

**Report of the Corporate Director of Planning, Environment,
Education and Community Services**

- Address:** SOUTH RUISLIP LIBRARY, PLOT B, VICTORIA ROAD,
RUISLIP
- Development:** Erection of a part three and a half, part four storey block and a
three storey block comprising a total of 19 one-bedroom and 12
two-bedroom flats, together with associated parking and amenity
space
- LBH Ref Nos:** 67080/APP/2010/1420
- Drawing Nos:** As per original committee report
- Date application approved at
Committee** 19th May 2011

1.0 CONSULTATIONS

None

2.0 RECOMMENDATION

a) That the Heads of Terms of the S106 agreement as set out in the report to the North Planning Committee of the 19th May 2011 be amended to read as follows:

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land)

a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

- i) The provision of highway improvements along Victoria Road, including right turning lane, reinstatement of the existing access and creation of new access arrangements.**
- ii) The provision of a formula calculation towards educational facilities.**
- iii) The provision of a formula calculation (£216.67 per person) towards healthcare facilities.**

iv) The provision of a formula calculation (£23 per person) towards local library facilities
v) The provision of a formula calculation towards construction training, in line with the SPD, (£2,500 for every £1 million build cost + 31 (number of units) /160 x £71,675 = total contribution).
vi) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.

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

c) That planning officers be authorised to negotiate and agree details of the proposed Statement.

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, then the application may be referred back to the Committee for determination.

e) That no planning permission be approved until the statement of intent concerning application reference 67080/APP/2010/1419 has been varied as per the decision of the North Planning Committee of the 17th November 2011.

f) That subject to the above, the application be deferred for determination by the Head of Planning under delegated powers, subject to the completion of the Statement.

g) That if the application is approved, the following conditions be attached:

3.0 KEY PLANNING ISSUES

3.1 The current planning application was reported to the North Planning Committee on the 19th May 2011, when it was approved subject to the completion of a S106 agreement. This agreement has yet to be completed and the no decision notice has been released on the application.

3.2 The original heads of terms for the S106 agreement for this application included the following clause:

ii) 16% of the scheme, by habitable room, is to be delivered as affordable housing with the tenure and unit mix to be agreed with the Council.

The applicant has requested that this requirement be removed from the agreement on this site and has agreed to provide the required affordable housing on the adjoining site, Plot A, which was granted permission for the development of a three storey building to provide a new library, adult learning facilities, florist shop and 10 one-bedroom flats at your committee of the 26th August 2010. The Section 106 agreement on Plot A did not have any clauses relating to the provision of affordable housing. The original clause required 16% of the scheme, by habitable room, to be delivered as affordable housing, which would have amounted to 12 habitable rooms. The applicant has agreed that all of the 10 x 1 bedroom units to be developed on this site will be provided as affordable housing, which is the equivalent to the provision of 20 habitable rooms. The proposal will therefore deliver more affordable housing than originally agreed. This being the case the loss of the affordable housing element on this site is considered acceptable.

- 3.3 Accordingly, approval is recommended to the deletion of clause (ii) of the Heads of Terms as set out in the report to the North Planning Committee of the 19th May 2011, subject to the conditions and informatives contained within this report.

OBSERVATIONS OF BOROUGH SOLICITOR

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

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

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached. Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective. Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for the Council.

Reference Documents

- (a) North Panning Committee Agenda 19th May 2011. Report for application Reference 67080/APP/2010/1420.
- (b) North Planning Committee Minutes 19th May 2011.

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APPENDIX A

Agenda Item 6

Report of the Head of Planning & Enforcement Services

Address SOUTH RUISLIP LIBRARY, PLOT B VICTORIA ROAD RUISLIP

Development: Erection of a part three and a half, part four storey block and a three storey block comprising a total of 19 one-bedroom and 12 two-bedroom flats, together with associated parking and amenity space

LBH Ref Nos: 67080/APP/2010/1420

Drawing Nos: Contaminated Land Assessment - Technical Summary, dated 11/06/10
Phase II Geoenvironmental Assessment Report, September 2009
Preliminary Contamination Assessment Report, September 2009
2009/D42B/P/23
2 (Hard and Soft Landscape Plan)
Arboricultural Impact Assessment, dated 14th June 2010
Transport Statement, dated 10/06/10
Noise Assessment, May 2010
Energy Statement, June 2010
Flood Risk Assessment, April 2010
2009/D42B/P/22 Rev. B
Design and Access Statement, Revised September 2010
2009/D42B/P/02
2009/D42B/P/03
2009/D42B/P/04
2009/D42B/P/05 Rev. D
2009/D42B/P/19 Rev. B
2009/D42B/P/23 Rev. A
2009/D42B/P/24
2009/D42B/P/27 Rev. A
2009/D42B/P/28 Rev. A
2009/D42B/P/29 Rev. A
2009/D42B/P/08 Rev. B
2009/D42B/P/09 Rev. B
2009/D42B/P/10 Rev. B
2009/D42B/P/11 Rev. A
2009/D42B/P/12 Rev. B
2009/D42B/P/13 Rev. B
2009/D42B/P/20 Rev. B
2009/D42B/P/21 Rev. B
2009/D42B/P/18 Rev. E
2009/D42A/P/07 Rev. F
2009/D42B/P/26 Rev. D
2009/D42B/P/30 Rev. B

Date Plans Received:	16/06/2010	Date(s) of Amendment(s):	16/06/2010
Date Application Valid:	16/06/2010		04/10/2010
			11/10/2010
			13/04/2011

1. SUMMARY

This application seeks full planning permission for the redevelopment of the site on the edge of the South Ruislip Local Centre on the north eastern side of Victoria Road to

provide two residential blocks, one three and a half/four storeys, the other three storeys to provide a total of 31 flats, with 36 off-street car parking spaces.

Following concerns raised by officers, amended plans have been received which improve the spacing around the buildings and the overall design of the scheme.

Although the density exceeds the density range recommended by the Mayor, the proposed scheme is considered appropriate on the edge of the South Ruislip Local Centre and when considered together with the previously approved mixed use scheme on the adjoining Plot A, the separation of the two sites being somewhat superficial, with the approved scheme including a significant residential element, the overall density would accord with guidance. It is not considered that the proposed development would have a significant detrimental impact on the character or appearance of the surrounding area and it would satisfactorily harmonise with the scale, massing and design of the replacement mixed use library building approved on the adjoining site, known as Plot A (67080/APP/2010/1419 refers). Furthermore, the residential amenity of existing and proposed neighbouring occupants would not be adversely affected and an acceptable internal living environment would be created for future occupants. Although the amount of private amenity space is deficient, particularly serving Block 2, the shortfall is not considered to be significant, particularly as all units would have an individual patio or balcony area and there are other spaces at the front of the blocks, which although not so private as the rear gardens, would provide a suitable level of amenity to be usable by some occupants. Furthermore, the Highway Engineer raises no objection to the scheme and although part of the site does lie within Flood Zone 2, a sequential test did not identify any more suitable sites and the Environment Agency do not object to the proposal. Accordingly, approval is recommended.

2. RECOMMENDATION

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land)

a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

i) The provision of highway improvements along Victoria Road, including right turning lane, reinstatement of the existing access and creation of new access arrangements.

ii) 16% of the scheme, by habitable room, is to be delivered as affordable housing with the tenure and unit mix to be agreed with the Council.

iii) The provision of a formula calculation towards educational facilities.

iii) The provision of a formula calculation (£216.67 per person) towards healthcare facilities.

iv) The provision of a formula calculation (23 per person) towards local library facilities

v) The provision of a formula calculation towards construction training, in line with the SPD, (£2,500 for every £1 million build cost + 31 (number of units) /160 x £71,675 = total contribution).

vi) A cash contribution equal to 5% of the total cash contribution to enable the

management and monitoring of the requirements of the legal agreement.

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

c) That planning officers be authorised to negotiate and agree details of the proposed Statement.

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.

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 Statement.

f) That if the application is approved, the following conditions be attached:-

1 SP01 Council Application Standard Paragraph

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land.

