

Report of the Head of Planning & Enforcement Services

Address PRONTO INDUSTRIAL ESTATE AND 585 - 591 UXBRIDGE ROAD HAYES

Development: Application to replace an extant planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one- bedroom flats with associated car parking, landscaping and amenity space.

LBH Ref Nos: 4404/APP/2011/2079

Drawing Nos: PL-100
TD401_01A
PL-101B
PL-201A
PL-300
PL-207
PL-206
PL-402
PL-403A
PL-401A
Design & Access Statement
Air Quality Assessment
Arboricultural Implications Assessment Report
Daylight, Sunlight & Overshadowing Assessment
Noise Assessment
Supporting Planning Statement
Sustainability Statement
Tree Survey Schedule
Employment Land Availability Report
Disabled Access Statement
Energy Statement
Code for Sustainable Homes Pre-Assessment Report
Transport Appraisal
PL-400
PL-404
PL-405
PL-200B
PL-202A
PL-203B
PL-204B
PL-205B

Date Plans Received:	24/08/2011	Date(s) of Amendment(s):	20/10/2011
Date Application Valid:	20/10/2011		10/01/2012
			30/01/2012

1. SUMMARY

Planning permission is sought to extend the time frame of a previous permission by up to a further three years. The application proposes the demolition of the existing buildings and the redevelopment of the site to provide replacement Class B1(c) light industrial space, 34 two-bedroom and 9 one-bedroom flats with associated car parking,

landscaping and amenity space.

The previous planning permission (the 2009 Permission) was approved on 23 March 2009, with a time frame of three years, expires on 23 March 2012. The 2009 permission is a substantive material consideration for this application, particularly in light of changes to procedures introduced in October 2009 concerning applications to extend planning permissions. In cases such as this the key issue is to consider what has changed since the original approval. Material changes include the adoption of the London Plan 2011 and the Council's Accessible Hillingdon SPD 2010.

The principle of redeveloping the site for a mixed use development has already been established by the permission granted in 2009. All details are identical to those previously approved. The overall size, siting, design and external appearance is considered to be acceptable, and no objections have been raised to the proposed parking, access and landscaping.

The proposal complies with current London Plan 2011 and UDP policies as well as the accessible Hillingdon SPD 2010. Accordingly, approval is recommended, subject to the applicant entering into a deed of variation to the existing Section 106 agreement to secure various planning obligations in accordance with the Council's Planning obligations Supplementary Planning Document.

2. RECOMMENDATION

a. That the application be determined by the Head of Planning, Consumer Protection, Sport and Green Spaces under delegated powers, subject to the completion of a deed of variation to the Section 106 Agreement dated 23 March 2009 accompanying planning permission ref. 4404/APP/2008/3558 to provide for the following obligations:

(i) Travel plans to be prepared in accordance with TFL guidance and implemented for the light industrial and the residential components of the development.

(ii) The provision of a contribution of £19,571 towards educational facilities (inflation adjusted to account for the retail price index since March 2009).

(iii) The provision of a contribution of £11,844.95 towards health care facilities (inflation adjusted to account for the retail price index since March 2009).

(iv) The provision of a contribution of £10,000 toward community facilities (inflation adjusted to account for the retail price index since March 2009).

(v) The provision of a contribution of £1,486 towards local library facilities (inflation adjusted to account for the retail price index since March 2009).

(vi) A contribution of £2,500 for every £1 million build cost to provide for construction training.

(vii) The provision of a pedestrian access to Rosedale Park, including the provision of access control and CCTV provision.

(viii) 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 the applicant meets the Council's reasonable costs in the preparation of the deed of variation to the Section 106 agreement and any abortive work as a result of the deed not being completed.

c. That the officers be authorised to negotiate and agree detailed terms of the proposed deed of variation.

d. That the application is reported back to the Planning Committee, if the Section 106 agreement is not completed within a period of 6 months from the date of Committee consideration.

e. That if the application is approved, the following conditions be attached:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 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).

3 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).

4 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).

5 M5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 MCD9 No External Storage including refuse

In relation to the B1(c) units hereby approved no display, placing or storage of refuse, recycling, goods, materials, plant or equipment shall take place other than within the buildings.

REASON

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

7 MCD10 Refuse/Recycling Facilities

No development shall take place until details of facilities to be provided for the screened and secure storage of refuse and recycling 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.

8 RPD11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the units identified as light industrial (Use Class B1(c)) shall be used only for purposes within Use Class B1(c) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON

In order to ensure the retention of industrial floorspace on site without detriment to the amenity of future or neighbouring occupiers in accordance with policies LE4, OE1, OE3 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 H1 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including where appropriate home zones, shared surfaces, carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces including a scheme of dedicated allocated parking, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas (where appropriate) must be

permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

10 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure storage for 61 bicycles (43 for the residential units and 18 for the B1(c) units), changing facilities, lockers and showers for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan. (July 2011).

11 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 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).

13 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).

14 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).

15 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).

16 N2 Noise-sensitive Buildings - use of sound insulation

Development shall not begin until a sound insulation scheme for protecting buildings A1 and A2 from road traffic noise and a scheme of sound attenuation between the ground and first floor uses within buildings A2, C and D, has been submitted, to, and approved by the Local Planning Authority. The sound insulation scheme shall meet an acceptable internal noise design criteria. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15

17 NONSC Hours of Operation

The light industrial units (Use Class B1(c)) hereby approved and/or associated plant shall not be used outside the hours of 0800 and 1800 Monday to Friday, and 0800 and 1300 on Saturdays. The premises and/or specified plant or use shall not be used on Sundays or Bank Holidays.

