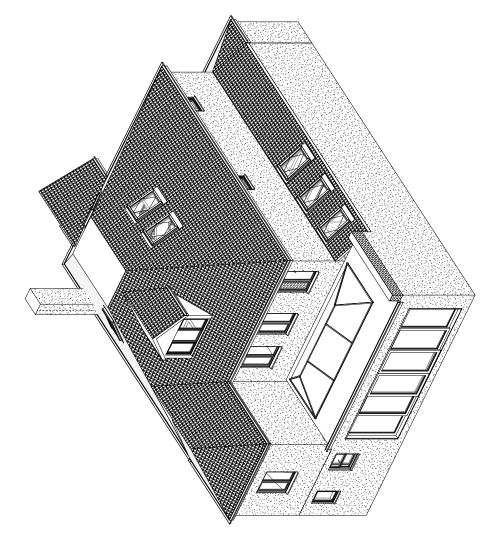




Proposed Rear Elevation

Proposed Other Side Elevation



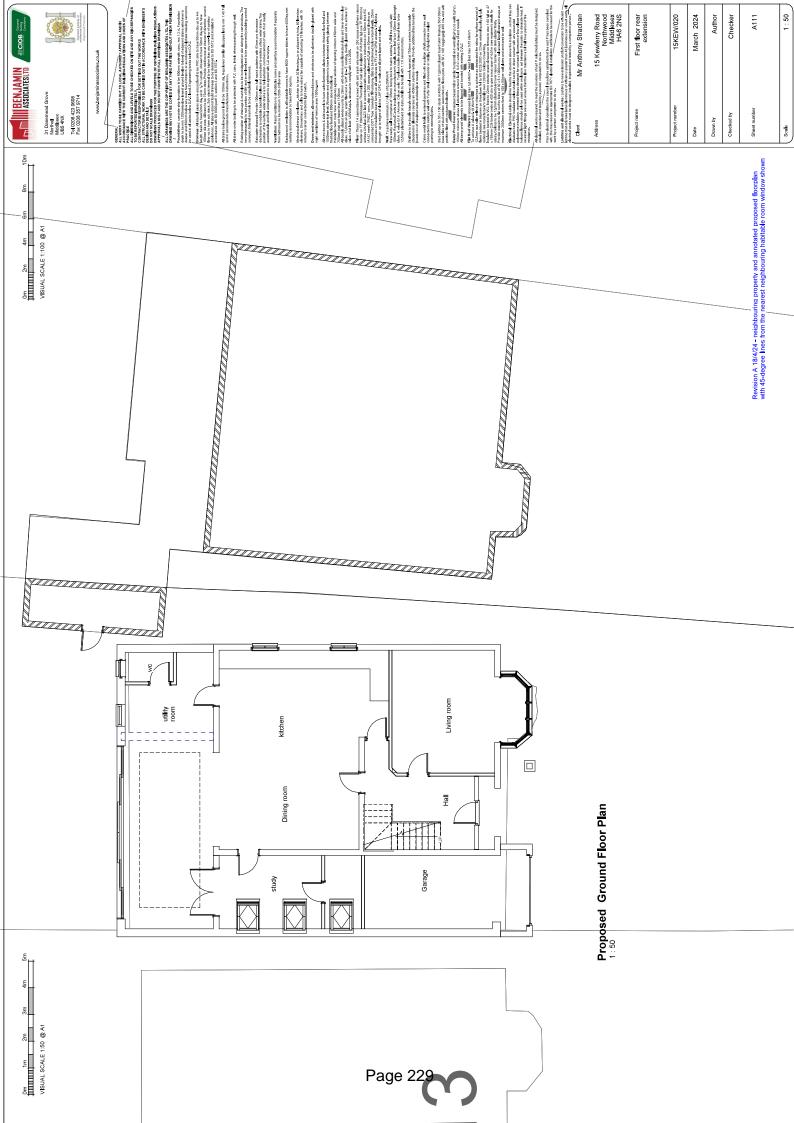


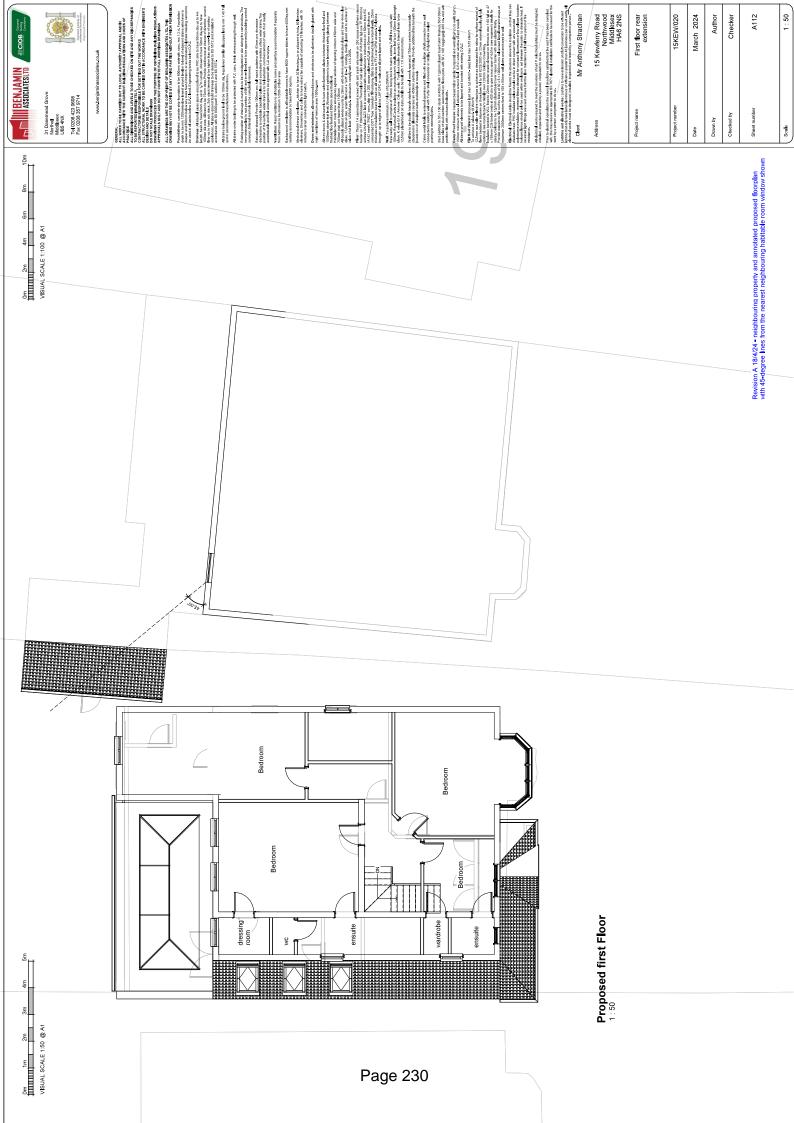