2 T8 Time Limit - full planning application 3 years

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

REASON

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

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

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

4 OM2 Levels

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

REASON

To ensure that the development relates satisfactorily to adjoining properties in

accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. 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) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) 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.
- (vii) 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 OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

6 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

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

7 M3 Boundary treatment - details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the [use hereby permitted is commenced] or [building(s) is (are) occupied or [in accordance with a timetable agreed in writing by the Local Planning Authority]]. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan 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 3998 (1989) 'Recommendations for Tree Work' 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 BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

REASON

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

10 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in 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 in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

13 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

14 NONSC Non Standard Condition

Notwithstanding the approved plans, prior to the commencement of development, full details of the proposed bathrooms in the residential units, to include details relating to layout, floor gully drainage, etc, shall be submitted to and approved in writing by the Local Planning Authority. With regards to the proposed wheelchair accessible flat, details of the shower access and perimeter drainage, specifically, should be provided.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

15 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

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

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

16 NONSC Non Standard Condition

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the Local Planning Authority. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby

permitted remains on site.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

17 NONSC Non Standard Condition

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

REASON

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

18 NONSC Non Standard Condition

Prior to the commencement of development, full details of covered and secure cycle storage provision for at least 31 bicycles for the proposed residential units, shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed prior to the first occupation of the building hereby permitted and thereafter permanently retained and maintained for so long as the development remains in existence. The cycle parking should be regularly monitored and additional storage provided if demand dictates.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in the Council's Cycle parking Standards in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 NONSC Non Standard Condition

The development hereby approved shall not be occupied until the car parking area has been laid out, surfaced, lit and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority This area shall be permanently maintained and available for the parking of vehicles at all times thereafter to the Authority's satisfaction.

REASON

To ensure the scheme is supported by adequate parking provision, to ensure pedestrian and vehicular safety and convenience and to ensure the development does not increase

the risk of flooding in accordance with policies AM7(ii), AM14 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter C of the London Plan (February 2008).

20 NONSC Non Standard Condition

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

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking and loading facilities in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter C of the London Plan (February 2008).

21 NONSC Non Standard Condition

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

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking and loading facilities in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter C of the London Plan (February 2008).

22 NONSC Non Standard Condition

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

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking and loading facilities in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter C of the London Plan (February 2008).

23 NONSC Non Standard Condition

Development shall not begin until a scheme for the allocation and designation of one parking space to each of the residential units, for their sole use, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the parking spaces shall be allocated and provided for the use of those residential units only for so long as the development remains in existence.

REASON

To ensure the scheme is supported by adequate parking provision in accordance with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

24 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the

development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the '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).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

25 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

26 NONSC Non Standard Condition

The residential development hereby permitted shall be built to a minimum of Level 3 of the Code for Sustainable Homes (or its successor). No development shall take place until a Design Stage assessment (under the Code for Sustainable Homes or its successor) has been carried out and a copy of the summary score sheet and Interim Code Certificate have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure the development proceeds in accordance with the policy aims of Policy A4.3 and Policy A4.16 of the London Plan.

27 NONSC Non Standard Condition

Prior to the first occupation of the residential development, a copy of the summary score sheet and Post Construction Review Certificate (under the Code for Sustainable Homes or its successor) shall be submitted to the Local Planning Authority verifying that the agreed standards have been met.

REASON

To ensure the development proceeds in accordance with the policy aims of Policy A4.3 and Policy A4.16 of the London Plan.

28 NONSC Non Standard Condition

The internal floor levels of the development shall be at or above 35.34m OD.

REASON:

In order to safeguard against flooding, in accordance with policy OE8 of the saved UDP, policies 4A.12, 4A.13 and 4A.14 of the London Plan (February 2008) and PPS25.

29 NONSC Non Standard Condition

Development shall not begin until a detailed surface water drainage scheme, based on the principles set out in the Flood Risk Assessment (FRA) for the site dated April 2010, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding, improves and protects water quality, improves habitat and amenity, and ensures future maintenance of the surface water drainage system, in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12, 4A.13 and 4A.17 of the London Plan (February 2008) and PPS25.

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).

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures

OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS	Residential Layouts Accessible Hillingdon

3 11 Building to Approved Drawing

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

4 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

5 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed

plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 15 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

7 16 Property Rights/Rights of Light

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

8 111 The Construction (Design and Management) Regulations 1994

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

9 115 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 should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

10 119 **Sewerage Connections, Water Pollution etc.**

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

11 134 **Building Regulations 'Access to and use of buildings'**

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

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

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

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

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

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

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.

· Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

12 I45 **Discharge of Conditions**

Your attention is drawn to condition(s) 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 17, 18, 23, 24, 26, 27 and 29 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

13 I47 **Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

14

It is contrary to Section 163 of the Highways Act 1980 for surface water from private land to drain onto the highway or discharge into the highway drainage system.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.24 hectare irregularly shaped plot located on the north east side of Victoria Road in South Ruislip. The site is known as Plot B and forms one of three plots as part of a linear site along this side of Victoria Road which is being re-developed by the Council. This is the middle plot, located between the site of the former South Ruislip library building, known as Plot A and the adjoining site to the south east which has now been redeveloped as a youth centre. The application site, together with Plot A has been cleared of buildings and are enclosed with hoarding. The north western part of the application site previously comprised part of the car park for the library, with the south eastern part accommodating part of the former Swallows gymnasium building and its associated car park.

Victoria Road forms the south west boundary of the site, on the opposite side of which is a Sainsbury's supermarket, with associated service yard, car park and service station. The site is bounded to the north west by the site of the former South Ruislip library building, which has permission to be re-developed to provide a new three storey building to comprise library, adult learning facilities, florist shop and 10 one-bedroom flats, together with associated parking (ref. 67080/APP/2010/1419). Beyond the library is a three storey residential block known as Kelvedon Court and residential houses which front Long Drive. The site is bounded to the south east by the newly built part single, part two, part three storey South Ruislip Youth Centre (ref. 66408/APP/2009/2202). Beyond this building are

tennis courts used by Queensmead School and its playing fields also adjoin the application site along its north east boundary.

The western part of the site, comprising the former library car park and the site of the library building itself, forms part of the South Ruislip Local Centre. The remainder of the site, together with the site of the youth centre to the south east and playing fields to the north east form part of the 'developed area' as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

This application seeks full planning permission for the redevelopment of Plot B to provide two residential blocks, a three and a half/four storey block adjoining Plot A (Block 1) and a three storey block adjoining the Young People Centre (Block 2). In total, 31 residential flats are proposed, with 11 one-bedroom and 4 two-bedroom flats in Block 1 and 8 one-bedroom and 8 two-bedroom flats in Block 2. In total, 36 off-street car parking spaces are proposed including 4 disabled person spaces.

The two blocks would be sited at each end of the site, along the north west and south east side boundaries with parking mainly provided between the two blocks, accessed by a centrally sited vehicular crossover. The blocks would be at a slight angle to Victoria Road, set back by 3m to 7m. Following concerns raised by officers, the scheme has been amended, involving alterations to the scheme's layout with more space being created around the blocks. The mix of the units has also changed (as opposed to the 15 one-bedroom and 16 two bedroom units originally proposed), with two units being re-located within the roofspace of Block 1 and alterations to the design of the blocks. The main shared amenity space is provided at the rear of each of the blocks, although all the ground floor units now have their own individual patio areas and the majority of the units above would have a balcony. There would be a seating out area between the two blocks, with landscaping along the front of the site. There is also a third floor roof terrace in Block 1.

Block 1 would have a main width of 28.8m and overall depth of 18.7m. It would be finished with a ridged roof, with a main eaves height of 8.2m and ridge height of 14.8m. The roof would contain a gable feature and three dormers in the front, with a half gable returning along the side. At the rear would be a projecting three storey wing, with the roof terrace above. An undercroft parking area would replace part of the ground floor adjoining the central car park. Balconies are proposed to the front, side and rear elevations. The block would comprise 15 units, with 2 x one-bedroom and 1 x two-bedroom units on the ground floor, together with the undercroft parking, cycle and refuse storage, 4 x one-bedroom and 1 x two-bedroom units on the first and second floors and 1 x one-bedroom and 1 x two-bedroom units in the roofspace, together with the roof terrace.

