



HILLINGDON
LONDON



Central & South Planning Committee

Date: TUESDAY, 25 MAY 2010
Time: 7.00 PM
Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

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

To Councillors on the Committee

John Hensley (Chairman)
Judith Cooper (Vice-Chairman)
Mike Bull
Paul Buttivant
Brian Stead
Janet Duncan, Labour Lead - Residents'
& Environmental Services
Peter Curling, Labour Lead - Education &
Children's Services

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further information.**

Published: Monday, 17 May 2010

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<http://lbh-modgov:9071/ieListMeetings.aspx?CId=123&Year=2010>

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Useful information

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A useful guide for those attending Planning Committee meetings

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Petitions and Councillors

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

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

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

Representatives of Conservation Area Advisory Panels are also members of the Committees and they advise on applications in their conservation area. They do not vote at Committee meetings

How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;

3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;
4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

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

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

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

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

Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meetings held on 13 & 20 April and 13 May 2010
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and the Press

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

Major Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	Former National Air Traffic Services (NATS) Headquarters, Porters Way, West Drayton - 5107/APP/2009/2348	West Drayton;	Proposed mixed-use redevelopment comprising 773 dwellings (12 studios, 152 one-bedroom flats, 316 two-bedroom flats, 21 two-bedroom houses, 23 three-bedroom flats, 181 three-bedroom houses, 59 four-bedroom houses and 9 five-bedroom houses); Class D1 Primary Healthcare facility and community facility (max. 1,085m²); Class C2 Nursing Home (max. 3,630m²); Classes A1-A3 Shop units (max. 185m²); Class B1 Business units including site management office (max. 185m²); Energy Centre (max. 200m²) with combined heat and power unit; foul water pumping station; associated access roads from Porters Way and	25 - 120

		<p>Rutters Close (pedestrian and cycle access only); 1,085 car parking spaces; cycle parking; public open space areas; cycleways and footpaths; and landscaping works (Outline application to consider access, layout and scale whilst appearance and landscaping are reserved)</p> <p>5107/APP/2009/2348</p> <p>In introducing the report, officers brought the Committee's attention to changes and amendments set out in the Addendum sheet. In respect of amendments to condition 24, a further amendment was made to include '...secure covered cycle storage...' In point (vii) of the Heads of Terms, the word 'study' was replaced with 'scheme'.</p> <p>In accordance with the Constitution, John McDonnell MP spoke in support of, and on behalf of the petitioners. He thanked officers for their comprehensive report and raised the following points and suggestions:</p> <ul style="list-style-type: none">• That the petitioners' objections were not against the scheme itself, but rather the consultation process• That Rutters Close was a small community which was relatively secure with no through traffic• That the petitioners' main concern was related to the proposed cycle path spur through the development on to Rutters Close, which they felt would undermine the concept of the close• That the proposed cycle path through the	
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			<p>development on to Rutters Close may lead to security issues</p> <ul style="list-style-type: none">• Suggested further consultation and the provision of more details• Suggested that the Committee consider this part of the application in respect of the proposed cycle path spur through the development on to Rutters Close, at a latter date. <p>The agent of the application site addressed the Committee and raised the following points:</p> <ul style="list-style-type: none">• The Council's consultation leaflet had outlined the associated pedestrian and cycle access roads from Potters Way and Rutters Close• The final version of the Supplementary Planning Document (SPD) on the site was approved by Cabinet in September 2009 and adopted• Point 3.46 in the SPD stated that pedestrian and cycle routes that provided direct access from the former NATS site in West Drayton Station should be provided to link Porters Way and Rutters Close• During various discussions of the applications there was an indication that pedestrian and cycle provision was required to meet sustainability requirements• Many houses would benefit from the short cut via the green route and sustainable benefits would be achieved by providing this link	
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- Should the Committee reject the proposed cycle path spur through the development on to Rutters Close, this would not make any material difference to the development, but residents living in the Eastern site would lose the benefit of being able to use the short cut to West Drayton Station.

Officers advised that the approval of associated access included vehicular, pedestrian and cycle access, and that if the Committee was minded to close off cycle access to Rutters Close, there would be no further opportunity for the issue of access to be brought back to Committee.

In response to concerns raised about access through Rutters Close, officers advised that if this access was closed, the central spine would be opened at all times. If the Committee considered that the issue could be dealt with by conditions, but to note that the Metropolitan Police Crime Prevention officer had advised that they had no concerns about the issue of crime through Rutters Close.

A Member commented that the issue was purely in respect of the cycle route. Therefore cyclist could cycle a short distance within the estate. However, the route should remain open for pedestrians.

The Chairman commented that part of the application could be approved and the determination of access into Rutters Close could be considered in Reserve Matters as this would allow for more specific consultation to the community.

The Legal Advisor advised that an outline application was before Members, and so were the facts to assist Members in making their decision.

In response to concerns raised about the issue of vibration from an adjoining construction site, officers advised that Condition xiv in the report could be revised in order to protect the proposed development from vibration.