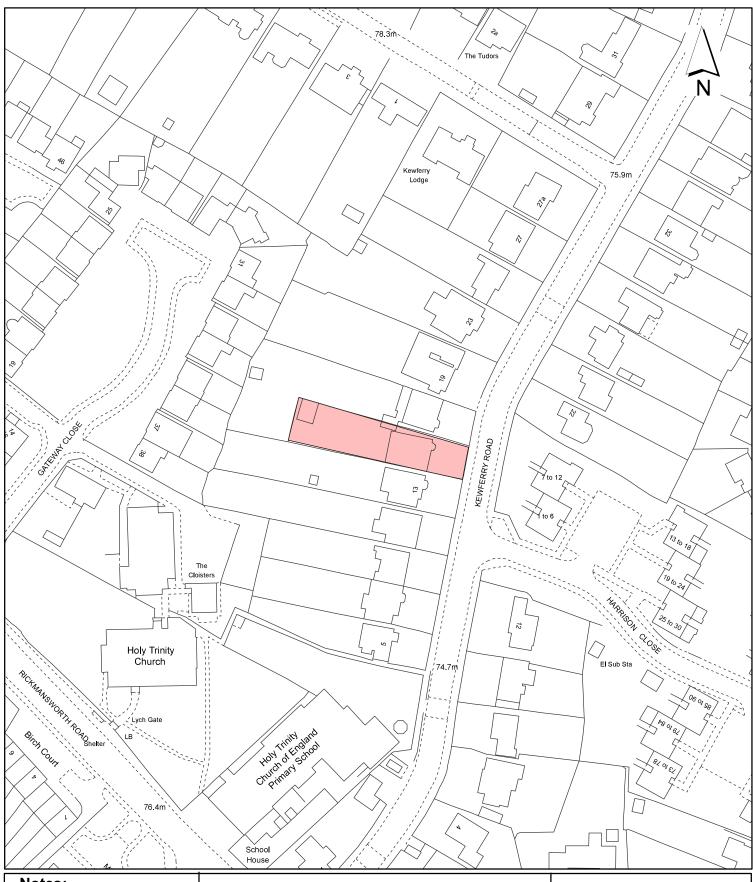


## Block plan 1:500

15 Kewferry Road Northwood Middlesex HA6 2NS







#### Notes:



#### Site boundary

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Site Address:

#### 15 Kewferry Road **Northwood**

Planning Application Ref:
26090/APP/2024/813

Scale:

Date:

1:1,250

Planning Committee:

Major Page 231

June 2024

#### **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111



#### Report of the Head of Development Management and Building Control

Address: TESCO GLENCOE ROAD HAYES

**Development:** Variation of condition 3 (re. deliveries) of planning permission ref. 36999/

T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of condition 12 (re. opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a

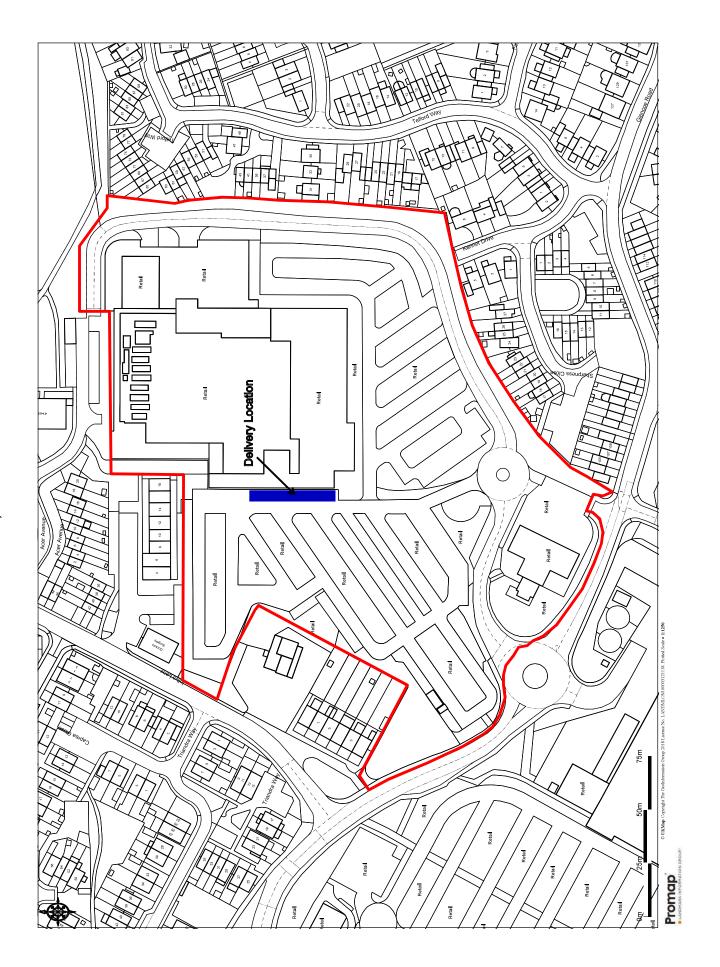
permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol

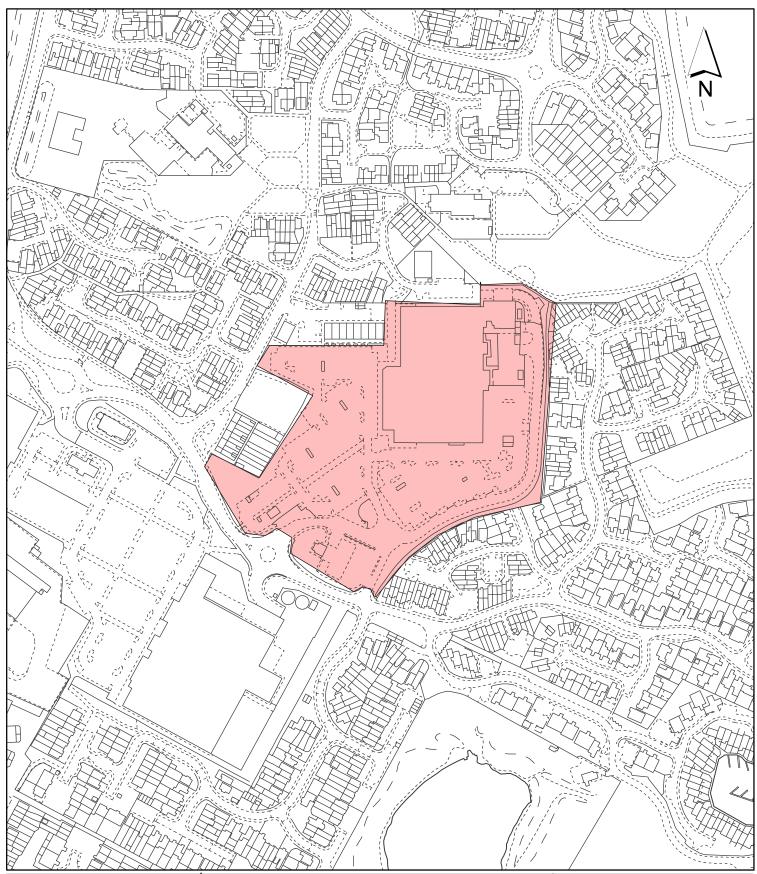
filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/