Block 2 would have a main width of 27m and overall depth of 19.8m. It would also be finished with a ridged roof, with a main eaves height of 8.2m and ridge height of 12m and also contain a gable feature at the front and rear, with half gable features at opposite corners of the building. A smaller undercroft parking area would be provided adjoining the car park. Balconies also characterise the front and rear elevations. The block would comprise 16 units, with 2 x one-bedroom and 2 x two-bedroom units on the ground floor, together with the undercroft parking and refuse storage, 3 x one-bedroom and 3 x two-bedroom units on the first and second floors.

A number of reports have been submitted in support of the application, namely:-

Design and Access Statement (Revised September 2010):

This report outlines the context for the development and provides a justification for the scheme, layout, scale and access for the proposed development. The report also provides a summary of a number of the submitted reports.

Transport Statement:

This provides a context for the development and describes the site, the availability of public transport and the proposal. A Trip Rate Information Computer System (TRICS) traffic database was utilised to assess the likely traffic generation and other road usage associated with 31 flats. It estimates total AM (08:00 - 09:00) and PM (17:00 - 18:00) peak hour traffic at 4.6 and 3.8 vehicles respectively. This level of traffic would have no material impact upon the junction capacity. Similarly, the capacity of local public transport would not be affected.

The parking provision would satisfy maximum standards set out in the London Plan and in Hillingdon's UDP and given the parking restrictions on the surrounding roads, this provision will be self-enforcing. Cycle parking will also be provided at a ratio of 1 space per unit.

The new access has adequate visibility recommended in Manual for Streets with at least 43m x 2.4m and will not interfere with the existing bus stop.

Even considering the development of this and the adjoining development on Plot A, the total AM and PM peak increases to 6.1 and 5.0 vehicles respectively which will have no material impact on the junction capacity.

Noise Assessment:

This describes the site and provides the statutory background for the assessment and describes the noise measurements taken. The assessment demonstrates that road traffic on Victoria Road is the main source of noise with noise from Sainsbury's service yard being audible, but not identifiable on the measurement trace during the day, although it did become just detectable during the night. The results show that it is only the facade facing Victoria Road that requires mitigation from noise. Measures suggested include a thicker layer of plasterboard on the ceilings, a high specification through-the-wall ventilator and higher sound insulation specification for the windows.

Energy Statement:

This provides a site description and the statutory context for the report. It concludes that energy efficiency measures can reduce emissions by up to 13% with the remaining emission reductions to be provided by low and zero carbon technologies. The review of renewable energy options suggests that PV panels would be the preferred option.

Arboricultural Impact Assessment Report:

The statement examines the health, vigour and integrity of existing trees on site, assesses their retention value and makes recommendations for mitigation. The report advises that there are 11 trees, groups or hedges in total on site. Of these, 10 are low quality and 1 is poor quality. Such trees do not constrain development and individual tree loss would have a low impact, although the aggregate loss may require mitigation. The report goes on to

advise that all of the trees will be removed but the sites re-development offers the opportunity for replacement planting with appropriate species which will follow the planting on Plot A, with the native downy Birch along the front and rear boundaries.

Preliminary Contamination Assessment Report:

This presents the findings of a preliminary contaminated land risk assessment for the site. It primarily considers historical information and records. As the site comprised a library and gym, with areas of car parking and prior to this agricultural farmland, the report concludes that the risk of contamination is very low.

Phase II Geoenvironmental Assessment Report:

This report describes the site, the investigation methodology and the underlying ground conditions found on site. The results are assessed and recommendations are made for remediation measures.

Flood Risk Assessment:

The report states that part of the site is within Flood Zone 2 (the medium probability flood area). To manage the 0.1% annual probability climate change flood level of 35.34m AOD, finished floor levels will be set at or above this height. The topographical survey also shows that Victoria Road is above this level for the majority of its frontage so access to the site should be available during an extreme flood event. Sufficient on site storage in the form of underground tanks will also be provided to manage storm flows.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant recorded planning history relating specifically to this site. However, the following applications are considered to be relevant to this scheme:

67080/APP/2010/1419 - Erection of a three storey building to provide for a new library, adult learning facilities, florist shop, 10 one-bedroom flats, together with associated parking and external works (involving demolition of existing library building) - Approved 08/11/10.

66408/APP/2009/2202 - Erection of single storey building for use as youth centre with associated parking and landscaping (land to south east of former Ruislip Library forming part of former Swallows Gym) - Approved 04/12/09.

4. Planning Policies and Standards

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25: Development and Flood Risk

Planning Policy Guidance 13: Transport

Planning Policy Guidance 24: Planning and Noise

London Plan (Consolidated with Alterations since 2004), February 2008

London Plan Interim Housing Supplementary Planning Guidance, April 2010

Supplementary Planning Guidance - Community Safety by Design

Supplementary Planning Guidance - Noise

Supplementary Planning Guidance - Air Quality

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.20 To give priority to retail uses at ground floor level in the Borough's shopping areas.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- OE11 Development involving hazardous substances and contaminated land -

	requirement for ameliorative measures
H4	Mix of housing units
H5	Dwellings suitable for large families
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS	Residential Layouts Accessible Hillingdon

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th December 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Original Plans

284 local properties have been consulted and site and press notices have been posted. 4 responses have been received, making the following concerns:

- (i) Overdevelopment of the site which will be incongruous with surrounding area;
- (ii) Parking will not be sufficient as it is being assumed that residents will only have one car per flat and that residents will not have visitors;
- (iii) Proposed development is only 50 yards from a set of traffic lights which is seriously congested at peak times and very busy at all other times. Total of proposals on Plots A and B is for 41 units which will be in middle of a daily traffic jam, and increased congestion and on-street parking will make situation much worse;
- (iv) Surrounding houses benefit from looking out across the green fields;
- (v) South Ruislip already densely populated which will be exacerbated by proposal with more overcrowding turning area into a grim suburb. Infrastructure already overloaded;

- (vi) Continuously increasing traffic results in additional pollution and noise which is making life unbearable for existing residents;
- (vii) Development requires additional facilities, particularly school places as many children already do not get their first choice of school and this development will make matter worse;
- (viii) Adjoining youth club next door went ahead against local wishes;
- (ix) Adjoining football club stays open past 11:00 PM;
- (x) How long before playing fields are developed?
- (xi) Flats would overlook our property on the opposite side of the playing fields;
- (xii) Flats will appear large and unsightly;
- (xiii) Money for development would be better spent on a relief road between Victoria Road and the A40.

South Ruislip Residents Association: No response received.

Environment Agency: There is no requirement to consult the Environment Agency on this application

Internal Consultees

URBAN DESIGN OFFICER:

ORIGINAL PLANS:

The proposed scheme regards the regeneration of a centrally located brownfield site for the purpose of a replacement library, education facilities for the relocation of adult education from a Ruislip High School and residential flats. The application site is centrally located within a short walking distance from South Ruislip Underground Station. Directly opposite the library site is a large scale retail development. The proposed library and education facilities provide important complementary services which assist in creating a diverse, well balanced town centre environment, providing cultural services in close proximity to leisure, sport and commercial services.

To the north west of the elongated plot is a three storey residential development, Kelvedon Court, which is very well screened from the development site by robust vegetation as well as a respectable distance. Immediately to the south of the application site is a new Youth Centre under construction. Further to the south are existing tennis courts, whilst large open Playing fields abuts the site to the east. The proposed scheme, which forms a linear development along Victoria Road forms an important extension of the town centre. From an urban design point of view it is of great importance to continue the avenue character of the street scene in a similar way to the continuous line of Plane trees and complementary hedge planting which screens the large scale customer car park opposite the site.

The site as a whole consists of three compact built components, separated by surface car parking facilities. Because of the narrow shape of the plot, space for amenity facilities within the site are most restricted. In addition, at the most narrow point of the site, there is very little available space left for complementary planting, and is therefore not possible to achieve the required avenue character with the current layout arrangements.