REASON

To safeguard the amenity of the surrounding area in accordance with policies OE1, OE3 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

18 NONSC Delivery Hours

No loading and unloading (to include waste collections) associated with light industrial units (Use Class B1(c)) on site shall take place outside the hours of 0800 and 1800 Monday to Friday, and 0800 and 1300 on Saturdays. No loading or unloading (to include waste collections) shall occur on Sundays or Bank Holidays.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

19 DRC6 Contaminated Land - survey and remedial works

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

REASON

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.21

20 DIS3 Parking for Wheelchair Disabled People

Development shall not commence until details of parking provision for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

21 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

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

REASON

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

22 SUS2 Energy Efficiency Major Applications (outline where energy s

No development shall take place on site until a detailed energy assessment has been submitted to, and approved in writing by the Local Planning Authority. The assessment shall set out the baseline (2010 Building Regulations) energy demand, the details of how the development will achieve a 25% reduction in carbon emissions, the types of technology to be used, the impact of the technologies on the baseline, the phasing of the technology and plans and elevations showing inclusion of the technology. The methods identified within the approved assessment shall be integrated within the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with London Plan (July 2011) Policies 5.1, 5.2, 5.3, 5.4, 5.5, 5.7, 5.9 and 5.10

23 SUS4 Code for Sustainable Homes details

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3

24 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with London Plan July 2011 and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (July 2011) Policy 5.12 and PPS25.

25 NONSC High Level Windows

All windows indicated to be high level windows on the approved plans shall be positioned so that the bottom sill is a minimum of 1.7m above final floor levels.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

26 NONSC Screening - Roof Terraces and Balconies

No development shall take place until details of the detailed design of the proposed balconies and roof terrace privacy screens have been submitted to, and approved in writing by, the Local Planning Authority. The balconies and roof terrace privacy screens will be implemented in accordance with the approved details and thereafter permanently retained.

REASON

To ensure the appearance of the balconies and roof terrace screening is appropriate and to prevent overlooking to adjoining properties in accordance with policies BE13 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

27 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 exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3

28 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 7 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).

29 NONSC CCTV and Lighting

Prior to development commencing, the applicant shall submit details of CCTV and external lighting coverage for the site for approval by the Council. The approved details shall be installed prior to first occupation of any part of the development hereby approved and thereafter permanently maintained.

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 exercising 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, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime' and the Council's SPG on Community Safety By Design.

30 NONSC Archaeology

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

REASON

To ensure that the proposed development does not disturb archaeological remains of importance in accordance with policy BE1 of the Hillingdon Unitary Development Plan Saved Policies.

31 NONSC Living Wall

No development shall commence on site until details of the proposed Living Wall on the northern elevation of Block B have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be completed in accordance with the approved details and the Living Wall permanently retained and maintained on site.

REASON

In order to ensure the proposed Living Wall is implemented in accordance with policy 5.11 of the London Plan (July 2011).

32 SUS8 Electric Charging Points

Before development commences, plans and details of 12 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan (July 2011) Policy 5.3

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the

policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
H4	Mix of housing units
H6	Considerations influencing appropriate density in residential development.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE1	Proposals for industry, warehousing and business development
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.4	(2011) Optimising housing potential
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy

3 I1 Building to Approved Drawing

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

4 I12 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

5 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

6 I14C Compliance with Building Regulations Access to and use of

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 and 8.

7 I15 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works 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.

8 119 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).

9 123 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

10 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).

11 131 Sites of Archaeological Interest

The application falls within an area in which archaeological finds of importance might be uncovered and while the scale of the works does not necessitate a full archaeological evaluation, a 'watching brief' may be required. Before commencement of the proposed works, you are therefore requested to send a copy of the approved drawings to English Heritage to allow them the opportunity to keep a watching brief during the course of the

works. Contact - English Heritage, 23 Savile Row, London, W1S 2ET (Tel. 020 7973 3000).

12 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).

13

The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

14

You are encouraged to consider the provision of electric charging points in the car park for use by the future occupiers of the development.

15

You are advised that, due to the development's reliance on roof terraces for amenity space, any proposal for the installation of wind turbines on site may have a detrimental impact on the living environment provided for future occupiers. Accordingly, any submission in relation to condition 24 proposing wind turbines will be referred to the Planning Committee for determination.

16 I25A **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

3. CONSIDERATIONS

3.1 Site and Locality

The site is an irregular 'L' shape trading estate of 0.49 hectares in area and located on the southern side of Uxbridge Road, Hayes. On the Proposals Map of the Hillingdon Unitary

Development Plan the site is located within the Developed Area. There is currently a single storey detached converted house, occupied by a coach operator, at the front of the site and 7 industrial buildings at the rear of the site. The existing buildings are generally of a poor quality and are of no architectural merit.

Historically the site has been used as a transport depot for the parking and maintenance of vehicles and the storage/distribution of fuel products and ancillary goods. The site is currently being used for a number of industrial uses including panel beaters/car repairs, vehicle mechanics, valeting, metal fabrication and coach works. The uses on site currently represent a mix of B1(c) (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) uses. However, the majority of the operations on site are considered to fall within use class B2.