Jolly's Lane, Hayes.

**LBH Ref Nos:** 36999/APP/2023/3455







#### Notes:



#### Site boundary

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Site Address:

#### Tesco, Glencoe Road

Planning Application Ref:	
36999/APP/2023/3455	

Scale:

1:3,000

Planning Committee:

Major Page 235

Date: June 2024

#### **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111



#### Report of the Head of Development Management and Building Control

Address: FORMER SIPSON GARDEN CENTRE SIPSON ROAD SIPSON

**Development:** The development of a Centre of Excellence for servicing and repair of Airside

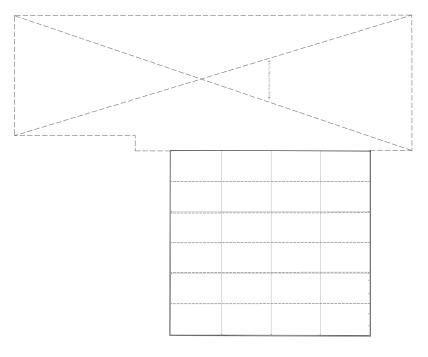
Support Vehicles (Use Class B2), consisting of a service building with 7no. service bays and 1no. storage bay, an ancillary two storey office building, with associated hardstanding, parking, a wash bay, plant, solar PVs, landscaping

and drainage.

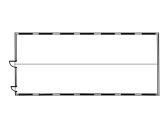
**LBH Ref Nos**: 67666/APP/2023/3721



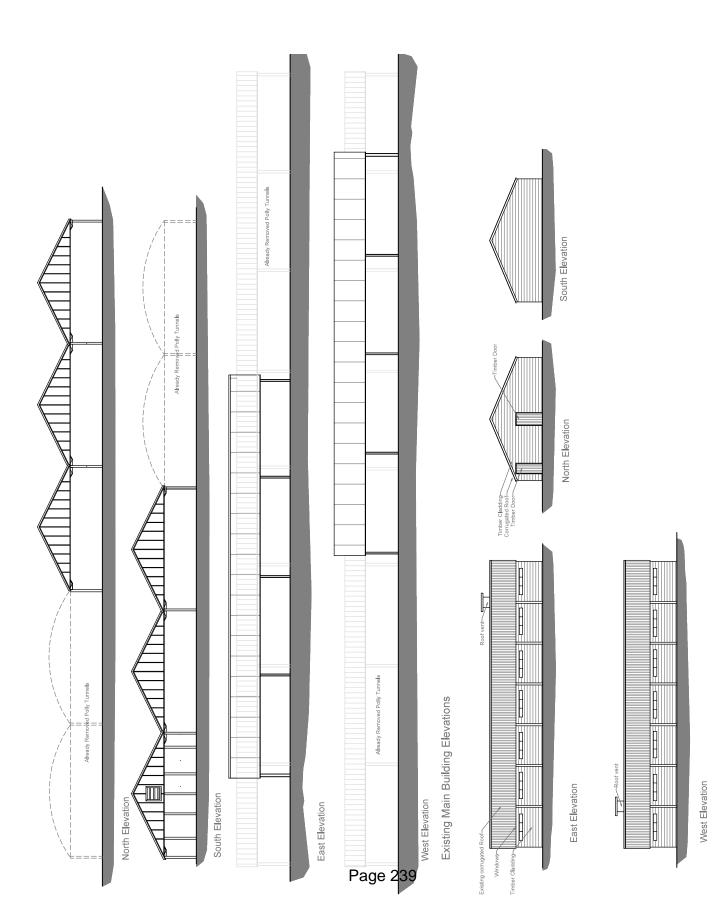
Revisions International Intern		LEWdown Holdings LTD.	Heathrow Garden Centre Floor plans of existing	on site	Sheet Size A1	BCM
Man was to the copy of the cop	-	PLAN Lewdown	te a	buildings	1:200	aairy cer Hill cotney ciclester ce 2 2 63 900 n.co.uk
Creation Date    Common   Comm	1:200	Client	Project Nar	Drawn By	Scale Drawing No.	BCM The Old Dairy Winchester Hill Sutton Scotney Near Winchester Hampshire SO21 3NZ t 01962 763 900 www.bcm.co.uk