From an urban design point of view it would therefore be advisable to create a residential development of the same height as the library building, and as a result free up some vital open space along the street frontage, as well as between Block A and B. The single storey elements forming the entrance point to these two blocks do however not contribute to the enhancement of the streetscene, but are considered to be out of character with the development as a whole. It would therefore be preferable to prolong Block 1 slightly to the south and omit the single storey elements as a whole, as the proposed undercroft parking facilities provides a visually poor, dark and unsafe environment. Block 2 could also be increased in height at the northern end, and then step down

gradually at the southern end. The open space between two built elements, Block 1 and 2, should then be further enhanced by strategic tree planting and other greenery.

Elements of public art should be incorporated into the landscaping scheme, for example in the form of bespoke entrance gates, an interesting signage or wall feature to create a strong sense of place. The art initiatives could be a joint venture with the local community, and incorporate the Library, the residential blocks as well as the adjacent Youth Centre.

The proposed building materials such as the combination of fairface brickwork and coloured render, matched by the slated roof and powder coated details in grey are fully supported, and underline the simplistic and contemporary design approach of the development.

Conditions

1. To be built in accordance with drawings (when amended).
2. Samples of all building materials and hard landscaping materials to be submitted to the LPA and agreed in writing prior to the commencement of works.
3. Fully detailed drawings of all boundary treatment, including gates, railings and fences to be submitted to the LPA and agreed in writing prior to the commencement of works.

AMENDED PLANS:

PROPOSAL: Erection of two blocks of three and four storey flats, with parking and ancillary development

BACKGROUND: This is a very tight site of irregular width, located between Ruislip Manor library and the Young People's Centre, and backing on to the playing fields.

The scheme has been amended, in discussion with the architects, to produce a modern design which is coherent in its roofscape, as simplified and as sleek as possible in its elevational appearance, and appropriate in its relationship with surrounding buildings and setting. As the scheme would be visible from all viewpoints, including from the rear, attention to detail has been important. In this way, the apparent scale and bulk of these blocks has been reduced to enable them to be absorbed satisfactorily into the streetscape.

RECOMMENDATIONS: Acceptable. Samples of all materials required.

TREE OFFICER:

THE SITE (Landscape) & TREES: This flat site is located on the eastern edge of the local centre. There is a long line of semi-mature (London Plane) trees on the south-western side of Victoria Road. These trees, and others further to the east of the site, form a large-scale landscape feature between the road and the large retail buildings on that side of it. The north-eastern side of the road is more open with some individual and small groups of trees.

There are two small groups of trees on the road frontage and two trees close to the rear boundary of the site.

The trees on and close to the site, which are shown on the topographical/tree survey drawing, have been surveyed, in accordance with the recommendations of BS 5837:2005, by Landmark Trees. The results and interpretation of the results of the survey are presented in the Arboricultural Impact Assessment Report (June 2010). The report includes tree survey/constraints, arboricultural impact

assessment and plan.

No trees are categorised as 'A' grade (good quality and landscape value, where protection and retention is most desirable as part of any redevelopment), nor as 'B' grade (fair quality and value, worthy of protection and retention as part of any redevelopment). The other trees/groups/hedges are all 'C' rated (poor), which could be retained but, subject to replacement planting, are not a constraint on the development of the site, or 'R' (remove).

The tree survey/constraints drawing shows the root protection areas (RPAs) for the trees which define construction exclusion zones necessary to safeguard trees from built development, or interference within the root zone.

The trees on and close to the site are not protected by Tree Preservation Order or Conservation Area designation.

THE PROPOSAL & PRELIMINARY APPRAISAL: Based on the recommendations of BS 5837, the design of the development of the site should be informed by the tree survey/report.

The redevelopment of the site involves the construction of two new three-storey buildings to provide 31 flats, together with associated parking, external works and landscaping. In this case, the trees do not constrain the development of the site and the individual removals will have a low impact. However, the loss of all of the trees should be mitigated by tree planting.

The layout reserves limited space for landscaping on the road frontage, and in the amenity space at the rear of the buildings. The landscaping scheme makes provision for the planting of five fastigate (narrow-crowned) trees in front of the buildings, three trees on the road frontage of the car park and seven trees in the amenity space behind the buildings, in replacement of the existing trees. In that context there is no objection to the loss of several trees on the site. However, the space (a narrow strip) for landscaping in front of the two buildings is limited, such that they will be the dominant features.

ACCESS OFFICER:

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance.

1. Plans should be amended to show bathrooms that accord with the Lifetime Home Standards. The bathrooms/en-suite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
2. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.
3. The proposed wheelchair accessible flat (flat 1) should include specification that is conducive to the access requirements of a wheelchair user. Whilst the Design & Access Statement refers to a level access shower with perimeter drainage, the submitted plans appear not to have been marked up with these technical details

Conclusion: Plans should be amended to reflect the above specification in all bathrooms.

SUSTAINABILITY OFFICER:

1 Plot B: Energy

An energy statement was submitted with the application however it only demonstrates 13% of the energy coming from renewable energy sources without adequate justification for not including additional technology to provide the remaining 7%.

However given the importance of the applications and the commitment to Code for Sustainable Homes level 3 for the housing, I do not object to the proposals subject to the following conditions:

CONDITION

The residential development hereby permitted shall be built to a minimum of Level 3 of the Code for Sustainable Homes (or its successor). No development shall take place until a Design Stage assessment (under the Code for Sustainable Homes or its successor) has been carried out and a copy of the summary score sheet and Interim Code Certificate have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure the development proceeds in accordance with the policy aims of Policy A4.3 and Policy A4.16 of the London Plan.

CONDITION

Prior to the first occupation of the residential development, a copy of the summary score sheet and Post Construction Review Certificate (under the Code for Sustainable Homes or its successor) shall be submitted to the Local Planning Authority verifying that the agreed standards have been met.

REASON

To ensure the development proceeds in accordance with the policy aims of Policy A4.3 and Policy A4.16 of the London Plan.

2. Plot B: Flood Risk

As discussed at the pre-registration meeting with the EA, and included within the comments on the registration proforma, the development will need be justified through the flood risk sequential test. It is advised that the matter is discussed with the policy team.

S106 OFFICER:

Further to recent amendments to the scheme I am writing to advise of the agreed planning obligation heads of terms arising from this proposal and also to advise that given that the final quantum of unit mix for the affordable aspect is uncertain then the obligations will need to be addressed by formula in the resulting s106 agreement, if the scheme is approved.

In brief:

1. Highways/road works: Please see highways comments as to the extent of the highways works required as a result of this proposal and which will be followed through into the s106 agreement.

2. Affordable Housing: 16% of the scheme, by habitable room, is to be delivered as affordable housing with the tenure and unit mix to be agreed with the Council.

3. Education: formula for delivery of the education places in line with the SPD.
4. Health: formula for the resulting level of health facilities contribution in line with the SPD (£216.67 per person) is sought.
5. Libraries: formula for the resulting level of library facilities contribution in line with the SPD (£23 per person) is sought.
6. Construction Training: formula for the resulting level of construction training contribution, in line with the SPD, ($£2,500$ for every $£1$ million build cost + $31(\text{number of units})/160 \times £71,675 = \text{total contribution}$) is sought or an in-kind scheme submitted to and approved by the Council.
7. Project Management and Monitoring Fee: in line with the SPD a contribution equal to 5% of the total cash contributions is sought to enable the management and monitoring of the resulting agreement.

EDUCATION SERVICES:

A S106 education contribution of £108,764 is sought (Nursery - £12,621, Primary - £41,784, Secondary - £31,183 and Post-16 - £23,176) discounted to £85,289 (Nursery - £9,404, Primary - £33,278, Secondary - £24,571 and Post-16 - £18,035) for full nomination rights.

ENVIRONMENTAL HEALTH OFFICER:

I do not wish to object to this proposal.

Residential re-development:

Noise

I refer to the Noise Assessment carried out for the applicant by Northumbrian Water Scientific Services file reference number 18162 dated May 2010. It has been calculated that the overall site falls within Noise Exposure Category C of PPG24.