The site has a 13.5 metre frontage and vehicular access off Uxbridge Road. The northern part of the site is long and narrow, approximately 24 metres wide, and this opens up at the southern end to an area approximately 73 metres wide.

The surrounding area consists of detached and semi-detached residential dwellings, generally two storeys in height, with large back gardens (average of approximately 50 metres). However, there are a number of more recent developments of a larger scale within the surrounding context. They include a 3 storey nursing and residential care home opposite the site and the 2.5/3 storey residential blocks at Admiral, Neville and Charlton Court to the east.

Adjacent to the site, to the west is a single storey house, which has been converted into a solicitor's office. At the rear of the site, to the east, is Rosedale Park. Allotment gardens are located to the south and west. A large recreation ground benefiting from play facilities is also located opposite the site entrance on the northern side of Uxbridge Road.

The site has a Public Transport Accessibility Level of 2 (on a scale of 1-6 where 6 represents the highest level of accessibility), although this increases to level 3 approximately 30m to the east of the application site. The site is also located within approximately 385m of the Uxbridge Road Secondary Shopping Area, which provides a range of local facilities.

3.2 Proposed Scheme

The proposed scheme is identical to the 2009 Permission and would involve the demolition of the existing industrial units and the redevelopment of the site to provide a mixed-use development comprising 750 sq m of B1(c) light industrial floorspace, 34 two bedroom flats and 9 one bedroom flats. Associated car parking, landscaping and amenity space would be provided.

The scheme is set out based on a shared surface and home zone principle with a mixed use surface surrounded by car parking, hard landscaped amenity areas and car parking winding through the development. The uses are distributed so that the light industrial uses are focussed closer to the Uxbridge Road and residential uses further into the site where traffic movements will be lower. The use of articulated landscaping and street furniture is demonstrated in order to define vehicular and pedestrian priorities within the home zone.

The scheme includes the provision of a variety of external amenity space spaces including approximately 227 sq m of roof terraces, 452.3 sq m of private amenity space (including private gardens and balconies), 621 sq m of communal soft/hard landscaping and an area

of approximately 786.4 sq m is designated as a Home Zone.

The proposed scheme consists of 7 buildings, which are described in detail below.

BUILDINGS A1 and A2

Buildings A1 and A2 are located on the frontage of Uxbridge Road. They are 2.5 storeys in height with pitched roofs with projecting front bays and of a design that mirror each other across the site entrance. The indicative materials palette is shown to be a combination of brick, timber, render and slate tiles. 2 disabled bays are located on the site frontage to serve these blocks.

Building A1 contains a one bedroom disabled flat, a standard one bedroom flat and a two bedroom flat.

Building A2 contains a B1(c) unit at ground floor level, a one bedroom flat and a two bedroom flat.

BUILDING B

Building B is located on the northern boundary of the site approximately 13m to the rear of building A1. The building is adjacent to an offsite conifer tree screen of significant height. The unit varies between 2 and 3 storeys in height adopting a more modern design than the two blocks fronting Uxbridge Road and includes the provision of a feature bay and a large green wall. The indicative materials proposed are a combination of brick, timber, render and glazing. The footprint of the building is approximately 201.5 sq m.

The building accommodates 237.5 sq m of B1(c) floor space divided into two units.

BUILDING C

Building C is located in the approximate centre of the site 18m to the south of building B and abutting the rear corner boundary of the neighbouring solicitor's office at Nos. 593-595 Uxbridge Road. The building is between 3 and 4 storeys in height with a 70 sq m roof terrace provided on the western side of the building and all of the residential units benefit from individual balcony provision. In terms of design the detailing demonstrates a modern design including a shallow pitched south facing roof slope, recessed balconies and recessed third floor treated with timber cladding. The indicative materials palette consists of brick, timber, render and glazing. The footprint of the block is approximately 196 sq m.

The building accommodates a B1(c) unit at ground floor level, 1 one bedroom flat and 4 two bedroom flats.

BUILDING D

Building D is located in the south eastern corner of the site, where the site abuts Rosedale Park and the allotments.

The design comprises a 3/4 storey building reducing in height toward the site's southern boundary with the adjacent allotments. The 4th storey section of the design would be timber clad and set back from the eastern façade to reduce its visual impact.

The general design and indicative materials palette is consistent with the design theme

employed throughout the proposed scheme. All residential units located within this block are provided with private balconies. The footprint of the block is approximately 323 sq.m.

The building accommodates approximately 263.3 sq.m of internal B1(c) floor area, 2 one bedroom flats and 8 two bedroom flats.

BUILDINGS E AND F

Buildings E and F are located in the south western area of the site. Building E lies in close proximity to the site's southern boundary with the adjacent allotments. Building F is set back approximately 4m from the rear boundary of Nos. 601 and 603 Uxbridge Road. The buildings are four storeys in height with a proposed design and material palette consistent with that of the other buildings within the development, although these residential only buildings have slightly more articulated elevations. Building E benefits from two roof terraces totalling 106 sq.m (34 sq.m and 72 sq.m respectively) and building F a roof terrace of 51 sq.m. Within both buildings all units have access to at least one balcony or a private ground floor terrace. The buildings each have footprints of approximately 25 sq.m.

Building E accommodates a one bedroom flat, 8 two bedroom flat and 2 two bedroom disabled units. Building F accommodates 2 one bedroom flats, 8 two bedroom flats and 2 two bedroom disabled units. The disabled units are located on the ground floor within both buildings.