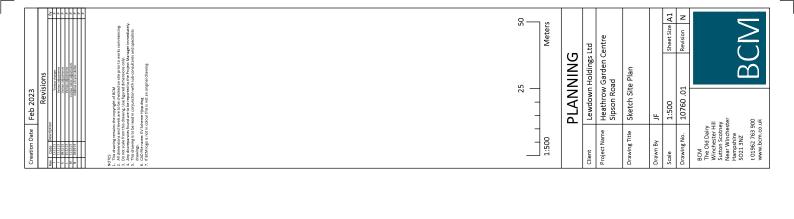
Floor plan of outbuilding as existing Scale 1:200



Existing Barn Elevations

| Project Name | Proj

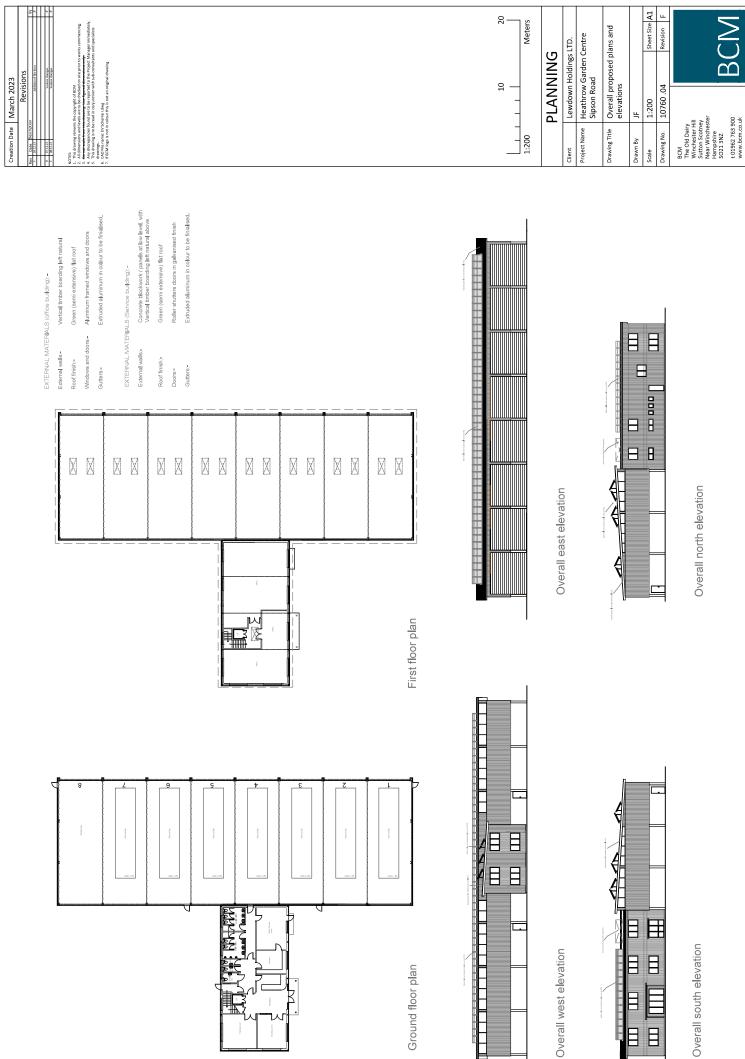
Creation Date | March 2023





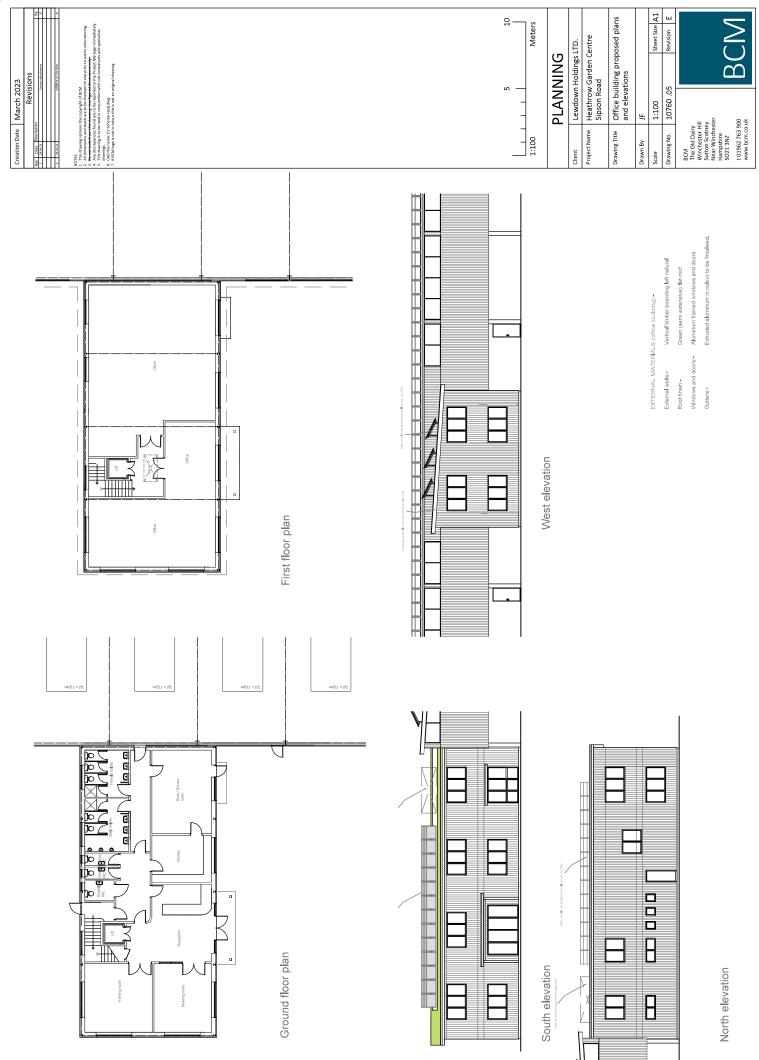
Proposed Plan Scale 1:200

Note:- For details of landscape provision see WH Landscape, Landscape Mitigation Strategy submitted with application