PPG 24 states that for sites falling within Noise Exposure Category C, planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

Road Traffic Noise - Southern façade (front of building)

The daytime equivalent continuous noise level (Leq) was predicted to be 69.3dB, placing it in upper Category C. Additionally, the night-time noise Leq was predicted to be 61.0dB, which also places the site in Category C. A series of measures are suggested in Chapter 7.3 which it is indicated can be employed to ensure noise levels in habitable rooms satisfy the Borough's Noise SPD.

Summary

Based on the results of the noise assessment I am satisfied that the requirements of the Borough's Noise SPD can be met using a combination of noise mitigation measures.

I therefore recommend the following conditions be applied to ensure that the proposed development will satisfy the requirements of the Borough's Noise SPD, Section 5, Table 2;

Condition

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

Reason: To safeguard the amenity of surrounding areas.

Condition - Dust from demolition and construction

Current government guidance in PPS231 endorses the use of conditions to control impacts during the construction phase of a development. I would recommend a standard condition requiring a Construction Environmental Management Plan (CEMP) to include dust control measures to be employed on site.

Relevant Best Practice Guidance exists from the Greater London Authority; The Control of dust and emissions from construction and demolition. November 2006.

Air Quality Assessment

The site is within the northern half of the Borough and therefore not located in the declared AQMA. No objections are therefore raised in respect of Air Quality.

Contaminated Land

I understand comments are to be sent under separate cover by colleagues in EPU.

ENVIRONMENTAL HEALTH OFFICER (LAND CONTAMINATION):

The desk study Phase 1 report by MLM for the site indicates that the site does not have a contaminative use, the land being used for agricultural purposes in the past before the building of the library and gym. We have not identified the site within our contaminated land strategy. However it is now a brownfield site with made ground. Residential flats are proposed on both sites with more amenity space on Plot B. The site is therefore a sensitive development and as such contamination investigations are necessary under the planning regime.

The site investigation (Phase 2) was carried out by MLM following the desk study. There were 12 sampling boreholes into the underlying soil to a maximum of 7.45 metres. They do not cover the current building areas where the properties still stand. The boreholes did not show unusual ground conditions however there is a shallow depth of made ground (gravelly clay, bricks etc) located down to 0.34 to 1.0 metres depth. The borehole soil logs are in the report.

Soils were tested for a range of contaminants and the results were compared to the standards for residential gardens. Most contaminants were not elevated. However there were two levels of Polyaromatic Hydrocarbons (Benzo(a)anthracene and Benzo(a)pyrene) that were above these target levels. The two hotspots are marked on a map and localised remediation is required if they are in a garden or amenity space area. The hotspots are at 0.1 to 0.2 metres depth and may be removed in the site strip. The plants on site are healthy and no levels of phytotoxins were found that would affect plant growth.

Monitoring wells for gas and water were installed at 4 locations. Ground gases were measured on 3

occasions). Some low Carbon dioxide up to 1.4% was found with no methane or vapours. Calculations were made for low rise housing using the NHBC Traffic Lights System for a 150mm void, and it was concluded that gas protection is not necessary mainly due to the low flow rates found.

It appears that there are no groundwater issues found by the investigation and the site is on a non-aquifer. However the Agency should be consulted for their comments.

The investigation report proposes protection for water pipes given that some levels of soil contamination particularly arsenic are above the WRAS guideline for laying water pipes.

The details submitted in this application in the MLM reports are sufficient for our current purposes as regards the human health issues. On the basis of the soil testing there may be some localised remediation of the two hotspots. If there is any unexpected contamination in the areas not surveyed or elsewhere this should be reported to the LPA and carried out properly.

I would advise applying a contaminated land condition as below to both applications given the sensitivity of the housing development and the made ground/identified hotspots on the site. Some contamination may be encountered once the buildings are demolished and all of the ground can be assessed. The condition will also ensure that the imported soil is tested and clean. Please contact me if you wish to discuss this site.

Condition

Site survey and remediation scheme

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

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

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

Note: The Environmental Protection Unit should be consulted when using this condition. The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the soil, water (ground/surface) and gas within the land or exist on the surface of the land.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The western part of the site is located within the South Ruislip Local Centre, with the eastern part being within the 'developed area' as shown on the Unitary Development Plan Proposals Map. In such a location, there is no in principle objection to the provision of residential units.

Policy H4 states that wherever practicable a mix of housing units should be provided, particularly one and two bedroom units. It emphasises that within town centres smaller units are preferable. Whilst this location does not fall within a designated town centre, it does fall within the South Ruislip Local Centre. Given the location and nature of the site, the unit mix of one and two bedroom units is considered to be acceptable.

This proposal involves the re-development of the former car park which served the former Ruislip Library and part of the site which previously accommodated a gymnasium. Policy R5 of the UDP Saved Policies September 2007 resists the loss of community facilities unless adequate alternative facilities are available. Similarly, Policy R11 of the UDP requires that proposals which involve the loss of land or buildings previously utilised for community facilities are assessed having regard to various criteria. Permission has been granted to replace the former 320m² library with a 388m² library on the adjoining site (Plot A) which also includes the associated car parking to serve the library and other facilities proposed as part of the redevelopment scheme. As part of the officer's report on the adjoining youth centre, it was also noted that as the centre would provide facilities for social, sporting, educational and community events to take place, including a large multi-purpose hall, the youth centre would therefore replace a large element of the existing Class D2 use of the site as a leisure centre. As such, and given that the permission granted on Plot A would also include an adult learning centre with five classrooms, no objections are raised to the loss of the community facility use on this site, particularly as much of this use comprised associated car parking.

As such, the proposal is considered to be in accordance with Policies H4, R5 and R11 of the saved UDP, subject to meeting other relevant planning criteria.

7.02 Density of the proposed development

Policy 3A.3 of the London Plan (February 2008) advises that Boroughs should ensure that development proposals achieve the maximum intensity of use compatible with the local context, design principles and public transport accessibility. At Table 3A.2, the London Plan establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site has a Public Transport Accessibility Level (PTAL) of 2. Given the nature of the surrounding area, which is on the edge of South Ruislip Local Centre, and is largely characterised by terraced and semi-detached properties with relatively large gardens, and buildings of 2-3 storeys in height, it is considered that the site falls within a suburban area as defined in the London Plan (2008). The London Plan (2008) range for sites with a PTAL of 2-3 in a suburban area is 50-95 units per hectare and 150-250 habitable rooms per hectare, assuming units have an indicative size of between 2.7 - 3.0 hr/unit. The proposed units have an average size of 2.4 hr/unit and the scheme equates to a density of 129 u/ha and 308 hr/ha which exceeds the maximum density as recommended by the London Plan.

In this instance, the division between this site and the adjoining Plot A is somewhat superficial, and although the approved re-development scheme on Plot A is for mixed development, it does include a significant element of residential use. Taking the redevelopment proposals on Plots A and B together, the larger scheme, including all the residential units would have a density of 95 u/ha and 218 hr/ha. This does comply with London Plan standards. It is therefore considered that the density is acceptable in this location, particularly as part of the site does form part of the South Ruislip Local Centre, where arguably, the character could be described as more urban (increasing the appropriate density from 70 - 170 u/ha in the London Plan) and the site is close, ie within

250m of the South Ruislip Underground Station. It is therefore considered that on balance, no objections are raised to the proposed density of development on this site.

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

Not applicable to this application site.

7.04 Airport safeguarding

The Ministry of Defence (MoD) have confirmed that they have no objections to the proposals. There is no requirement to consult National Air Traffic Services (NATS) or BAA Safeguarding on this proposal.

7.05 Impact on the green belt

No Green Belt issues are raised by this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The surrounding area is characterised by a wide mix of uses, with a large Sainsburys Supermarket and associated car park located on the opposite side of Victoria Road, beyond which is South Ruislip's main shopping area, a largely residential area located to the north, and large school playing fields located to the east. The site falls on the edge of the area designated as South Ruislip Local Centre and, accordingly, is on the fringe of the more densely built up area of South Ruislip.

Block 1 adjoining Plot A would be a four storey block, although on the Victoria Road frontage, the fourth floor would mainly be contained within the roof space with pitched roof dormers fronting the road, with Block 2 being three storey.