The original application was supported by the following specialist reports which were taken into account by the Local Planning Authority its decision to grant planning permission: Supporting Planning Statement, Design and Access Statement, Economic Viability Assessment, Employment Land Availability Report, Daylight, Sunlight and Overshadowing Assessment, Noise Assessment, Air Quality Assessment, Sustainability Statement and Energy Assessment, Tree Survey and Arboricultural Implications Assessment, and Transport Statement.

The current application is also supported by the following additional reports and plans, which have been submitted to address changes in conditions and policy.

Transport Appraisal: The report reviews trip generation and impacts on the highway network, it concludes that there are many sustainable travel options available near to the site and that the impact of the development on the adjacent road network would not be material.

Disabled Access Statement & Amended Floor Plans: The statement reviews compliance of the scheme with the Council's Accessible Hillingdon SPD which has been adopted since the grant of the original planning permission. The amended floor plans seek to demonstrate internal alterations to the layout of the units in order to accommodate the improved levels of accessibility. These have been reviewed by officers and are confirmed to be internal alterations only, they do not alter the layout or appearance of the scheme, not do they alter the location of any fenestration of balconies.

Energy Statement & Code for Sustainable Homes Pre-Assessment Report: These reports consider the application against revised sustainability standards set out in the London Plan February 2011. They conclude that the development is capable of compliance with these requirements.

3.3 Relevant Planning History

4404/APP/2008/3558 Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes
Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one- bedroom flats with associated car parking, landscaping and amenity space.

Decision: 23-03-2009 Approved

Comment on Relevant Planning History

Full planning permission (the 2009 Permission) was granted on 23 March 2009 for the demolition of the existing buildings and the redevelopment of the site to provide replacement Class B1(c) light industrial space, 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space following the completion of a Section 106 agreement (Ref. 4404/APP/2008/3558). This permission has not been implemented and remains extant until 23 March 2012.

4. Planning Policies and Standards

The London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Planning Obligations Supplementary Planning Document (July 2008)
Accessible Hillingdon Supplementary Planning Document (January 2010)

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.

Part 2 Policies:

OE1 Protection of the character and amenities of surrounding properties and the local area
OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
OE5 Siting of noise-sensitive developments
H4 Mix of housing units
H6 Considerations influencing appropriate density in residential development.
R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE1 Proposals for industry, warehousing and business development
LE4 Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE7 Provision of planning benefits from industry, warehousing and business development
AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14 New development and car parking standards.

AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.4	(2011) Optimising housing potential
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **14th November 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised as major development and 109 adjoining owners/occupiers were consulted. One reply has been received from an adjoining owner/occupier alleging that the application site includes land not in the ownership of the applicants. The applicants have subsequently confirmed that all land within the application site is under their control.

METROPOLITAN POLICE CPDA

No specific concerns with regard to the design or layout of the scheme, subject to the standard secure by design conditions and details of cycle storage design. The following specific security needs have also been identified:

- The area of parking to the south of the site would benefit from minimal natural surveillance. Measures, including the potential use of CCTV on site accesses, should be investigated to ensure security.
- Provision of CCTV on the main entrance should be investigated.
- Should the pedestrian access to Rosedale Park go ahead this should be secured by access control and CCTV.

THAMES WATER

No objections with regard to surface water drainage. However, an informative should be added to advise the applicant of the need to contact Thames Water regarding any connections to the public sewer.

BAA SAFEGUARDING

No objection.

NATS SAFEGUARDING

No objection.

Internal Consultees

URBAN DESIGN

The Council's Urban Design Officer made the following comment on the previous scheme, which was identical in terms of layout, design, appearance and massing:

'The scheme proposes the redevelopment of the Pronto Trading Estate with a mixed use regeneration scheme, which has the benefit of retaining a significant amount of light industrial use, whilst providing 45 residential apartments with associated green open space and car parking.

The application site is situated in a predominantly residential area, characterised by a mixture of detached and semi detached dwellings, set in deep gardens. The street scene character is strongly suburban, with the recent addition of a three storey care home, located opposite the site.

The key urban design considerations of the site are visual impact and street scene character along Uxbridge Road, impact on the adjacent Green Chain to the south of the application site, as well as spatial relationship and built character within the site and in relation to the built context. Legibility within the site, connectivity to adjacent pedestrian links as well as high quality open spaces are other main objectives.

The application scheme has undergone extensive pre-application discussions with the planning department, including urban design aspects, and has been modified on the points of concern in accordance with officers advice. The scale, height and massing of the building block at the far rear, building E, has been reduced and redesigned in order to establish a comfortable spatial relationship with the adjacent Green Chain to the rear, as well as a suitable group of buildings within the site.

The scheme creates a strong frontage along Uxbridge Road, and closes the existing gap in the streetscape. The proposed two gateway buildings along the Uxbridge Road frontage, Block A and B, will provide distinct signature features in the streetscape, which contribute to the visual interest and improve the legibility of the site.

The landscaping has been designed as a parallel and integral part of the site layout, which results in a generous, functional and interesting sequence of open spaces. The hard and soft landscaping, designed in a coherent and organic manner, contains car parking, entrance and amenity areas. The 3-4 storey high blocks C-F create a good group around a home zone. The scheme provides a variety of places in direct relation to the buildings, and seeks to establish good pedestrian links to the adjacent Rosedale Park. Secure cycle parking is provided in form of well designed timber sheds.