A member asked whether pedestrian would have to around the route to access the site or whether access could be gained via Marlborough Parade directly on to the site. Officers advised that an application including details about this issue would be reported to the Committee under reserved matters.

Condition xxiii was amended to include the wording 'compatible with the Council's CCTV system'.

It was moved and seconded that the recommendation to approve the application subject to S106 Agreement be agreed, subject to the deletion of the associated access road to Rutters Close. On being put to the vote, it was approved subject to the changes in the Addendum sheet and amended conditions, as well as necessary changes to those conditions to delete pedestrian and cycle access from Rutters Close.

RESOLVED

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

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

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

(i) The provision of affordable housing equivalent to a minimum of 10.9% of the total number of habitable rooms comprised within the residential units on the site and for which 72% are to be of the social rent tenure.

(ii) A financial contribution of £3,998,412 towards education facilities.

(iii) The provision of a Primary Care Trust facility in Block F and to include the fit out of the premises to a specification agreed with the Hillingdon PCT as well as a peppercorn rent for a minimum of 3 years. In the event that a PCT facility is not secured on site, the payment of

			<p>a financial contribution of £337,574 towards healthcare facilities.</p> <p>(iv) A financial contribution of £392,220 towards indoor/outdoor sport and recreation facilities.</p> <p>(v) A financial contribution of £420,000 towards TFL bus services.</p> <p>(vi) A financial contribution of £34,000 towards bus stop improvements.</p> <p>(vii) A financial contribution of £25,000 towards a parking management scheme.</p> <p>(viii) The provision of a 10 year Sustainable Travel Plan.</p> <p>(ix) The provision of a minimum of two car club spaces on site.</p> <p>(x) An undertaking to enter into a s278 agreement for highway works between the junction of Station Road and Porters Way and the junction of Stockley Road and Lavender Rise, subject to a detailed design to be agreed between TFL, the Council's Highways Engineer and the applicant's Highways Engineer, and which is not limited to and includes possible widening of Lavender Rise and straightening of the Porters Way and Lavender Rise connection.</p> <p>(xi) An undertaking to enter into a s278 agreement for pedestrian connectivity works to Porters Way and the link between the application site and West Drayton Station having regard to the PERS audit and subject to a detailed design to be finally</p>	
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		<p>agreed between TFL, the Council's Highways Engineer and the applicant's Highways Engineer.</p> <p>(xii) The provision of a community facility on site of not less than 204sqm, fitted out to a standard to be agreed with the Council and available for use by the community at large on a not-for-profit basis.</p> <p>(xiii) A financial contribution of £34,000 towards library facilities.</p> <p>(xv) A financial contribution of £250,000 towards improvements to the Mulberry Parade public realm.</p> <p>(xvi) A financial contribution or works in kind with the agreement of British Waterways of £200,000 towards the Grand Union Canal.</p> <p>(xvii) The provision of a satisfactory training and employment opportunities as well as a coordinator on site to be agreed with the Council.</p> <p>(xvii) An undertaking to provide a heat distribution network on site with the final detailed design to be agreed with the Council and the GLA.</p> <p>(xviii) A financial contribution of £80,304 or equivalent to 1.5% of total value of the contributions sought, whichever is the greater, for the monitoring of the s106and Travel Plan.</p> <p>(xix) An undertaking to establish and maintain a management company with responsibilities set out in</p>	
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		<p>Section 5 'Estate Management Arrangements' of the Planning Statement including a parking management plan and to be finally agreed with the Council.</p> <p>b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.</p> <p>c) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.</p> <p>d) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning and Enforcement, then the application may be referred back to the Committee for determination.</p> <p>e) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.</p> <p>f) That if the application is approved, the conditions and informatives in the officer's report be imposed subject to</p>	
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			<p>any changes negotiated by the Head of Planning and Enforcement prior to issuing the decision.</p> <p>g) That the amendments in the Addendum sheet be noted and the following amended conditions.</p> <p>xiv Protecting neighbours from noise and vibration</p> <p>Reason – To protect amenity of future occupiers in accordance with BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).</p> <p>xxiv A scheme for the provision of Closed Circuit TV compatible with the Council’s CCTV system of buildings, amenity areas and bicycle storage</p> <p>Reason - In pursuance of the Local Planning Authority's duty under Section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Local Planning Authority's powers under Section 2 of the Local Government Act 2000; to reflect the guidance contained in the Council's SPG on Community Safety by Design and to ensure that the development provides a safe and secure environment in accordance with Policies 4B.1 and 4B.6 of the London Plan (February 2008).</p>	
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Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
7	P5 Car Park, Sealand	Heathrow	Erection of an Energy Centre	121 -