Block 1 would be comparable to the height of the three storey replacement building approved on the library site and be of a similar design. As part of the consideration of this scheme, it was noted that the building would not be out of keeping with the size, scale and height of nearby developments including Kelvedon Court to the north west, Sainsburys Supermarket opposite, and most of the properties in the Local Centre. Notably, all buildings fronting the Victoria Road/Station Road crossroads, less than 100m to the north west of the application site, are at least three-storeys, or equivalent, in height. Block 2 would also sit comfortably with the adjoining Young People Centre, parts of which equate to a two storey height.

The Council's Urban Design/Conservation Officer considers that the revised plans are a considerable improvement to the scheme, providing more space around the buildings, and the design of the buildings are much improved. The alterations to the roof terrace, by bringing the roof of the building down lower, also assist in reducing the dominance of this feature.

This part of Victoria Road, is characterised by rows of trees, set back from the road, on both sides, and these form an important element to the street scene, providing screening to the busy supermarket, service yard and associated car parking on the south western side of Victoria Road, and enhancing the more open nature of the north eastern side of the road. Whilst existing trees would need to be removed in order to make way for the proposed development, replacement trees would be provided to maintain the tree planting to the site frontage.

The building would take on a modern appearance with use of building materials such as fairface brick work, coloured render, and slate roofs to match the materials proposed on the adjoining building. Given the various different styles of buildings within the vicinity of

the site, this is considered to be visually acceptable in this location.

Overall, it is not considered that the size, scale, height or design of the proposed building would have a significant detrimental impact on the character or appearance of the surrounding area, or on the visual amenities of the street scene. Accordingly, the proposal is considered to comply with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The nearest existing residential properties to the application site are located at Kelvedon Court and the adjoining houses that front the south eastern side of Long Drive. These properties are sited over 65m from the application site. Furthermore, once the adjoining library site is redeveloped (application no. 67080/APP/2010/1419 refers), the nearest properties at Kelvedon Court and the adjoining property, No. 53 Long Drive would be screened by the new three storey building on Plot A from the nearest proposed block (Block 1) on Plot B.

The proposed new three storey building on Plot A does contain residential units, but these would not contain any side windows that would face onto the application site and the two blocks would be separated by a 21m distance. The whole of the area at the side of the building on Plot A would provide car parking which wraps around at the rear. Shared private amenity space for the adjoining block would be provided in the northern corner of the adjoining site, well away and largely screened from the application site. Furthermore, private balconies and roof terraces are located at the rear of the building, but these would be more than 21m from the nearest proposed block so as to satisfy the 21m separation distance advocated by design guidance to ensure that privacy is maintained.

It is therefore considered that the proposal would not have any detrimental impact on the amenity of existing and proposed residential occupiers in terms of overlooking, loss of privacy, overshadowing or loss of outlook. The scheme complies with Policies BE20, BE21 and BE24 of the saved UDP.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document: 'Residential Layouts' states that a minimum of 50m² internal floor space should be provided for one-bedroom flats, increasing to 63m² for two-bedroom units. The one bedroom flats would have floor areas ranging from 51m² to 55m², with the flats in the attic of Block 1 having a floor area of 74m² and 66m² to 80m² in the case of the two-bedroom units. The proposal therefore meets these guidelines. All windows would receive adequate daylight and the amenities of future occupiers would not be prejudiced by the location of adjoining properties. Furthermore, all the ground floor units now have their own small patio areas, allowing areas of defensible space to be created immediately outside their habitable room windows. As such, it is considered that the proposed units would adequately serve the needs of future occupiers in terms of internal space.

The Council's Supplementary Planning Document: 'Residential Layouts' also advises that shared amenity space should be provided at a minimum level of 20m² and 25m² per one-bedroom and two-bedroom units respectively and that space needs to be usable, attractively laid out and conveniently located. As such, a total of 680m² of external amenity space should be provided (320m² for Block 1 and 360m² for Block 2). This proposal would provide 207m² of shared garden space for Block 1 and 166m² for Block 2 at the rear of each block. In addition, the ground floor unit at the rear of Block 1 would have a private patio area of 24m² and the two ground floor units on Block 2 would have areas of 21m² and 25m². Also, on each of the first and second floors on Block 1, 3 of the 5 units would

have a 4m² balcony (only 2 one-bedroom units would not have a balcony), and a 59m² communal roof terrace would be provided on the third floor. In Block 2 on the first and second floors, all the one-bedroom flats would have 4m² balconies and the two-bedroom units would each have 10m² areas. Therefore, Block 1 provides 314m² or over 98% of its amenity space requirement to satisfy minimum standards, whereas Block 2 only provides a total of 248m² or some 69% of its overall requirement.

However, the ground floor units at the front would also have small patio areas of 16m² and 24m² on Block 1 and 13m² and 27m² on Block 2. At the front of these areas are communal/landscaping areas, with a 62m² seating out area provided between the two blocks at the front of the car park. Although the Council's design guidance does not include front garden areas as providing private amenity space as these areas are generally not considered to afford adequate privacy and amenity to be counted as amenity space, it is considered that this issue, particularly as regards flatted development where shared amenity space by definition, is not particularly private, is not clear cut. For instance, the seating out area at the front would not be particularly private and be more exposed to traffic noise but that is not to say that it could not serve a more limited useful purpose for some residents, less sensitive to noise and the gaze of passers-by, particularly if they were carefully landscaped. Those more sensitive residents would still have the option of using the rear amenity area(s). There have been a number of appeal cases recently, such as the Reindeer Public House, Maxwell Road, Northwood (ref. 18958/APP/2009/2210) where Inspector's have not discounted amenity areas at the front. If all the external amenity space is included, the overall amount of space for Block 2 at 350m² equates to 92% of that required by design guidance.

It is therefore considered that given the relatively minor nature of the shortfall in amenity space, even if the areas at the front are not included, combined with the fact that all the units in Block 2 where the shortfall is more pronounced would have their own patio or balcony areas, a reason for refusal on this ground would not be justified. As such, the scheme is considered to comply with policy BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.10 Traffic impact, car/cycle parking, pedestrian safety

A total of 36 parking spaces are proposed within the centre of the site, including 4 disabled person spaces, served by a new central vehicular crossover. This would require alteration to the road markings of the central reservation on Victoria Road in order to provide a new right hand turn lane.

Given the scale of the proposed development, in terms of vehicular trip generation/attraction, the future trips associated with the development are unlikely to have a significant effect on the capacity of the highway network.

With regards to the proposed residential use, the Council's Car Parking Standards state that for flats without individual curtilages and with communal parking areas, a maximum of 1.5 spaces should be provided per unit which would give a total of 47 spaces. Notwithstanding this, the London Plan standards state that for one and two-bedroom units a maximum of one space or less should be provided per unit, emphasising that all developments in areas of good public transport accessibility and/or town centres should aim for less than 1 space per unit. The site lies on the edge of the South Ruislip Local Centre, very close to local shops and a major supermarket, and is less than 500m away from the Victoria Road Retail Park. The site is also within approximately 300m of South Ruislip Underground and train stations.

There are parking restrictions along Victoria Road and in South Ruislip Centre. In addition, the site lies within close proximity to public car parks within South Ruislip. Accordingly, it is not considered that the proposal would result in a significant increase in on-street parking in the surrounding area.

Cycle storage provision has been shown within the undercroft area. Full details would be required by way of condition should approval be granted, and a minimum of 31 spaces are required, one space per unit.

On this basis, the Council's Highway Engineer does not raise any objections to the proposal and its off-street car parking provision or the access arrangements. Alterations to the road markings would be secured through S106/S78 Agreement. As such, the scheme complies with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

Urban Design

This issue has been largely addressed in part 7.07 of the report. At ground floor level, the proposed building would have an external footprint of approximately 507m². However, at first and second storey level, part of the building would be cantilevered over the car park, essentially creating an undercroft element to the car park, and additional floorspace for the upper floors. The second storey would be set back from the building's main front elevation, fronting Victoria Road, in order to provide roof terraces for flats at that level. The proposed building would have maximum dimensions of approximately 30m by 28m by 14m high.