The proposed building design is considered to reflect the existing building pattern in the area with regards to scale, height, composition and materials. The materials are however traditional, and the development as a whole is considered to respect the local distinctiveness of the area. The building design benefits from a combination of render, brickwork and horizontal timber, with good detailing. The skilful articulation of the facades strongly adds interest to the design, as well as reduces the bulk and massing.

In summary, from an urban design point of view the proposal is supported.'

TREES & LANDSCAPE

Landscape Context:

The site is occupied by an industrial estate, which is characterised by its buildings and hard landscape associated with parking and manoeuvring yards. There is little vegetation within the site, but a number of (off-site) trees and hedges line the boundaries. All vegetation was surveyed and a report submitted as part of a previous application ref. 4404/APP/2008/3558.

Trees on, or close to, the site are not protected by TPO or Conservation Area designation.

Proposal:

The proposal is an application to replace an extant planning permission ref. 4404/APP/2008/3558, to demolish the existing buildings and redevelop the site to provide a mix of light industrial space and flats, within a landscaped setting.

Landscape Considerations:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- Floyd Matcham's tree Survey and Arboricultural Implications Assessment (dated October 2006) is now out of date and a new survey, Arboricultural Implications Assessment, Tree Protection Plan and Arboricultural Method Statement will be required, by condition.
- Notwithstanding the above, the previous planning application was approved on the understanding that the (on-site) trees on site did not justify retention and Floyd Matcham's landscape masterplan (ref. TD 401-01A) was considered acceptable, subject to detail.
- Since the previous application, drainage requirements have changed with regard to SUDS compliance.
- A landscape management / maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

Recommendations:

No objection, subject to the above considerations and conditions TL1, TL2, TL3, TL5, TL6 and TL7.

ENVIRONMENTAL PROTECTION UNIT

No objection to the proposal subject to conditions to address the following:

- Protection of the residential units from road noise
- Restriction on operating hours for the B1(c) units.
- Restriction on timing of deliveries for the B1(c) units.
- Restriction on the use of plant machinery without prior consent.

Air Quality:

The Air Quality Assessment by Accon uk dated 25/11/2008 indicates that the air quality will be suitable for the future residents of the proposed scheme however it does not address the potential impact of the proposed scheme on the local air quality. A condition requiring appropriate measures to limit any impact would ensure no adverse impacts. This would include producing a green travel plan which should include personal travel plans for the future residents.

ACCESS OFFICER

No objection.

S106 OFFICER

Proposed Heads of Terms:

- Education: £19,571 for nursery and primary.
- Health: £11,844.95 for local surgery provision.
- Community Facilities: £10,000 for pooling towards the Hayes End Recreation centre upgrade.

· Libraries: £1,486.

All the above contributions should be inflation adjusted to account for the retail price index since March 2009.

- Construction training: £2,500 for every £1m build cost.
- Project Management and Monitoring fee: 5% of the total cash contributions.

WASTE

No objection.

SUSTAINABILITY OFFICER

No objection. The submitted energy assessment is appropriate for this stage of the process, however a more detailed strategy will be required through an appropriate condition.

GREEN SPACES

Green Spaces made the following comment on the original application, which is identical:

'There is no objection in principle to the provision of a pedestrian access from the new residential development into Rosedale Park. If this were to be provided an access gate would have to be provided by the developer and the opening and closing of the access gate would have to be allocated to the park management regime to ensure the security and opening hours of the facility were appropriate controlled.'

Given the setting back of the proposed building from the boundary with Rosedale Park, the developer would also need to ensure appropriate boundary treatment was provided.'

HIGHWAYS

The current proposal will result in a considerable reduction in trips by HGVs in comparison with the site's previous use.

The proposal is identical to that previously approved and it is not considered that the development will give rise to traffic generation that cannot be accommodated on the existing highway network.

No objections are raised on traffic grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development was established under the 2009 Permission (Ref: 404/APP/2008/3558).

The site is located within the 'Developed Area' as shown on the proposals map of the Hillingdon Unitary Development Plan. The surrounding area has a mix of uses, including residential properties and a park to the east, a solicitor's office to the west and allotments to the south.

The proposal would represent a high quality mixed use development contributing to the borough's housing stock and providing for a commensurate level of improved industrial floorspace on the site, which would meet the needs of small businesses.

The existing consent is a significant material planning consideration and there have been no changes to planning policy which would impact on the appropriateness of the development. Accordingly, no objection is raised to the principle of the development.

7.02 Density of the proposed development

Policy 3.4 of the London Plan seeks to optimise housing output taking into account local context and character, the design principles in Chapter 7 and public transport capacity. This policy framework and objectives remain the same as under the previous iteration of the London Plan.

The density of the development was subject to detailed consideration under the 2009 Permission and was considered appropriate for the development site. The density of the development is therefore considered appropriate.

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

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

The site is situated between the medieval settlements of Uxbridge and Wood End, and the Greater London Sites and Monuments Record indicates that medieval and other evidence has been discovered nearby. Accordingly, there is a possibility that archaeological remains may be located on the site.

The 2009 Permission was considered acceptable subject to a condition to secure appropriate archaeological work. There has been no change in policy or circumstance in this regard and the development would remain acceptable subject to imposition of such a condition.

7.04 Airport safeguarding

The design remains the same as that approved under the 2009 Permission, with the maximum height of buildings within the proposal being 14.2m above ground level and compliant with airport or aerodrome safeguarding.