	<p>Road, Heathrow Airport - 66849/APP/2010/479</p>	<p>Villages;</p>	<p>comprising two buildings (Energy Centre Building and Operations Building) and associated infrastructure (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).</p> <p>66849/APP/2010/479</p> <p>Officers drew the Committee's attention to the Addendum Sheet to note that comments had been received from the Environment Agency and that informative 6 in the officer's report should now be deleted, as it no longer applied.</p> <p>The Committee attached two additional conditions in respect of SUDS and Graywater drainage.</p> <p>The recommendation for no objection subject to the Consultation and Informatives was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That no objection has been raised subject to the consultations and informatives set out in the officer's report and the Addendum Sheet and the following additional considerations:</p> <p>SUDS: No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.</p> <p>Reason - To ensure that surface water run off is handled as</p>	<p>144</p>
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			<p>close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.</p> <p>Grey Water Recycling: Prior to commencement of development details showing how grey water recycling facilities will be built into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved grey water recycling facilities shall be maintained and retained for the lifetime of the building.</p> <p>Reason - In order to provide a sustainable form of development and promote water conservation in compliance with policies 4A.9, 4A.11 and 4A.14 of the London Plan (Consolidated with Alterations since 2004).</p>	
8	92-104 High Street, Yiewsley - 59189/APP/2010/403	Yiewsley;	<p>Application for a new planning permission to replace extant planning permission ref. 59189/APP/2005/3476 (Erection of a four storey building for a mixed use development comprising retail units (C1) at ground floor and 54 residential units on the upper floors (C3) with basement parking, involving demolition of existing buildings)in order to extend the time limit for implementation of the planning permission for a further 3 years from the date of</p>	145 - 170

			<p>approval</p> <p>59189/APP/2010/403</p> <p>In introducing the report, officers highlighted to the Committee that the difference of 20 metres between the elevations were considered to be appropriate at the time the HADAS was adopted. Members were advised to note that the changes that had been highlighted were those that were specific to the conditions that were part of this scheme, as set out in the Addendum Sheet.</p> <p>In response to a query about the submitted plans, officers advised that there were uncertainties in respect of the proposed parking encroaching into the public highway. Therefore, officers would need to seek clarification over this matter and report the outcome back to a future Committee meeting.</p> <p>In view of the issue highlighted, it was proposed and seconded that the application be deferred for clarification on the encroachment of the proposed parking into the public highway. On being put to the vote, the application was deferred.</p> <p>Resolved – That the application be deferred for clarification on the issue of encroachment of the proposed parking into the public highway, and the outcome to be report to a future Committee meeting.</p>	
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Non Major Application without a Petition

	Address	Ward	Description & Recommendation	Page
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9	18 Hamilton Road, Hayes - 16785/APP/2009/2719	Townfield;	<p>Single storey outbuilding to rear for use as store/ playroom/gym (Retrospective application)</p> <p>16785/APP/2009/2719</p> <p>The recommendation for refusal was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Refused for the reasons set out in the officer’s report.</p>	171 - 178
10	50 High Street, Uxbridge - 36976/APP/2010	Uxbridge South;	<p>Change of use of ground and first floor from Class A1 (Retail) to Class A2 (Financial and Professional Services)</p> <p>36976/APP/2010/353</p> <p>In introducing the report, officers advised that Policy S11 established threshold uses of 70% and the proposed development would exceed this to 75%. It was explained that the harm associated with the loss of A1 use, the Unitary Development Plan (UDP) targeted the policy toward retaining A1 uses to ensure the viability of the town was maintained. It was noted that the Uxbridge town centre was relatively vibrant.</p> <p>The Chairman commented that there was a difference between 24 metres and 12 metres and considered that this would have a material impact on the viability and functioning of the town centre and that the drawings submitted were out of date.</p> <p>Officers advised that the town centre information had been provided at the time of the submission of the planning application and that the town centre retail study had been</p>	179 - 190

			<p>prepared prior to the submission of the application. It demonstrated that the town centre was vibrant and officers were of the opinion that the scheme would not materially harm the town centre's continued vibrancy.</p> <p>A Member added that this development would enable people to access the bank even after the Pavilion was closed in the evenings, and that the amount of the variety of units within the Chimes should ease any concerns about viability of the town centre.</p> <p>Members were advised that PPS 4 (last year) Paragraph 10 – set out the government objectives for setting a prosperous economy and that this application met those objectives, as it was very different to the model banking, as it was offering greater competition to outside of normal hours to an existing vibrant town centre.</p> <p>The Committee amended condition 3 to ensure that, should the applicant cease trading, the use would be converted back to A1 use.</p> <p>The recommendation for approval subject to condition 3 being amended was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – That the application be Approved, subject to the conditions and informatives set out in the officer's report, amendments to condition 3 and in the Addendum sheet.</p>	
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The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

ENFORCEMENT REPORT

11 Enforcement Report

Resolved - That decision on the enforcement report be deferred for clarification.

12 Enforcement Report

Resolved

1. **That enforcement action as recommended in the officer's report be agreed**
2. **That the Committee resolved to release their decision and the reasons for it outlined in this report be released into the public domain, solely for the purpose of issuing the formal enforcement notice to the individual concerned.**

Any Items transferred from Part 1

Any Other Business in Part 2

Plans for Central and South Planning Committee