Given the nature of the immediately surrounding area, including the three-storey residential block adjoining the site to the north west, and the large Sainsburys Supermarket, which the plans indicate measures approximately 26m high, opposite, it is not considered that the height, size or scale of the development would be out of keeping with the character or appearance of the surrounding area.

The building has been designed to reflect its different uses. At ground floor level it would be largely glazed to maximise the daylight in to the library and to provide a link to the outside, emphasising that it is a public building. At first floor level, the windows would project from the front elevation to create visual interest and a modern design, and at third floor level the front elevation to the residential units would sit behind roof terraces. The Design and Access statement suggests the provision of a pitched roof would add a domestic character. The external walls to the building would be finished in fairface brickwork and coloured render finish. The roof would comprise grey slates and the doors and windows would be finished in grey powder coated aluminium.

The proposed design and materials would create the impression of a modern contemporary building which is considered to be visually acceptable in this location. Notably, the proposal would reflect the modern design approach which was adopted for the youth centre, currently under construction to the south west of the site.

The Council's Urban Design Officer has raised no objections to the scheme in terms of size, scale, height, bulk, design, etc. However, it has been suggested that additional tree planting should be provided in the car park area. Given that a large part of the car park would be provided under an undercroft, and the restricted space available in this part of the site, this would not be possible. Details relating to landscaping will be further discussed in part 7.14 of the report. However, it should be noted that following

discussions with the Council's Trees/Landscape officer amended plans were submitted which show additional soft landscaping and tree planting to the site frontage, fronting Victoria Road, and notably, the Council's Trees/Landscape Officer has raised no objections. Accordingly, it is not considered that refusal could be justified on these grounds.

Security

The development would incorporate measures to reduce the risk of crime. Should approval be granted a condition would be required to ensure the development meets the Metropolitan Police's 'Secured by Design' criteria. Notably the Metropolitan Police's Crime Prevention Design Advisor has raised no objections to the scheme subject to conditions regarding boundary treatment (which would be covered by the Council's standard boundary treatment condition), CCTV, and details relating to the proposed children's play area to ensure it is secure and not abused by unauthorised users.

7.12 Disabled access

The applicant's Design and Access Statement confirms that the proposed development would comply with Lifetime Homes Standards, BS8300:2009 and Part M of the Building Regulations. It confirms that level access would be provided to all floors, all access controls to common parts of the building would be accessible and inclusive, and that WCs and bathrooms throughout the development would be flexible to allow use by wheelchair users. The Council's Access Officer has raised a number of points regarding the bathrooms and proposed wheelchair accessible unit. However, should approval be granted, it is considered that these issues could be satisfactorily addressed by way of condition.

7.13 Provision of affordable & special needs housing

Policy 3A.11 of the London Plan (2008) states that Boroughs should normally require 50% affordable housing provision on a site which has a capacity to provide 10 or more homes, unless a Financial Viability Assessment indicates otherwise.

Circular 05/2005 acknowledges that in some instances 'it may not be feasible for a proposed development to meet all of the requirements set out in local, regional and national policies and still be economically viable.' It goes on to state that in such cases it is for the local authority to decide what level of contributions are appropriate.

A Financial Viability Assessment (FVA) has been submitted which suggests that the scheme can support an element of affordable housing and 16% of the scheme by habitable room has been agreed which would be controlled by the S106 Agreement.

7.14 Trees, Landscaping and Ecology

There are two small groups of trees on the road frontage and two trees close to the rear boundary of the site. These trees are not protected and the Council's Tree Officer advises that they do not constrain the development, as no objection would be raised to individual tree loss, provided replacement tree planting was carried out on site.

The submitted landscape plan makes adequate provision for landscaping at the front of the site, including new tree planting, which would reflect the long line of tree planting on the south-western side of Victoria Road. As such, subject to appropriate conditions, the scheme is acceptable and complies with policy BE38 of the adopted Hillingdon unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

The plans show refuse storage areas within the undercroft parking area. Block 1 would be served by a 4m x 0.9m deep storage area, with Block 2 by a 6m x 0.9m area. It is

considered that the areas proposed would be large enough to accommodate the required refuse storage provision. Additional space could be made available on site to provide larger areas if required. Accordingly, further details would be required by way of condition should approval be granted.

7.16 Renewable energy / Sustainability

Policy 4A.7 of the London Plan 2008 advises that boroughs should require major development to show how they would reduce carbon emissions by 20% through addressing the site's electricity and heat needs from renewable sources, wherever feasible.

An energy statement has been submitted with the application, however it only demonstrates that 13% of the energy would come from renewable energy sources without adequate justification for not including additional technology to provide the remaining 7%.

However, the Council's Sustainability Officer advises that given the importance of the applications and the commitment to Code for Sustainable Homes level 3 for the housing, no objection is raised, subject to appropriate conditions to ensure compliance with Code 3.

7.17 Flooding or Drainage Issues

Policy OE8 of the saved UDP seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. Policies 4A.12, 4A.13 and 4A.14 of the London Plan (February 2008) require that flooding issues and the need for flood risk management and sustainable drainage are taken into account, having regard to PPS25.

Much of the western half of the site is within Flood Zone 1, which has the lowest probability of flooding, whereas most of the eastern half falls within Flood Zone 2. Accordingly, a Flood Risk Assessment has been submitted in support of the application. The Environment Agency have confirmed that they do not wish to be consulted on the application and that the Council should use standing advice on their website and in PPS25 to assess the scheme.

In accordance with PPS25, due to the provision of residential units, the development would be regarded as a 'more vulnerable' use. However, Table D.3, 'Flood Risk Vulnerability and Flood Zone Compatibility' indicates that 'more vulnerable' uses falling within Flood Zone 2 are appropriate. However, a sequential test should be used to establish that more suitable sites are not available.

To this end, a flood risk sequential test has been carried out. This advises that the Council is developing its Core Strategy and Strategic Housing Land Allocations and that currently, there is limited information on other sites likely to come forward that are comparable in size to the application site and the London Plan Strategic Housing Land Availability Assessment only investigates 'large' sites over 0.25 hectare. Accordingly, a comparison of other alternative sites would need to investigate other available 'windfall' sites that may be considered reasonably available. However, there is a relatively low level of flood risk on this site and measures identified in the Flood Risk Assessment would reduce the risk to a negligible level. Also, safe access and egress in times of flooding can be maintained to the site. Furthermore, this proposal is linked to the re-development of the adjoining library site. The report concludes that given the above, the development will be sited in an area with little or no flood risk, and there are no reasonably available alternative sites.

Therefore, it is not considered that the proposed development would lead to a significant

increase in flood risk. Appropriate conditions are recommended and the scheme is considered to be acceptable, in accordance with policy OE8 of the saved UDP, policies 4A.12, 4A.13 and 4A.14 of the London Plan (February 2008) and PPS25.

7.18 Noise or Air Quality Issues

Noise

The site lies adjacent to Victoria Road, near a busy junction, and opposite Sainsburys Service Yard. Accordingly, a Noise Assessment has been submitted in support of the application. This confirms that whilst the site falls within Noise Exposure Category C, the use of mitigation measures, such as use of double glazing and appropriate building materials, would give sufficient noise attenuation for the residential areas. Notably, Officers in the Council's Environmental Protection Unit have raised no objections subject to appropriate conditions to ensure the scheme is adequately protected from road traffic noise.

Air Quality

The site does not fall within an Air Quality Management Area and, accordingly, there is no requirement for the applicant to submit an Air Quality Assessment in support of the scheme. Officers in the Council's Environmental Protection Unit have confirmed that no objections are raised to the scheme on grounds of air quality.

7.19 Comments on Public Consultations

Points (i) to (vii), (xi) and (xii) have been dealt with in the main report. Points (viii), (ix), (x) and (xiii) are noted but do not raise any material planning objections. Point (xiv) is noted by other residential properties already overlook the playing fields and this relationship is a normal one and natural surveillance is normally considered to improve safety. As regards point (xv), land ownership is not a material planning consideration and correct certificates have been served.

7.20 Planning Obligations

Policy R17 of the UDP states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreational open space, facilities to support the arts, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals.