7.05 Impact on the green belt

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

7.07 Impact on the character & appearance of the area

There has been no change to the policy context with regard to character and appearance since the approval of the 2009 Permission.

The 2009 Permission was considered to be acceptable in terms of overall height and bulk. In addition it was considered that scheme would create a strong frontage along Uxbridge Road, closing the existing gap in the streetscape while maintaining the character of the overall street scene and adding a level of interest.

The proposals remain identical in terms of design, external layout and appearance to those previously granted and accordingly no objection is raised in this regard.

7.08 Impact on neighbours

Issues relating to the potential impact of noise on the neighbouring properties have been addressed in the Noise and Air Quality Issues section below.

A site visit has been undertaken to confirm that there have been no fundamental changes to the sites surrounding and the development remains identical to the 2009 Permission in terms of its relationship with surrounding properties. Amended floor plans have been submitted to enhance accessibility, but these alter internal layouts only and do not alter the location of any fenestration or any aspect of the scheme which would impact on the amenity of neighbouring occupiers.

The relationship of the development with neighbouring properties was subject to detailed consideration in determining to approve the 2009 Permission, which was considered

would have a satisfactory relationship with, and maintain an appropriate level of residential amenity to, neighbouring residential properties.

It is therefore considered that the current proposal would maintain this appropriate relationship.

7.09 Living conditions for future occupiers

Issues relating to the potential impact of noise on the future occupiers have been addressed in the Noise and Air Quality Issues section below.

There has been no change to planning policy relating to the provision of living conditions for future occupiers since the approval of the 2009 Permission.

The amenity of future occupiers was subject to detailed consideration in reaching the decision to grant permission for the original planning permission with the scheme providing:

- (i) Appropriate internal floor areas;
- (ii) Adequate on-site amenity space in a variety of forms including communal amenity areas, roof top terraces, balconies;
- (iii) Being located in close proximity to off-site recreational facilities with Children's play facilities, including at Rosedale Park and on Uxbridge Road; and
- (iv) Being of a general layout which would preserve privacy, daylight and general amenity for future occupiers.

It is noted that the original development secured the provision of a convenient pedestrian link to Rosedale Park, this is retained within the current proposal and would be secured by legal agreement.

The proposal would therefore provide the same appropriate standard of residential amenity as the 2009 Permission.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's policies relating to highways safety and cycle/car parking requirements remain the same as those in force at the time of the 2009 Permission being approved.

The layout of the site, which is based around a 'home zone' arrangement remains unchanged and provides the same number of cycle and parking spaces, this being:

- (i) 63 secure covered cycle parking spaces spread throughout the site;
- (ii) 59 car parking spaces (43 for use by the residential units), including 4 oversized spaces to accommodate deliveries and 8 disabled spaces

The 2009 Permission was considered to be acceptable in terms of site layout, cycle and car parking subject to conditions securing the submission of details in respect of some detailed matters.

The applicant has submitted an updated Transport Appraisal which indicates that the traffic generation of the development would not exceed that previously predicted and that these would not be material to the operation of the highways network.

No significant changes to highways conditions in the area surrounding the site have been identified since approval of the 2009 Permission and no objection has been raised by the Council's Highways Officer.

Accordingly, the scheme is considered to be appropriate with regard to highways layout, cycle & car parking and traffic generation.

7.11 Urban design, access and security

The Urban Design Officer's comments on the 2009 Permission, which was identical, in the relevant section above and detailed design considerations are addressed in the relevant sections of this report. In general the scheme is considered to be of high quality in terms of urban design.

In terms of security, the comments of the Metropolitan Police Crime Prevention Design Advisor on the 2009 Permission, which was identical, are included in the relevant section above. The scheme is generally considered to be of an acceptable design in terms of security. However, conditions are suggested to ensure detailed security considerations and the implementation of CCTV in key areas are carried through to implementation should approval be granted.

7.12 Disabled access

Policy 3.8 of the London Plan and the Accessible Hillingdon Supplementary Planning Document require that 10% of all new residential units be designed to be easily adaptable for use by a wheelchair disabled person and that all new residential units are designed to meet Lifetime Homes standards.

Since approval of the 2009 Permission the Council has adopted the Accessible Hillingdon SPD 2010, which specifies some increased standards. In order to address this the applicant has submitted a disabled access statement and a set of revised floorplans demonstrating alterations to the internal layout of some units.

The Council's Access Officer raises no objection to the scheme as amended which provides all units built to Lifetime Homes standards, 5 disabled rooms and complies fully with the provisions of the current Accessible Hillingdon SPD.

7.13 Provision of affordable & special needs housing

Affordable Housing Policy has been updated within the London Plan 2011 and is now addressed under policy 3.11 which seeks for developments to provide 35% affordable housing. This is lower than the requirement at the time of approving the 2009 Permission. However, Policy 3.12 which addresses negotiations on planning obligations still requires that negotiations relating to affordable housing provision should take account of their individual circumstances including development viability.

The 2009 Permission was supported by a financial viability assessment demonstrating that it was not feasible to provide any affordable housing within the redevelopment. The assessment was considered at the time by an independent consultant in line with the Council's standard approach who confirmed that affordable housing provision was not viable within the scheme.

Since 2008 the economy has remained in a state of recession with no significant improvement in the housing market. Instead, the majority of house price indexes are indicative that currently the real value of property, when adjusted for inflation, is lower than it was at the time of considering the original application. However, build costs continue to increase. Given that there have been no significant changes in the economic situation since grant of the 2009 Permission it is considered that the cost modelling previously undertaken would remain valid.