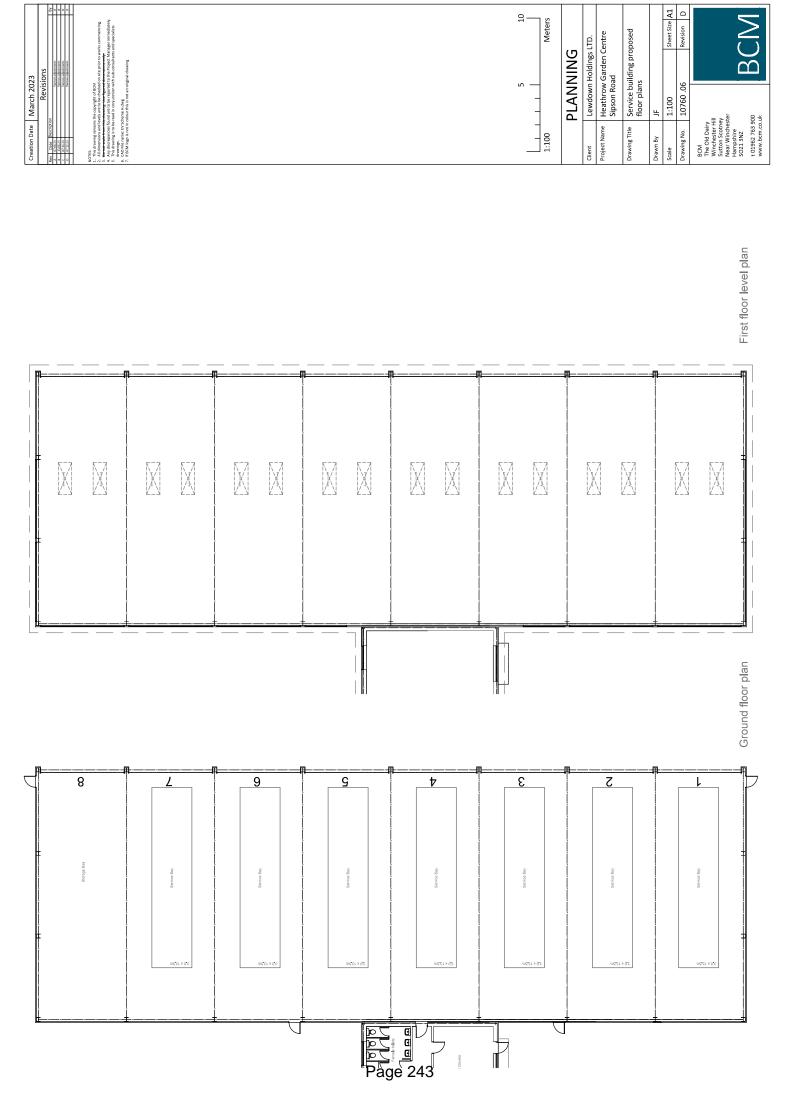


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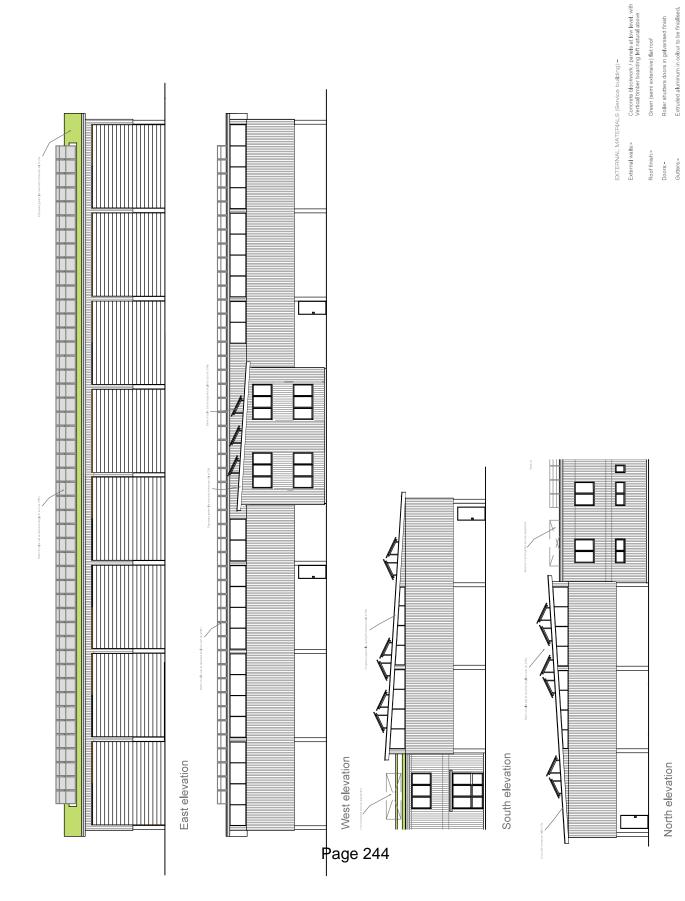
Overall south elevation



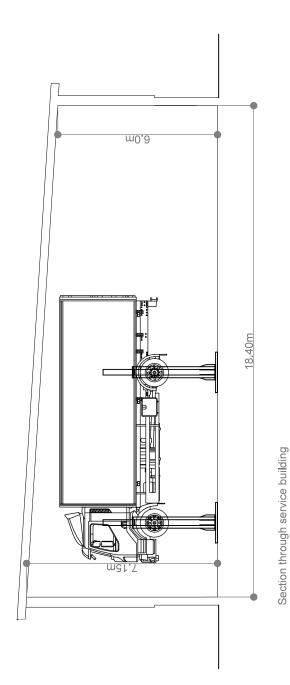
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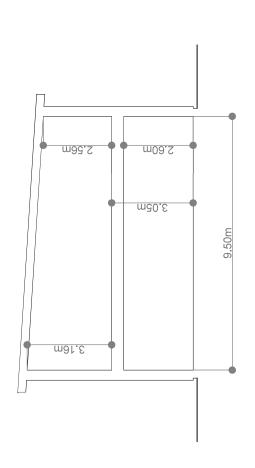