The applicant has agreed in principle to fund the highway works and a 16% affordable housing element (by habitable room) and provide contributions towards education, health and library facilities in this part of the borough and construction training. These will be secured by the proposed S106/S78 agreement.

7.21 Expediency of enforcement action

The application site does not raise any enforcement issues.

7.22 Other Issues

No other relevant planning issues are raised by this proposal.

8. Observations of the Borough Solicitor

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

Although the scheme exceeds the Mayor's density guidelines, the separation of this site with the adjoining Plot A site which would also contain a significant element of residential is somewhat superficial and although the approved development here is for a mixed scheme, when the overall residential densities are taken for the larger site, the scheme does comply with this guidance. Furthermore, it is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and there would be no adverse impact on the residential amenity of existing or proposed neighbouring occupants. An acceptable internal living environment would be created for future occupants of this scheme and although the amenity space standard would not be met, it is considered that the overall provision is acceptable. The parking layout and access arrangements are acceptable. Also, part of the site is within Flood Zone 2 but a sequential test did not reveal a more appropriate site for the development and no objections are raised by the Environment Agency. Accordingly, on balance, the proposal is considered to comply with relevant UDP and London Plan policies and approval is recommended.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies (September 2007)

London Plan (Consolidated with Alterations since 2004)

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25: Development and Flood Risk

Planning Policy Guidance 13: Transport

Planning Policy Guidance 24: Planning and Noise

Supplementary Planning Guidance - Community Safety by Design

Supplementary Planning Guidance - Noise

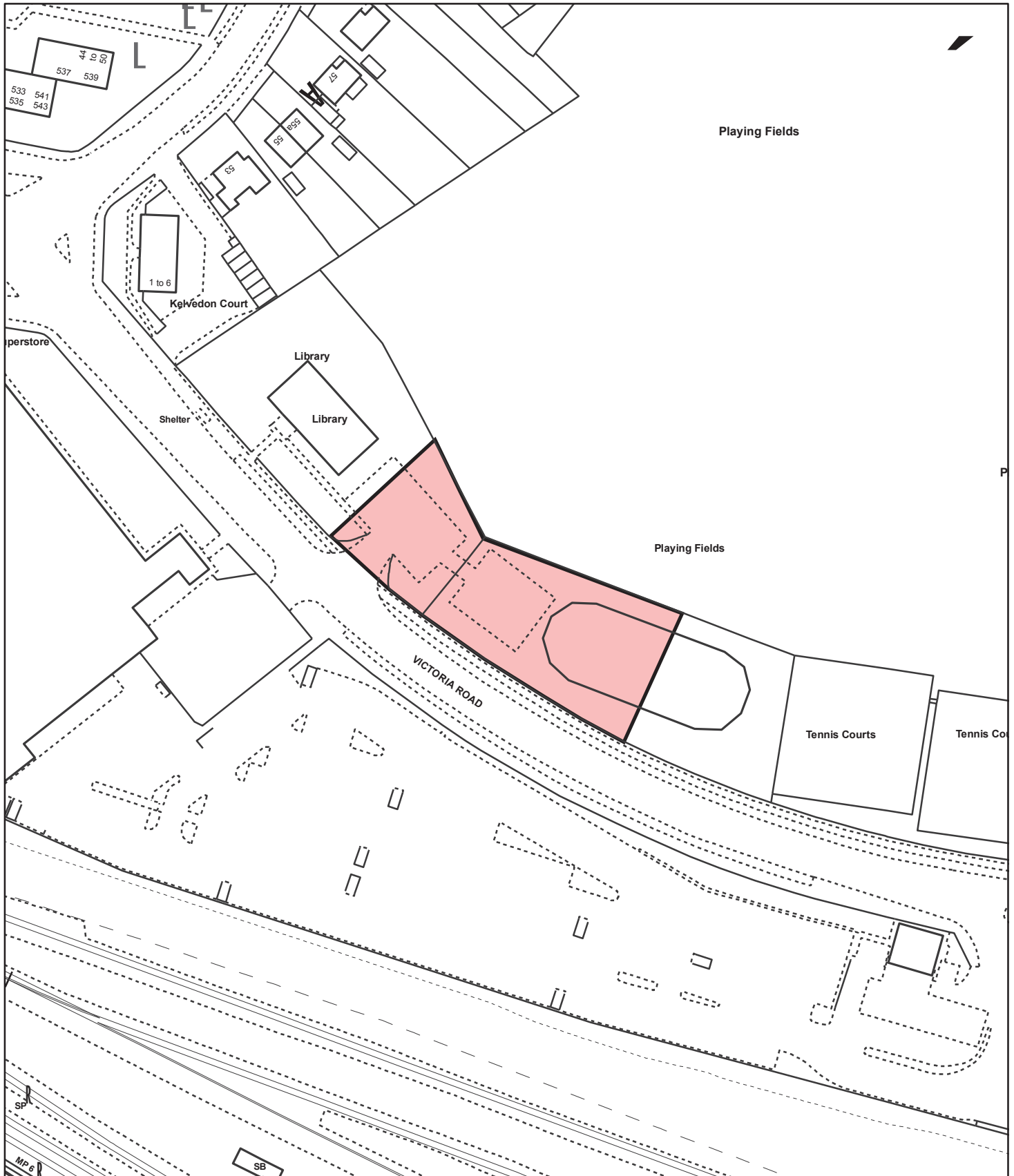
Supplementary Planning Guidance - Air Quality
Supplementary Planning Guidance - Planning Obligations
Supplementary Planning Guidance - Residential Layouts
Supplementary Planning Guidance - Accessible Hillingdon

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APPENDIX B

<p>177.</p>	<p>SOUTH RUISLIP LIBRARY, PLOT B, VICTORIA ROAD, RUISLIP 67080/APP/2010/1420 (<i>Agenda Item 6</i>)</p> <p>Officers drew the Committee’s attention to changes in the Addendum and the amended plans for the development.</p> <p>Officers advised the Committee the proposal was acceptable, living standards met all Council standards and the size and scale of the proposal was in keeping with the surrounding area.</p> <p>A Member asked officers to explain the Statement of Intent mentioned in the report. In response, the Legal officer clarified that the Council could not enter into a Section 106 Agreement with itself as the Local Planning Authority and that the Statement of Intent meant that when the property was sold in the future, there would be a legal requirement for the new owner to enter into a Section 106 Agreement (a statement of intent) with the Local Authority.</p> <p>A Member referred to the comments made by the Urban Design Officer in the report in relation to density and lack of amenity and suggested that the proposal appeared to be an over development of the site. In response, officers explained that the scale and bulk of the design had been reduced and that a number of relatively minor revisions to landscaping, floor plans, design elevations and terraces were significant to the overall design when these were added together. Officers explained that there would be a slight shortfall to the Council’s amenity standards.</p> <p>The recommendation for Approval was moved, seconded and on being put to the vote was agreed.</p> <p>Resolved – The application was Approved with four Members in favour, one against and one abstention for the reasons set out in the officer’s report and Addendum.</p>	<p>Action by</p> <p>James Rodger & Meg Hirani</p>
<p>178.</p>	<p>LAND FORMING PART OF 104 ABBOTSBURY GARDENS, EASTCOTE 67398/APP/2011/481 (<i>Agenda Item 7</i>)</p> <p>In accordance with the Council’s constitution a representative of the petitioners in objection to the application addressed the meeting.</p> <p>The petitioner made the following points:</p> <ul style="list-style-type: none"> • The proposal would be out of keeping with the surrounding area • The proposal will affect the character of the surrounding gardens • The Dean Estate and surrounding houses benefit from open vistas across green spaces which would be affected • The area surrounding the proposed development was already densely populated and the development would increase overcrowding • The land adjacent to the site includes an oak tree which could be affected by the development • The application did not alter significantly from the previous application 	<p>Action by</p> <p>James Rodger & Meg Hirani</p>



Notes

 Site boundary

For identification purposes only.

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& Community Services

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Telephone No.: Uxbridge 250111

Planning Application Ref:
67080/APP/2010/1420

Scale
1:1,250

Planning Committee
North

Date
March 2011



HILLINGDON
LONDON