The proposed development remains a high quality scheme, and planning policy seeks that affordable housing targets should not restrain housing provision. Accordingly, no

objection is raised due to the lack of affordable housing provision within the scheme.

7.14 Trees, landscaping and Ecology

There has been no change to adopted planning policy in relation to the issues of trees, landscaping or ecology since grant of the 2009 Permission.

The 2009 Permission was subject to detailed consideration by the Council's Trees Officer who considered that the proposal could be erected on site without any implications to the long term health and maintenance of the neighbouring cypress hedge. The proposed landscaping layout was considered to provide appropriate areas of grass and extensive shrub planting to enhance boundaries, and appropriate mixture of hard and soft landscaping utilising a palette of good quality materials.

Given there have been no material changes to planning policy it is considered that the landscaping scheme remains acceptable.

7.15 Sustainable waste management

Policy 5.17 of the London Plan sets out the Spatial Policy for Waste Management in London and states that all developments should provided adequate storage facilities for waste and recycling. this requirement remains the same as that in place when the 2009 Permission was approved.

The level and location of refuse and recycling storage remain identical to those which were approved under the previous permission. As there have been no material changes in planning policy the waste provision is considered to be appropriate, subject to conditions to provide further details of the residential waste storage and to prevent external storage of waste and recycling relating to the industrial units.

7.16 Renewable energy / Sustainability

Policies within chapter 5 of the London Plan require all developments to make the fullest contribution to achieving sustainable design and reducing carbon dioxide emissions. Specifically with reference to Major Developments, developments are required to identify energy efficiency savings to ensure a 25% improvement over the target emission rate in the 2010 Building Regulations. It should be noted that this requirement is lower than that which was in place at the time of considering the previous application.

Given the change in policy and advances in technology the applicant has submitted an updated Energy Assessment and Code for Sustainable Homes Pre-Assessment. These document indicate that the development would be easily capable of complying with the requirements of the London Plan.

The design also continues to attain the maximum contribution towards more specific policy requirements of the London Plan, such as the incorporation of a Green Wall on building B in order to provide such features where feasible in accordance with London Plan policy 5.11.

The proposal and supporting documentation indicate that substantial consideration of sustainability criteria has been applied during the design of the proposal and has resulted in a development which is considered to satisfy the requirements of the various London Plan policies relating to climate change.

7.17 Flooding or Drainage Issues

The site does not lie within a designated flood risk zone. Accordingly, the consideration of flood risk is not relevant to the current proposal.

Policy 5.13 of the London Plan, encourages developments to adopt sustainable urban drainage solutions to manage surface water run off. This policy objective remains the same as that in place when the 2009 Permission was approved.

The layout of the development remains identical to the 2009 Permission, which was considered acceptable subject to the imposition of a condition requiring the design and implementation of a sustainable drainage scheme. Subject to the same condition the current application would remain acceptable.

7.18 Noise or Air Quality Issues

The Council's adopted policy with regard to noise and environmental impacts on amenity remain identical to those in force when the 2009 Permission was approved.

The 2009 Permission, and supporting noise report, was subject to detailed consideration with regard to noise impacts. This review has regard to the existing use of the site, which would be a source of noise. It was concluded that the development would achieve an appropriate environment for both future and neighbouring occupiers subject to conditions securing a suite of noise mitigation measure and controlling the use of the proposed light industrial units.

Given there has been no material change in policy or circumstance it is considered that the development would be acceptable subject to imposition of the same conditions.

7.19 Comments on Public Consultations

One objection has been received from an adjoining owner/occupier alleging that the application site includes land not in the ownership of the applicants. The applicants have subsequently confirmed that all land within the application site is under their control.

7.20 Planning obligations

Policy R17 of the Council's Unitary Development Plan states that: The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals

The proposed development will result in an increased population, which will in turn increase demand on local services and facilities. Policy R17 of the Council's Unitary Development Plan requires the Council to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals.

The Council's Section 106 Officer has advised that the development will increase demands on local facilities and infrastructure. In line with the Council's Planning Obligations SPD the contributions set out below should be sought to improve these facilities to meet the increased demands of the development.

Education: A contribution of £19,571 to provide for nursery and primary (inflation adjusted to account for the retail price index since March 2009).

Health: A contribution of £11,844.95 to provide local surgery expansion (inflation adjusted to account for the retail price index since March 2009).

Community Facilities: A contribution of £10,000 to be pooled towards the Hayes End Recreation centre upgrade (inflation adjusted to account for the retail price index since

March 2009).

Libraries contribution: A contribution of £1,486 to provide for improved local library facilities (inflation adjusted to account for the retail price index since March 2009).

Construction training: A contribution of £2,500 for every £1 million build cost to ensure training opportunities are provided for local people.

Project Management and Monitoring fee: 5% of the total contributions to ensure appropriate management and monitoring of the obligations mentioned above.

The applicant has agreed to these contributions, which will be ensured through the completion of a deed of variation to the existing legal agreement. No, objection is raised to the proposal subject to the satisfactory completion of the deed.