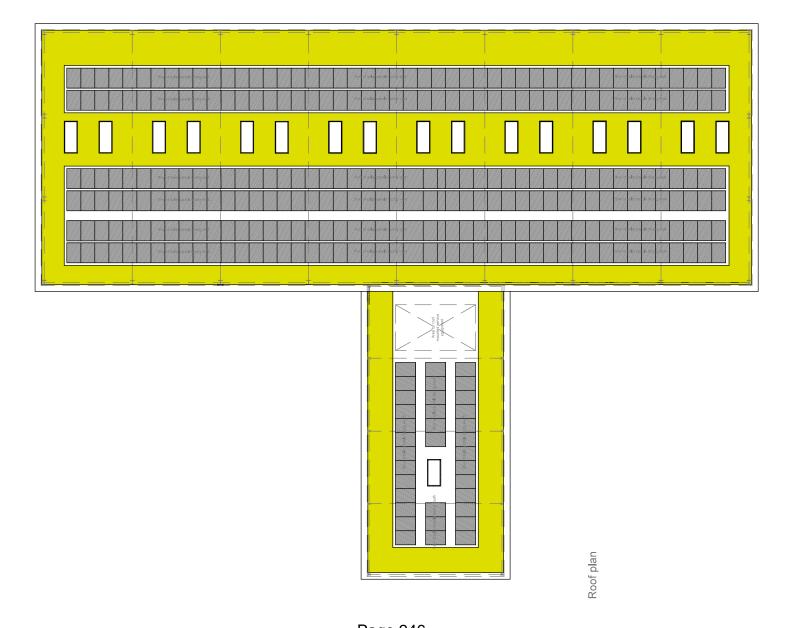






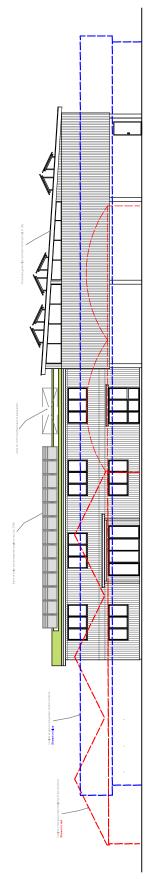
Section through office building



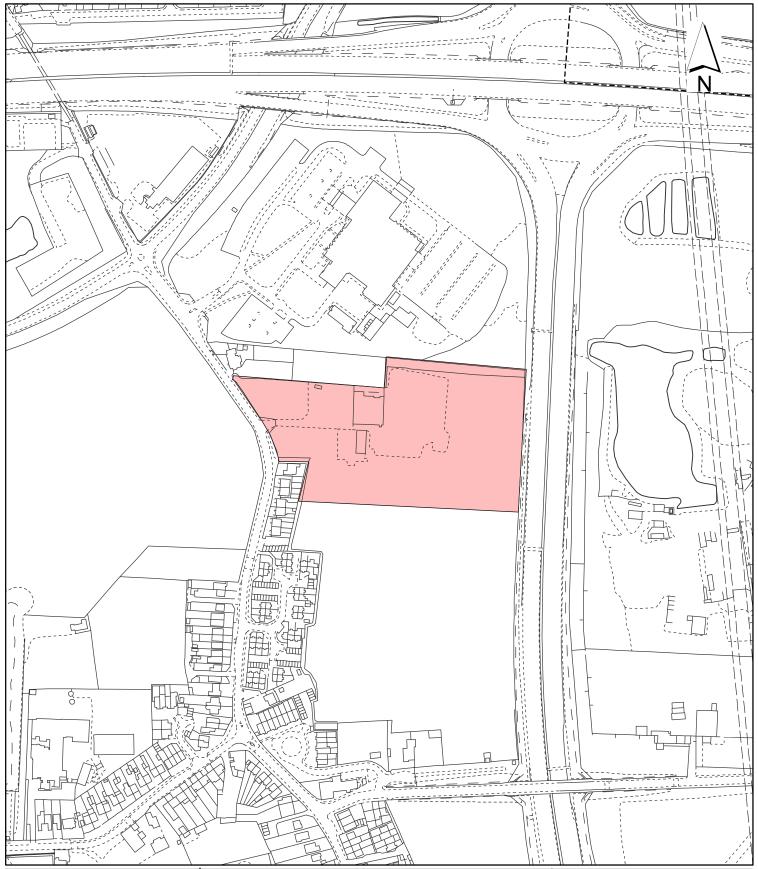


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Overall south elevation, showing outline of building to be removed



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Site Address:

#### **Former Sipson Garden Centre**

lanning Application Ref:	Scale:
67666/APP/2023/3721	1:3,500
lanning Committee:	Date:

Planning Committee:

Major Page 248

June 2024

#### **LONDON BOROUGH** OF HILLINGDON

Residents Services **Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111