7.21 Expediency of enforcement action

N/A

7.22 Other Issues

N/A

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

Planning permission is sought to extend the time frame of a previous permission by up to a further three years. The application proposes the demolition of the existing buildings and the redevelopment of the site to provide replacement Class B1(c) light industrial space, 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

The previous planning permission (the 2009 Permission) was approved on 23 March 2009, with a time frame of three years, expires on 23 March 2012. The 2009 permission is a substantive material consideration for this application, particularly in light of changes to procedures introduced in October 2009 concerning applications to extend planning permissions. In cases such as this the key issue is to consider what has changed since the original approval. Material changes include the adoption of the London Plan 2011 and the Council's Accessible Hillingdon SPD 2010.

The principle of redeveloping the site for a mixed use development has already been established by the permission granted in 2009. All details are identical to those previously approved. The overall size, siting, design and external appearance is considered to be acceptable, and no objections have been raised to the proposed parking, access and landscaping.

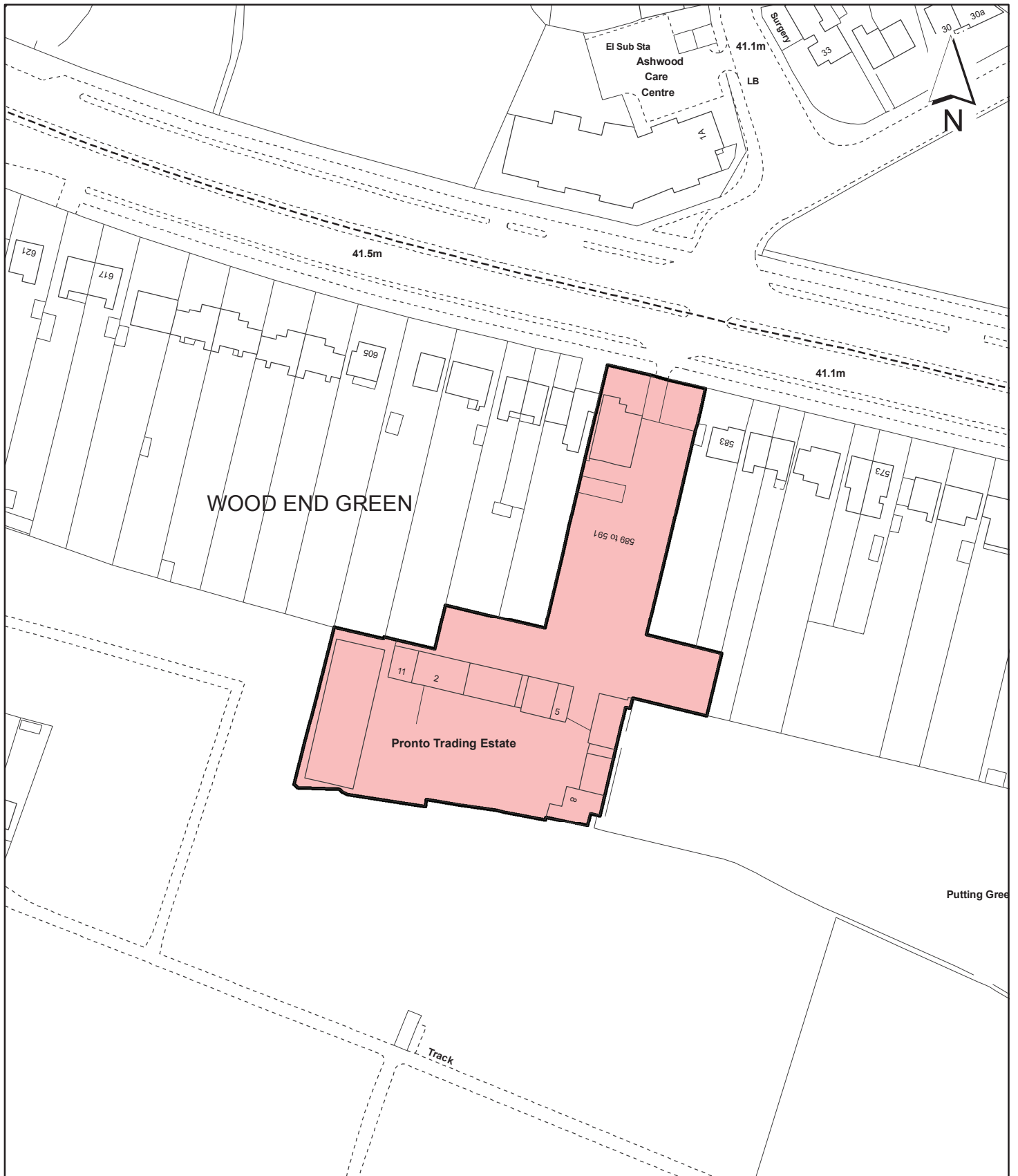
The proposal complies with current London Plan 2011 and UDP policies as well as the accessible Hillingdon SPD 2010. Accordingly, approval is recommended, subject to the applicant entering into a deed of variation to the existing Section 106 agreement to secure various planning obligations in accordance with the Council's Planning obligations Supplementary Planning Document.



11. Reference Documents

The London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Planning Obligations Supplementary Planning Document (July 2008)
Accessible Hillingdon Supplementary Planning Document (January 2010)

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">Pronto Industrial Estate and 585 - 591 Uxbridge Road Hayes</p>		<p align="center">LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p> <p align="center">  HILLINGDON LONDON </p>
	<p>Planning Application Ref:</p> <p align="center">4404/APP/2011/2079</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">Central and South</p>	<p>Date</p> <p align="center">January 2012</p>	